

APRIL __, 2017

RULES COMMITTEE PRINT 115-__
TEXT OF THE HOUSE AMENDMENT TO SENATE
AMENDMENT NUMBERED 1 TO H.R. 244, THE
HONORING INVESTMENTS IN RECRUITING
AND EMPLOYING AMERICAN VETERANS ACT
OF 2017

**[Showing the text of the Consolidated Appropriations Act,
2017.]**

In lieu of the matter proposed to be stricken by Senate amendment numbered 1, insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Consolidated Appro-
3 priations Act, 2017”.

4 SEC. 2. TABLE OF CONTENTS.

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Statement of appropriations.
- Sec. 6. Availability of funds.
- Sec. 7. Technical allowance for estimating differences.
- Sec. 8. Correction.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND
DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

- Title I—Agricultural Programs
- Title II—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, 2017

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

DIVISION C—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT,
2017

Title I—Military Personnel
Title II—Operation and Maintenance
Title III—Procurement
Title IV—Research, Development, Test and Evaluation
Title V—Revolving and Management Funds
Title VI—Other Department of Defense Programs
Title VII—Related Agencies
Title VIII—General Provisions
Title IX—Overseas Contingency Operations/Global War on Terrorism
Title X—Department of Defense—Additional Appropriations

DIVISION D—ENERGY AND WATER DEVELOPMENT AND RELATED
AGENCIES APPROPRIATIONS ACT, 2017

Title I—Corps of Engineers—Civil
Title II—Department of the Interior
Title III—Department of Energy
Title IV—Independent Agencies
Title V—General Provisions

DIVISION E—FINANCIAL SERVICES AND GENERAL GOVERNMENT
APPROPRIATIONS ACT, 2017

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
Title IX—SOAR Reauthorization

DIVISION F—DEPARTMENT OF HOMELAND SECURITY
APPROPRIATIONS ACT, 2017

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

Title VI—Department of Homeland Security—Additional Appropriations

DIVISION G—DEPARTMENT OF THE INTERIOR, ENVIRONMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

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

DIVISION H—DEPARTMENTS OF LABOR, HEALTH AND HUMAN
SERVICES, AND EDUCATION, AND RELATED AGENCIES APPRO-
PRIATIONS ACT, 2017

- Title I—Department of Labor
- Title II—Department of Health and Human Services
- Title III—Department of Education
- Title IV—Related Agencies
- Title V—General Provisions

DIVISION I—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

- Title I—Legislative Branch
- Title II—General Provisions

DIVISION J—DEPARTMENT OF STATE, FOREIGN OPERATIONS,
AND RELATED PROGRAMS APPROPRIATIONS ACT, 2017

- 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 K—TRANSPORTATION, HOUSING AND URBAN DEVELOP-
MENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

- Title I—Department of Transportation
- Title II—Department of Housing and Urban Development
- Title III—Related Agencies
- Title IV—General Provisions—This Act

DIVISION L—MILITARY CONSTRUCTION AND VETERANS
AFFAIRS—ADDITIONAL APPROPRIATIONS ACT, 2017

- Title I—Overseas Contingency Operations
- Title II—Department of Veterans Affairs
- Title III—General Provision—This Division

DIVISION M—OTHER MATTERS

- Title I—Health Benefits for Miners Act of 2017
- Title II—Puerto Rico Section 1108(g) Amendment of 2017
- Title III—General Provision

DIVISION N—HONORING INVESTMENTS IN RECRUITING AND
EMPLOYING AMERICAN MILITARY VETERANS ACT OF 2017**1 SEC. 3. REFERENCES.**

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

6 SEC. 4. EXPLANATORY STATEMENT.

7 The explanatory statement regarding this Act, print-
8 ed in the House section of the Congressional Record on
9 or about May 2, 2017, and submitted by the Chairman
10 of the Committee on Appropriations of the House, shall
11 have the same effect with respect to the allocation of funds
12 and implementation of divisions A through L of this Act
13 as if it were a joint explanatory statement of a committee
14 of conference.

15 SEC. 5. STATEMENT OF APPROPRIATIONS.

16 The following sums in this Act are appropriated, out
17 of any money in the Treasury not otherwise appropriated,
18 for the fiscal year ending September 30, 2017.

19 SEC. 6. AVAILABILITY OF FUNDS.

20 (a) Each amount designated in this Act by the Con-
21 gress as an emergency requirement pursuant to section
22 251(b)(2)(A)(i) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985 shall be available (or re-
24 scinded, if applicable) only if the President subsequently

1 so designates all such amounts and transmits such des-
2 ignations to the Congress.

3 (b) Each amount designated in this Act by the Con-
4 gress for Overseas Contingency Operations/Global War on
5 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985
7 shall be available (or rescinded, if applicable) only if the
8 President subsequently so designates all such amounts
9 and transmits such designations to the Congress.

10 **SEC. 7. TECHNICAL ALLOWANCE FOR ESTIMATING DIF-**
11 **FERENCES.**

12 If, for fiscal year 2017, new budget authority pro-
13 vided in appropriations Acts exceeds the discretionary
14 spending limit for any category set forth in section 251(c)
15 of the Balanced Budget and Emergency Deficit Control
16 Act of 1985 due to estimating differences with the Con-
17 gressional Budget Office, an adjustment to the discre-
18 tionary spending limit in such category for fiscal year
19 2017 shall be made by the Director of the Office of Man-
20 agement and Budget in the amount of the excess but the
21 total of all such adjustments shall not exceed 0.2 percent
22 of the sum of the adjusted discretionary spending limits
23 for all categories for that fiscal year.

1 **SEC. 8. CORRECTION.**

2 The Further Continuing and Security Assistance Ap-
3 propriations Act, 2017 (Public Law 114–254) is amended
4 by changing the long title so as to read: “Making further
5 continuing appropriations for the fiscal year ending Sep-
6 tember 30, 2017, and for other purposes.”.

1 **DIVISION A—AGRICULTURE, RURAL DE-**
2 **VELOPMENT, FOOD AND DRUG ADMIN-**
3 **ISTRATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2017**

5 TITLE I

6 AGRICULTURAL PROGRAMS

7 PRODUCTION, PROCESSING, AND MARKETING

8 OFFICE OF THE SECRETARY

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Office of the Secretary,
11 \$44,555,000, of which not to exceed \$5,051,000 shall be
12 available for the immediate Office of the Secretary; not
13 to exceed \$502,000 shall be available for the Office of
14 Tribal Relations; not to exceed \$1,496,000 shall be avail-
15 able for the Office of Homeland Security and Emergency
16 Coordination; not to exceed \$1,209,000 shall be available
17 for the Office of Advocacy and Outreach; not to exceed
18 \$24,928,000 shall be available for the Office of the Assist-
19 ant Secretary for Administration, of which \$24,124,000
20 shall be available for Departmental Administration to pro-
21 vide for necessary expenses for management support serv-
22 ices to offices of the Department and for general adminis-
23 tration, security, repairs and alterations, and other mis-
24 cellaneous supplies and expenses not otherwise provided
25 for and necessary for the practical and efficient work of

1 the Department; not to exceed \$3,869,000 shall be avail-
2 able for the Office of Assistant Secretary for Congres-
3 sional Relations to carry out the programs funded by this
4 Act, including programs involving intergovernmental af-
5 fairs and liaison within the executive branch; and not to
6 exceed \$7,500,000 shall be available for the Office of Com-
7 munications: *Provided*, That the Secretary of Agriculture
8 is authorized to transfer funds appropriated for any office
9 of the Office of the Secretary to any other office of the
10 Office of the Secretary: *Provided further*, That no appro-
11 priation for any office shall be increased or decreased by
12 more than 5 percent: *Provided further*, That not to exceed
13 \$11,000 of the amount made available under this para-
14 graph for the immediate Office of the Secretary shall be
15 available for official reception and representation ex-
16 penses, not otherwise provided for, as determined by the
17 Secretary: *Provided further*, That the amount made avail-
18 able under this heading for Departmental Administration
19 shall be reimbursed from applicable appropriations in this
20 Act for travel expenses incident to the holding of hearings
21 as required by 5 U.S.C. 551–558: *Provided further*, That
22 funds made available under this heading for the Office of
23 the Assistant Secretary for Congressional Relations may
24 be transferred to agencies of the Department of Agri-
25 culture funded by this Act to maintain personnel at the

1 agency level: *Provided further*, That no funds made avail-
2 able under this heading for the Office of Assistant Sec-
3 retary for Congressional Relations may be obligated after
4 30 days from the date of enactment of this Act, unless
5 the Secretary has notified the Committees on Appropria-
6 tions of both Houses of Congress on the allocation of these
7 funds by USDA agency.

8 EXECUTIVE OPERATIONS

9 OFFICE OF THE CHIEF ECONOMIST

10 For necessary expenses of the Office of the Chief
11 Economist, \$18,917,000, of which \$4,000,000 shall be for
12 grants or cooperative agreements for policy research under
13 7 U.S.C. 3155; and of which \$2,000,000, to remain avail-
14 able until September 30, 2018, shall be available for policy
15 research and related activities in support of the forth-
16 coming Farm Bill.

17 OFFICE OF HEARINGS AND APPEALS

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

20 OFFICE OF BUDGET AND PROGRAM ANALYSIS

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

23 OFFICE OF THE CHIEF INFORMATION OFFICER

24 For necessary expenses of the Office of the Chief In-
25 formation Officer, \$49,538,000, of which not less than

1 \$33,000,000 is for cybersecurity requirements of the De-
2 partment.

3 OFFICE OF THE CHIEF FINANCIAL OFFICER

4 For necessary expenses of the Office of the Chief Fi-
5 nancial Officer, \$8,028,000.

6 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

7 RIGHTS

8 For necessary expenses of the Office of the Assistant
9 Secretary for Civil Rights, \$901,000.

10 OFFICE OF CIVIL RIGHTS

11 For necessary expenses of the Office of Civil Rights,
12 \$24,206,000.

13 AGRICULTURE BUILDINGS AND FACILITIES

14 (INCLUDING TRANSFERS OF FUNDS)

15 For payment of space rental and related costs pursu-
16 ant to Public Law 92-313, including authorities pursuant
17 to the 1984 delegation of authority from the Adminis-
18 trator of General Services to the Department of Agri-
19 culture under 40 U.S.C. 121, for programs and activities
20 of the Department which are included in this Act, and for
21 alterations and other actions needed for the Department
22 and its agencies to consolidate unneeded space into con-
23 figurations suitable for release to the Administrator of
24 General Services, and for the operation, maintenance, im-
25 provement, and repair of Agriculture buildings and facili-

1 ties, and for related costs, \$84,189,000, to remain avail-
2 able until expended.

3 HAZARDOUS MATERIALS MANAGEMENT

4 (INCLUDING TRANSFERS OF FUNDS)

5 For necessary expenses of the Department of Agri-
6 culture, to comply with the Comprehensive Environmental
7 Response, Compensation, and Liability Act (42 U.S.C.
8 9601 et seq.) and the Resource Conservation and Recovery
9 Act (42 U.S.C. 6901 et seq.), \$3,633,000, to remain avail-
10 able until expended: *Provided*, That appropriations and
11 funds available herein to the Department for Hazardous
12 Materials Management may be transferred to any agency
13 of the Department for its use in meeting all requirements
14 pursuant to the above Acts on Federal and non-Federal
15 lands.

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General, including employment pursuant to the Inspector
19 General Act of 1978, \$98,208,000, including such sums
20 as may be necessary for contracting and other arrange-
21 ments with public agencies and private persons pursuant
22 to section 6(a)(9) of the Inspector General Act of 1978,
23 and including not to exceed \$125,000 for certain confiden-
24 tial operational expenses, including the payment of inform-
25 ants, to be expended under the direction of the Inspector

1 General pursuant to Public Law 95–452 and section 1337
2 of Public Law 97–98.

3 OFFICE OF THE GENERAL COUNSEL

4 For necessary expenses of the Office of the General
5 Counsel, \$44,697,000.

6 OFFICE OF ETHICS

7 For necessary expenses of the Office of Ethics,
8 \$4,136,000.

9 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
10 EDUCATION, AND ECONOMICS

11 For necessary expenses of the Office of the Under
12 Secretary for Research, Education, and Economics,
13 \$893,000.

14 ECONOMIC RESEARCH SERVICE

15 For necessary expenses of the Economic Research
16 Service, \$86,757,000.

17 NATIONAL AGRICULTURAL STATISTICS SERVICE

18 For necessary expenses of the National Agricultural
19 Statistics Service, \$171,239,000, of which up to
20 \$42,177,000 shall be available until expended for the Cen-
21 sus of Agriculture: *Provided*, That amounts made available
22 for the Census of Agriculture may be used to conduct Cur-
23 rent Industrial Report surveys subject to 7 U.S.C.
24 2204g(d) and (f).

1 AGRICULTURAL RESEARCH SERVICE

2 SALARIES AND EXPENSES

3 For necessary expenses of the Agricultural Research
4 Service and for acquisition of lands by donation, exchange,
5 or purchase at a nominal cost not to exceed \$100, and
6 for land exchanges where the lands exchanged shall be of
7 equal value or shall be equalized by a payment of money
8 to the grantor which shall not exceed 25 percent of the
9 total value of the land or interests transferred out of Fed-
10 eral ownership, \$1,170,235,000: *Provided*, That appro-
11 priations hereunder shall be available for the operation
12 and maintenance of aircraft and the purchase of not to
13 exceed one for replacement only: *Provided further*, That
14 appropriations hereunder shall be available pursuant to 7
15 U.S.C. 2250 for the construction, alteration, and repair
16 of buildings and improvements, but unless otherwise pro-
17 vided, the cost of constructing any one building shall not
18 exceed \$500,000, except for headhouses or greenhouses
19 which shall each be limited to \$1,800,000, except for 10
20 buildings to be constructed or improved at a cost not to
21 exceed \$1,100,000 each, and except for two buildings to
22 be constructed at a cost not to exceed \$3,000,000 each,
23 and the cost of altering any one building during the fiscal
24 year shall not exceed 10 percent of the current replace-
25 ment value of the building or \$500,000, whichever is

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

1 interest of the United States: *Provided further*, That funds
2 may be received from any State, other political subdivi-
3 sion, organization, or individual for the purpose of estab-
4 lishing or operating any research facility or research
5 project of the Agricultural Research Service, as authorized
6 by law.

7 BUILDINGS AND FACILITIES

8 For the acquisition of land, construction, repair, im-
9 provement, extension, alteration, and purchase of fixed
10 equipment or facilities as necessary to carry out the agri-
11 cultural research programs of the Department of Agri-
12 culture, where not otherwise provided, \$99,600,000 to re-
13 main available until expended.

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, \$849,518,000, 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 explanatory statement
22 described in section 4 (in the matter preceding division
23 A of this consolidated Act): *Provided*, That funds for re-
24 search grants for 1994 institutions, education grants for
25 1890 institutions, capacity building for non-land-grant

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

21 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

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, \$477,391,000,
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 explanatory
8 statement described in section 4 (in the matter preceding
9 division A of this consolidated Act): *Provided*, That funds
10 for facility improvements at 1890 institutions shall remain
11 available until expended: *Provided further*, That institu-
12 tions eligible to receive funds under 7 U.S.C. 3221 for co-
13 operative extension receive no less than \$1,000,000: *Pro-*
14 *vided further*, That funds for cooperative extension under
15 sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C.
16 343(b) and (c)) and section 208(c) of Public Law 93–471
17 shall be available for retirement and employees’ compensa-
18 tion costs for extension agents.

19 INTEGRATED ACTIVITIES

20 For the integrated research, education, and extension
21 grants programs, including necessary administrative ex-
22 penses, \$36,000,000, which shall be for the purposes, and
23 in the amounts, specified in the table titled “National In-
24 stitute of Food and Agriculture, Integrated Activities” in
25 the explanatory statement described in section 4 (in the

1 matter preceding division A of this consolidated Act): *Pro-*
2 *vided*, That funds for the Food and Agriculture Defense
3 Initiative shall remain available until September 30, 2018:
4 *Provided further*, That notwithstanding any other provi-
5 sion of law, indirect costs shall not be charged against any
6 Extension Implementation Program Area grant awarded
7 under the Crop Protection/Pest Management Program (7
8 U.S.C. 7626).

9 OFFICE OF THE UNDER SECRETARY FOR MARKETING
10 AND REGULATORY PROGRAMS

11 For necessary expenses of the Office of the Under
12 Secretary for Marketing and Regulatory Programs,
13 \$901,000.

14 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of the Animal and Plant
18 Health Inspection Service, including up to \$30,000 for
19 representation allowances and for expenses pursuant to
20 the Foreign Service Act of 1980 (22 U.S.C. 4085),
21 \$946,212,000, of which \$477,000, to remain available
22 until expended, shall be available for the control of out-
23 breaks of insects, plant diseases, animal diseases and for
24 control of pest animals and birds (“contingency fund”) to
25 the extent necessary to meet emergency conditions; of

1 which \$11,520,000, to remain available until expended,
2 shall be used for the cotton pests program for cost share
3 purposes or for debt retirement for active eradication
4 zones; of which \$37,857,000, to remain available until ex-
5 pended, shall be for Animal Health Technical Services; of
6 which \$697,000 shall be for activities under the authority
7 of the Horse Protection Act of 1970, as amended (15
8 U.S.C. 1831); of which \$55,340,000, to remain available
9 until expended, shall be used to support avian health; of
10 which \$4,251,000, to remain available until expended,
11 shall be for information technology infrastructure; of
12 which \$166,500,000, to remain available until expended,
13 shall be for specialty crop pests; of which, \$8,826,000, to
14 remain available until expended, shall be for field crop and
15 rangeland ecosystem pests; of which \$16,523,000, to re-
16 main available until expended, shall be for zoonotic disease
17 management; of which \$40,966,000, to remain available
18 until expended, shall be for emergency preparedness and
19 response; of which \$54,000,000, to remain available until
20 expended, shall be for tree and wood pests; of which
21 \$5,723,000, to remain available until expended, shall be
22 for the National Veterinary Stockpile; of which up to
23 \$1,500,000, to remain available until expended, shall be
24 for the scrapie program for indemnities; of which
25 \$2,500,000, to remain available until expended, shall be

1 for the wildlife damage management program for aviation
2 safety: *Provided*, That of amounts available under this
3 heading for wildlife services methods development,
4 \$1,000,000 shall remain available until expended: *Pro-*
5 *vided further*, That of amounts available under this head-
6 ing for the screwworm program, \$4,990,000 shall remain
7 available until expended; of which \$3,000,000, to remain
8 available until expended, shall be for National Bio and
9 Agro-Defense human capital development: *Provided fur-*
10 *ther*, That no funds shall be used to formulate or admin-
11 ister a brucellosis eradication program for the current fis-
12 cal year that does not require minimum matching by the
13 States of at least 40 percent: *Provided further*, That this
14 appropriation shall be available for the operation and
15 maintenance of aircraft and the purchase of not to exceed
16 five, of which two shall be for replacement only: *Provided*
17 *further*, That in addition, in emergencies which threaten
18 any segment of the agricultural production industry of this
19 country, the Secretary may transfer from other appropria-
20 tions or funds available to the agencies or corporations
21 of the Department such sums as may be deemed nec-
22 essary, to be available only in such emergencies for the
23 arrest and eradication of contagious or infectious disease
24 or pests of animals, poultry, or plants, and for expenses
25 in accordance with sections 10411 and 10417 of the Ani-

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

13 In fiscal year 2017, the agency is authorized to collect
14 fees to cover the total costs of providing technical assist-
15 ance, goods, or services requested by States, other political
16 subdivisions, domestic and international organizations,
17 foreign governments, or individuals, provided that such
18 fees are structured such that any entity's liability for such
19 fees is reasonably based on the technical assistance, goods,
20 or services provided to the entity by the agency, and such
21 fees shall be reimbursed to this account, to remain avail-
22 able until expended, without further appropriation, for
23 providing such assistance, goods, or services.

1 BUILDINGS AND FACILITIES

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

8 AGRICULTURAL MARKETING SERVICE

9 MARKETING SERVICES

10 For necessary expenses of the Agricultural Marketing
11 Service, \$84,933,000, of which \$1,000,000 shall be avail-
12 able for the purposes of section 12306 of Public Law 113-
13 79: *Provided*, That of the funds provided herein,
14 \$1,000,000 shall be used for the transportation services
15 division: *Provided further*, That of the amounts made
16 available under this heading, no more than \$1,000,000
17 shall be used for the purpose of Public Law 114-216: *Pro-*
18 *vided further*, That this appropriation shall be available
19 pursuant to law (7 U.S.C. 2250) for the alteration and
20 repair of buildings and improvements, but the cost of al-
21 tering any one building during the fiscal year shall not
22 exceed 10 percent of the current replacement value of the
23 building.

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

4 LIMITATION ON ADMINISTRATIVE EXPENSES

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

12 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

13 SUPPLY (SECTION 32)

14 (INCLUDING TRANSFERS OF FUNDS)

15 Funds available under section 32 of the Act of Au-
16 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
17 modity program expenses as authorized therein, and other
18 related operating expenses, except for: (1) transfers to the
19 Department of Commerce as authorized by the Fish and
20 Wildlife Act of August 8, 1956; (2) transfers otherwise
21 provided in this Act; and (3) not more than \$20,705,000
22 for formulation and administration of marketing agree-
23 ments and orders pursuant to the Agricultural Marketing
24 Agreement Act of 1937 and the Agricultural Act of 1961.

1 PAYMENTS TO STATES AND POSSESSIONS

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

7 GRAIN INSPECTION, PACKERS AND STOCKYARDS

8 ADMINISTRATION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Grain Inspection,
11 Packers and Stockyards Administration, \$43,482,000:
12 *Provided*, That this appropriation shall be available pursu-
13 ant to law (7 U.S.C. 2250) for the alteration and repair
14 of buildings and improvements, but the cost of altering
15 any one building during the fiscal year shall not exceed
16 10 percent of the current replacement value of the build-
17 ing.

18 LIMITATION ON INSPECTION AND WEIGHING SERVICES

19 EXPENSES

20 Not to exceed \$55,000,000 (from fees collected) shall
21 be obligated during the current fiscal year for inspection
22 and weighing services: *Provided*, That if grain export ac-
23 tivities require additional supervision and oversight, or
24 other uncontrollable factors occur, this limitation may be

1 exceeded by up to 10 percent with notification to the Com-
2 mittees on Appropriations of both Houses of Congress.

3 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

4 For necessary expenses of the Office of the Under
5 Secretary for Food Safety, \$819,000.

6 FOOD SAFETY AND INSPECTION SERVICE

7 For necessary expenses to carry out services author-
8 ized by the Federal Meat Inspection Act, the Poultry
9 Products Inspection Act, and the Egg Products Inspection
10 Act, including not to exceed \$50,000 for representation
11 allowances and for expenses pursuant to section 8 of the
12 Act approved August 3, 1956 (7 U.S.C. 1766),
13 \$1,032,062,000; and in addition, \$1,000,000 may be cred-
14 ited to this account from fees collected for the cost of lab-
15 oratory accreditation as authorized by section 1327 of the
16 Food, Agriculture, Conservation and Trade Act of 1990
17 (7 U.S.C. 138f): *Provided*, That funds provided for the
18 Public Health Data Communication Infrastructure system
19 shall remain available until expended: *Provided further*,
20 That no fewer than 148 full-time equivalent positions shall
21 be employed during fiscal year 2017 for purposes dedi-
22 cated solely to inspections and enforcement related to the
23 Humane Methods of Slaughter Act: *Provided further*, That
24 the Food Safety and Inspection Service shall continue im-
25 plementation of section 11016 of Public Law 110–246 as

1 further clarified by the amendments made in section
2 12106 of Public Law 113–79: *Provided further*, That this
3 appropriation shall be available pursuant to law (7 U.S.C.
4 2250) for the alteration and repair of buildings and im-
5 provements, but the cost of altering any one building dur-
6 ing the fiscal year shall not exceed 10 percent of the cur-
7 rent replacement value of the building.

8 OFFICE OF THE UNDER SECRETARY FOR FARM AND
9 FOREIGN AGRICULTURAL SERVICES

10 For necessary expenses of the Office of the Under
11 Secretary for Farm and Foreign Agricultural Services,
12 \$901,000.

13 FARM SERVICE AGENCY

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Farm Service Agency,
17 \$1,206,110,000: *Provided*, That not more than 50 percent
18 of the \$100,851,000 made available under this heading
19 for information technology related to farm program deliv-
20 ery, including the Modernize and Innovate the Delivery of
21 Agricultural Systems and other farm program delivery
22 systems, may be obligated until the Secretary submits to
23 the Committees on Appropriations of both Houses of Con-
24 gress, and receives written or electronic notification of re-
25 ceipt from such Committees of, a plan for expenditure that

1 (1) identifies for each project/investment over \$25,000 (a)
2 the functional and performance capabilities to be delivered
3 and the mission benefits to be realized, (b) the estimated
4 lifecycle cost, including estimates for development as well
5 as maintenance and operations, and (c) key milestones to
6 be met; (2) demonstrates that each project/investment is
7 (a) consistent with the Farm Service Agency Information
8 Technology Roadmap, (b) being managed in accordance
9 with applicable lifecycle management policies and guid-
10 ance, and (c) subject to the applicable Department's cap-
11 ital planning and investment control requirements; and (3)
12 has been reviewed by the Government Accountability Of-
13 fice and approved by the Committees on Appropriations
14 of both Houses of Congress: *Provided further*, That the
15 agency shall submit a report by the end of the fourth quar-
16 ter of fiscal year 2017 to the Committees on Appropria-
17 tions and the Government Accountability Office, that iden-
18 tifies for each project/investment that is operational (a)
19 current performance against key indicators of customer
20 satisfaction, (b) current performance of service level agree-
21 ments or other technical metrics, (c) current performance
22 against a pre-established cost baseline, (d) a detailed
23 breakdown of current and planned spending on oper-
24 ational enhancements or upgrades, and (e) an assessment
25 of whether the investment continues to meet business

1 needs as intended as well as alternatives to the investment:
2 *Provided further*, That the Secretary is authorized to use
3 the services, facilities, and authorities (but not the funds)
4 of the Commodity Credit Corporation to make program
5 payments for all programs administered by the Agency:
6 *Provided further*, That other funds made available to the
7 Agency for authorized activities may be advanced to and
8 merged with this account: *Provided further*, That funds
9 made available to county committees shall remain avail-
10 able until expended: *Provided further*, That none of the
11 funds available to the Farm Service Agency shall be used
12 to close Farm Service Agency county offices: *Provided fur-*
13 *ther*, That none of the funds available to the Farm Service
14 Agency shall be used to permanently relocate county based
15 employees that would result in an office with two or fewer
16 employees without prior notification and approval of the
17 Committees on Appropriations of both Houses of Con-
18 gress.

19 STATE MEDIATION GRANTS

20 For grants pursuant to section 502(b) of the Agricul-
21 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
22 5106), \$3,904,000.

23 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

24 For necessary expenses to carry out wellhead or
25 groundwater protection activities under section 12400 of

1 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
2 \$6,500,000, to remain available until expended.

3 DAIRY INDEMNITY PROGRAM

4 (INCLUDING TRANSFER OF FUNDS)

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

15 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

16 ACCOUNT

17 (INCLUDING TRANSFERS OF FUNDS)

18 For gross obligations for the principal amount of di-
19 rect and guaranteed farm ownership (7 U.S.C. 1922 et
20 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-
21 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-
22 quisition loans (25 U.S.C. 488), boll weevil loans (7
23 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.
24 1924 et seq.), and Indian highly fractionated land loans
25 (25 U.S.C. 488) to be available from funds in the Agricul-

1 tural Credit Insurance Fund, as follows: \$2,750,000,000
2 for guaranteed farm ownership loans and \$1,500,000,000
3 for farm ownership direct loans; \$1,960,000,000 for un-
4 subsidized guaranteed operating loans and
5 \$1,530,000,000 for direct operating loans; emergency
6 loans, \$22,576,000; Indian tribe land acquisition loans,
7 \$20,000,000; guaranteed conservation loans,
8 \$150,000,000; Indian highly fractionated land loans,
9 \$10,000,000; and for boll weevil eradication program
10 loans, \$60,000,000: *Provided*, That the Secretary shall
11 deem the pink bollworm to be a boll weevil for the purpose
12 of boll weevil eradication program loans.

13 For the cost of direct and guaranteed loans and
14 grants, including the cost of modifying loans as defined
15 in section 502 of the Congressional Budget Act of 1974,
16 as follows: farm operating loans, \$65,178,000 for direct
17 operating loans, \$20,972,000 for unsubsidized guaranteed
18 operating loans, emergency loans, \$1,262,000, to remain
19 available until expended; and \$2,550,000 for Indian highly
20 fractionated land loans.

21 In addition, for administrative expenses necessary to
22 carry out the direct and guaranteed loan programs,
23 \$317,068,000, of which \$306,998,000 shall be transferred
24 to and merged with the appropriation for “Farm Service
25 Agency, Salaries and Expenses”.

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

8 RISK MANAGEMENT AGENCY

9 SALARIES AND EXPENSES

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

14 CORPORATIONS

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

1 FEDERAL CROP INSURANCE CORPORATION FUND

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

5 COMMODITY CREDIT CORPORATION FUND

6 REIMBURSEMENT FOR NET REALIZED LOSSES

7 (INCLUDING TRANSFERS OF FUNDS)

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

21 HAZARDOUS WASTE MANAGEMENT

22 (LIMITATION ON EXPENSES)

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

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

1 TITLE II
2 CONSERVATION PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR NATURAL
4 RESOURCES AND ENVIRONMENT

5 For necessary expenses of the Office of the Under
6 Secretary for Natural Resources and Environment,
7 \$901,000.

8 NATURAL RESOURCES CONSERVATION SERVICE
9 CONSERVATION OPERATIONS

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

1 \$864,474,000, to remain available until September 30,
2 2018: *Provided*, That appropriations hereunder shall be
3 available pursuant to 7 U.S.C. 2250 for construction and
4 improvement of buildings and public improvements at
5 plant materials centers, except that the cost of alterations
6 and improvements to other buildings and other public im-
7 provements shall not exceed \$250,000: *Provided further*,
8 That when buildings or other structures are erected on
9 non-Federal land, that the right to use such land is ob-
10 tained as provided in 7 U.S.C. 2250a: *Provided further*,
11 That of the amounts made available under this heading,
12 \$5,600,000, shall remain available until expended for the
13 authorities under 16 U.S.C. 1001–1005 and 1007–1009
14 for authorized ongoing watershed projects with a primary
15 purpose of providing water to rural communities.

16 WATERSHED AND FLOOD PREVENTION OPERATIONS

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

1 heading, \$50,000,000 shall be allocated to projects and
2 activities that can commence promptly following enact-
3 ment; that address regional priorities for flood prevention,
4 agricultural water management, inefficient irrigation sys-
5 tems, fish and wildlife habitat, or watershed protection;
6 or that address authorized ongoing projects under the au-
7 thorities of section 13 of the Flood Control Act of Decem-
8 ber 22, 1944 (Public Law 78–534) with a primary pur-
9 pose of watershed protection by preventing floodwater
10 damage and stabilizing stream channels, tributaries, and
11 banks to reduce erosion and sediment transport.

12 WATERSHED REHABILITATION PROGRAM

13 Under the authorities of section 14 of the Watershed
14 Protection and Flood Prevention Act, \$12,000,000 is pro-
15 vided.

1 TITLE III
2 RURAL DEVELOPMENT PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR RURAL
4 DEVELOPMENT

5 For necessary expenses of the Office of the Under
6 Secretary for Rural Development, \$896,000.

7 RURAL DEVELOPMENT
8 SALARIES AND EXPENSES
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses for carrying out the adminis-
11 tration and implementation of programs in the Rural De-
12 velopment mission area, including activities with institu-
13 tions concerning the development and operation of agricul-
14 tural cooperatives; and for cooperative agreements;
15 \$225,835,000: *Provided*, That notwithstanding any other
16 provision of law, funds appropriated under this heading
17 may be used for advertising and promotional activities
18 that support the Rural Development mission area: *Pro-*
19 *vided further*, That any balances available from prior years
20 for the Rural Utilities Service, Rural Housing Service, and
21 the Rural Business—Cooperative Service salaries and ex-
22 penses accounts shall be transferred to and merged with
23 this appropriation.

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; \$26,278,000 for section
10 504 housing repair loans; \$35,000,000 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, \$3,663,000; section 523 self-
21 help housing land development loans, \$417,000; section
22 524 site development loans, \$111,000; and repair, reha-
23 bilitation, and new construction of section 515 rental
24 housing, \$10,360,000: *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, 2017: *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 (ROI) on their own resources to include proceeds
3 from low income housing tax credit syndication, own con-
4 tributions, grants, and developer loans at favorable rates
5 and terms, invested in a deal; and allow reimbursement
6 of organizational costs associated with owner's oversight
7 of asset referred to as "Asset Management Fee" (AMF)
8 of up to \$7,500 per property.

9 In addition, for the cost of direct loans, grants, and
10 contracts, as authorized by 42 U.S.C. 1484 and 1486,
11 \$15,387,000, to remain available until expended, for direct
12 farm labor housing loans and domestic farm labor housing
13 grants and contracts: *Provided*, That any balances avail-
14 able for the Farm Labor Program Account shall be trans-
15 ferred to and merged with this account.

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

21 RENTAL ASSISTANCE PROGRAM

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

1 502(c)(5)(D) of the Housing Act of 1949,
2 \$1,405,033,000, of which \$40,000,000 shall be available
3 until September 30, 2018; and in addition such sums as
4 may be necessary, as authorized by section 521(c) of the
5 Act, to liquidate debt incurred prior to fiscal year 1992
6 to carry out the rental assistance program under section
7 521(a)(2) of the Act: *Provided*, That rental assistance
8 agreements entered into or renewed during the current fis-
9 cal year shall be funded for a one-year period: *Provided*
10 *further*, That any unexpended balances remaining at the
11 end of such one-year agreements may be transferred and
12 used for purposes of any debt reduction; maintenance, re-
13 pair, or rehabilitation of any existing projects; preserva-
14 tion; and rental assistance activities authorized under title
15 V of the Act: *Provided further*, That rental assistance pro-
16 vided under agreements entered into prior to fiscal year
17 2017 for a farm labor multi-family housing project fi-
18 nanced under section 514 or 516 of the Act may not be
19 recaptured for use in another project until such assistance
20 has remained unused for a period of 12 consecutive
21 months, if such project has a waiting list of tenants seek-
22 ing such assistance or the project has rental assistance
23 eligible tenants who are not receiving such assistance: *Pro-*
24 *vided further*, That such recaptured rental assistance shall,
25 to the extent practicable, be applied to another farm labor

1 multi-family housing project financed under section 514
2 or 516 of the Act: *Provided further*, That except as pro-
3 vided in the third proviso under this heading and notwith-
4 standing any other provision of the Act, the Secretary may
5 recapture rental assistance provided under agreements en-
6 tered into prior to fiscal year 2017 for a project that the
7 Secretary determines no longer needs rental assistance
8 and use such recaptured funds for current needs.

9 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

10 ACCOUNT

11 For the rural housing voucher program as authorized
12 under section 542 of the Housing Act of 1949, but not-
13 withstanding subsection (b) of such section, and for addi-
14 tional costs to conduct a demonstration program for the
15 preservation and revitalization of multi-family rental hous-
16 ing properties described in this paragraph, \$41,400,000,
17 to remain available until expended: *Provided*, That of the
18 funds made available under this heading, \$19,400,000,
19 shall be available for rural housing vouchers to any low-
20 income household (including those not receiving rental as-
21 sistance) residing in a property financed with a section
22 515 loan which has been prepaid after September 30,
23 2005: *Provided further*, That the amount of such voucher
24 shall be the difference between comparable market rent
25 for the section 515 unit and the tenant paid rent for such

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

1 including advances, payments and incentives (including
2 the ability of owners to obtain reasonable returns on in-
3 vestment) required by the Secretary: *Provided further,*
4 That the Secretary shall as part of the preservation and
5 revitalization agreement obtain a restrictive use agreement
6 consistent with the terms of the restructuring: *Provided*
7 *further,* That if the Secretary determines that additional
8 funds for vouchers described in this paragraph are needed,
9 funds for the preservation and revitalization demonstra-
10 tion program may be used for such vouchers: *Provided fur-*
11 *ther,* That if Congress enacts legislation to permanently
12 authorize a multi-family rental housing loan restructuring
13 program similar to the demonstration program described
14 herein, the Secretary may use funds made available for
15 the demonstration program under this heading to carry
16 out such legislation with the prior approval of the Commit-
17 tees on Appropriations of both Houses of Congress: *Pro-*
18 *vided further,* That in addition to any other available
19 funds, the Secretary may expend not more than
20 \$1,000,000 total, from the program funds made available
21 under this heading, for administrative expenses for activi-
22 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 \$33,701,000, 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, \$2,600,000,000 for di-
16 rect loans and \$148,305,000 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, \$3,322,000, 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, \$43,778,000, to remain available until
25 expended: *Provided*, That \$4,000,000 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, \$65,319,000, 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 \$6,000,000
18 shall be for grants to the Delta Regional Authority (7
19 U.S.C. 2009aa et seq.) and the Appalachian Regional
20 Commission (40 U.S.C. 14101 et seq.) for any Rural Com-
21 munity Advancement Program purpose as described in
22 section 381E(d) of the Consolidated Farm and Rural De-
23 velopment Act, of which not more than 5 percent may be
24 used for administrative expenses: *Provided further*, That
25 \$4,000,000 of the amount appropriated under this head-

1 ing shall be for business grants to benefit Federally Recog-
2 nized Native American Tribes, including \$250,000 for a
3 grant to a qualified national organization to provide tech-
4 nical assistance for rural transportation in order to pro-
5 mote economic development: *Provided further*, That sec-
6 tions 381E–H and 381N of the Consolidated Farm and
7 Rural Development Act are not applicable to funds made
8 available under this heading.

9 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

10 (INCLUDING TRANSFER OF FUNDS)

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

14 For the cost of direct loans, \$5,476,000, as author-
15 ized by the Intermediary Relending Program Fund Ac-
16 count (7 U.S.C. 1936b), of which \$557,000 shall be avail-
17 able through June 30, 2017, for Federally Recognized Na-
18 tive American Tribes; and of which \$1,072,000 shall be
19 available through June 30, 2017, for Mississippi Delta Re-
20 gion counties (as determined in accordance with Public
21 Law 100–460): *Provided*, That such costs, including the
22 cost of modifying such loans, shall be as defined in section
23 502 of the Congressional Budget Act of 1974.

24 In addition, for administrative expenses to carry out
25 the direct loan programs, \$4,468,000 shall be transferred

1 to and merged with the appropriation for “Rural Develop-
2 ment, Salaries and Expenses”.

3 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

4 ACCOUNT

5 (INCLUDING RESCISSION OF FUNDS)

6 For the principal amount of direct loans, as author-
7 ized under section 313 of the Rural Electrification Act,
8 for the purpose of promoting rural economic development
9 and job creation projects, \$42,213,000.

10 Of the funds derived from interest on the cushion of
11 credit payments, as authorized by section 313 of the Rural
12 Electrification Act of 1936, \$132,000,000 shall not be ob-
13 ligated and \$132,000,000 are rescinded.

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

18 RURAL COOPERATIVE DEVELOPMENT GRANTS

19 For rural cooperative development grants authorized
20 under section 310B(e) of the Consolidated Farm and
21 Rural Development Act (7 U.S.C. 1932), \$26,550,000, of
22 which \$2,750,000 shall be for cooperative agreements for
23 the appropriate technology transfer for rural areas pro-
24 gram: *Provided*, That not to exceed \$3,000,000 shall be
25 for grants for cooperative development centers, individual

1 cooperatives, or groups of cooperatives that serve socially
2 disadvantaged groups and a majority of the boards of di-
3 rectors or governing boards of which are comprised of in-
4 dividuals who are members of socially disadvantaged
5 groups; and of which \$15,000,000, to remain available
6 until expended, shall be for value-added agricultural prod-
7 uct market development grants, as authorized by section
8 231 of the Agricultural Risk Protection Act of 2000 (7
9 U.S.C. 1632a).

10 RURAL ENERGY FOR AMERICA PROGRAM

11 For the cost of a program of loan guarantees, under
12 the same terms and conditions as authorized by section
13 9007 of the Farm Security and Rural Investment Act of
14 2002 (7 U.S.C. 8107), \$352,000: *Provided*, That the cost
15 of loan guarantees, 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 RURAL UTILITIES SERVICE

19 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT
20 (INCLUDING TRANSFERS OF FUNDS)

21 For the cost of direct loans, loan guarantees, and
22 grants for the rural water, waste water, waste disposal,
23 and solid waste management programs authorized by sec-
24 tions 306, 306A, 306C, 306D, 306E, and 310B and de-
25 scribed in sections 306C(a)(2), 306D, 306E, and

1 381E(d)(2) of the Consolidated Farm and Rural Develop-
2 ment Act, \$571,190,000, to remain available until ex-
3 pended, of which not to exceed \$1,000,000 shall be avail-
4 able for the rural utilities program described in section
5 306(a)(2)(B) of such Act, and of which not to exceed
6 \$993,000 shall be available for the rural utilities program
7 described in section 306E of such Act: *Provided*, That not
8 to exceed \$10,000,000 of the amount appropriated under
9 this heading shall be for grants authorized by section
10 306A(i)(2) of the Consolidated Farm and Rural Develop-
11 ment Act in addition to funding authorized by section
12 306A(i)(1) of such Act: *Provided further*, That
13 \$64,000,000 of the amount appropriated under this head-
14 ing shall be for loans and grants including water and
15 waste disposal systems grants authorized by section
16 306C(a)(2)(B) and section 306D of the Consolidated
17 Farm and Rural Development Act, and Federally Recog-
18 nized Native American Tribes authorized by 306C(a)(1)
19 of such Act: *Provided further*, That funding provided for
20 section 306D of the Consolidated Farm and Rural Devel-
21 opment Act may be provided to a consortium formed pur-
22 suant to section 325 of Public Law 105–83: *Provided fur-*
23 *ther*, That not more than 2 percent of the funding pro-
24 vided for section 306D of the Consolidated Farm and
25 Rural Development Act may be used by the State of Alas-

1 ka for training and technical assistance programs and not
2 more than 2 percent of the funding provided for section
3 306D of the Consolidated Farm and Rural Development
4 Act may be used by a consortium formed pursuant to sec-
5 tion 325 of Public Law 105–83 for training and technical
6 assistance programs: *Provided further*, That not to exceed
7 \$20,000,000 of the amount appropriated under this head-
8 ing shall be for technical assistance grants for rural water
9 and waste systems pursuant to section 306(a)(14) of such
10 Act, unless the Secretary makes a determination of ex-
11 tremе need, of which \$6,500,000 shall be made available
12 for a grant to a qualified nonprofit multi-State regional
13 technical assistance organization, with experience in work-
14 ing with small communities on water and waste water
15 problems, the principal purpose of such grant shall be to
16 assist rural communities with populations of 3,300 or less,
17 in improving the planning, financing, development, oper-
18 ation, and management of water and waste water systems,
19 and of which not less than \$800,000 shall be for a quali-
20 fied national Native American organization to provide
21 technical assistance for rural water systems for tribal com-
22 munities: *Provided further*, That not to exceed
23 \$16,897,000 of the amount appropriated under this head-
24 ing shall be for contracting with qualified national organi-
25 zations for a circuit rider program to provide technical as-

1 sistance for rural water systems: *Provided further*, That
2 not to exceed \$4,000,000 shall be for solid waste manage-
3 ment grants: *Provided further*, That \$10,000,000 of the
4 amount appropriated under this heading shall be trans-
5 ferred to, and merged with, the Rural Utilities Service,
6 High Energy Cost Grants Account to provide grants au-
7 thorized under section 19 of the Rural Electrification Act
8 of 1936 (7 U.S.C. 918a): *Provided further*, That any prior
9 year balances for high-energy cost grants authorized by
10 section 19 of the Rural Electrification Act of 1936 (7
11 U.S.C. 918a) shall be transferred to and merged with the
12 Rural Utilities Service, High Energy Cost Grants Ac-
13 count: *Provided further*, That sections 381E–H and 381N
14 of the Consolidated Farm and Rural Development Act are
15 not applicable to the funds made available under this
16 heading.

17 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

18 LOANS PROGRAM ACCOUNT

19 (INCLUDING TRANSFER OF FUNDS)

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

1 5 percent rural telecommunications loans, cost of money
2 rural telecommunications loans, and for loans made pursu-
3 ant to section 306 of that Act, rural telecommunications
4 loans, \$690,000,000: *Provided*, That up to
5 \$2,000,000,000 shall be used for the construction, acquisi-
6 tion, or improvement of fossil-fueled electric generating
7 plants (whether new or existing) that utilize carbon se-
8 questration systems.

9 For the cost of direct loans as authorized by section
10 305 of the Rural Electrification Act of 1936 (7 U.S.C.
11 935), including the cost of modifying loans, as defined in
12 section 502 of the Congressional Budget Act of 1974, cost
13 of money rural telecommunications loans, \$3,071,000.

14 In addition, for administrative expenses necessary to
15 carry out the direct and guaranteed loan programs,
16 \$33,270,000, which shall be transferred to and merged
17 with the appropriation for “Rural Development, Salaries
18 and Expenses”.

19 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
20 PROGRAM

21 For the principal amount of broadband telecommuni-
22 cation loans, \$27,043,000.

23 For grants for telemedicine and distance learning
24 services in rural areas, as authorized by 7 U.S.C. 950aaa
25 et seq., \$26,600,000, to remain available until expended:

1 *Provided*, That \$3,000,000 shall be made available for
2 grants authorized by 379G of the Consolidated Farm and
3 Rural Development Act: *Provided further*, That funding
4 provided under this heading for grants under 379G of the
5 Consolidated Farm and Rural Development Act may only
6 be provided to entities that meet all of the eligibility cri-
7 teria for a consortium as established by this section.

8 For the cost of broadband loans, as authorized by
9 section 601 of the Rural Electrification Act, \$4,500,000,
10 to remain available until expended: *Provided*, That the
11 cost of direct loans shall be as defined in section 502 of
12 the Congressional Budget Act of 1974.

13 In addition, \$34,500,000, to remain available until
14 expended, for a grant program to finance broadband
15 transmission in rural areas eligible for Distance Learning
16 and Telemedicine Program benefits authorized by 7
17 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 \$814,000.

8 FOOD AND NUTRITION SERVICE
9 CHILD NUTRITION PROGRAMS
10 (INCLUDING TRANSFERS OF FUNDS)
11 For necessary expenses to carry out the Richard B.
12 Russell National School Lunch Act (42 U.S.C. 1751 et
13 seq.), except section 21, and the Child Nutrition Act of
14 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
15 21; \$22,793,982,000 to remain available through Sep-
16 tember 30, 2018, of which such sums as are made avail-
17 able under section 14222(b)(1) of the Food, Conservation,
18 and Energy Act of 2008 (Public Law 110–246), as
19 amended by this Act, shall be merged with and available
20 for the same time period and purposes as provided herein:
21 *Provided*, That of the total amount available, \$17,004,000
22 shall be available to carry out section 19 of the Child Nu-
23 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
24 *further*, That of the total amount available, \$25,000,000
25 shall be available to provide competitive grants to State

1 agencies for subgrants to local educational agencies and
2 schools to purchase the equipment needed to serve
3 healthier meals, improve food safety, and to help support
4 the establishment, maintenance, or expansion of the school
5 breakfast program: *Provided further*, That of the total
6 amount available, \$23,000,000 shall remain available until
7 expended to carry out section 749(g) of the Agriculture
8 Appropriations Act of 2010 (Public Law 111–80): *Pro-*
9 *vided further*, That section 26(d) of the Richard B. Russell
10 National School Lunch Act (42 U.S.C. 1769g(d)) is
11 amended in the first sentence by striking “2010 through
12 2016” and inserting “2010 through 2017”: *Provided fur-*
13 *ther*, That section 9(h)(3) of the Richard B. Russell Na-
14 tional School Lunch Act (42 U.S.C. 1758(h)(3)) is amend-
15 ed in the first sentence by striking “for each of fiscal years
16 2011 through 2015” and inserting “for fiscal year 2017”:
17 *Provided further*, That section 9(h)(4) of the Richard B.
18 Russell National School Lunch Act (42 U.S.C.
19 1758(h)(4)) is amended in the first sentence by striking
20 “for each of fiscal years 2011 through 2015” and insert-
21 ing “for fiscal year 2017”.

22 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
23 WOMEN, INFANTS, AND CHILDREN (WIC)

24 For necessary expenses to carry out the special sup-
25 plemental nutrition program as authorized by section 17

1 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
2 \$6,350,000,000, to remain available through September
3 30, 2018: *Provided*, That notwithstanding section
4 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
5 1786(h)(10)), not less than \$60,000,000 shall be used for
6 breastfeeding peer counselors and other related activities,
7 and \$13,600,000 shall be used for infrastructure: *Pro-*
8 *vided further*, That none of the funds provided in this ac-
9 count shall be available for the purchase of infant formula
10 except in accordance with the cost containment and com-
11 petitive bidding requirements specified in section 17 of
12 such Act: *Provided further*, That none of the funds pro-
13 vided shall be available for activities that are not fully re-
14 imbursed by other Federal Government departments or
15 agencies unless authorized by section 17 of such Act: *Pro-*
16 *vided further*, That upon termination of a federally man-
17 dated vendor moratorium and subject to terms and condi-
18 tions established by the Secretary, the Secretary may
19 waive the requirement at 7 CFR 246.12(g)(6) at the re-
20 quest of a State agency.

21 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

22 For necessary expenses to carry out the Food and
23 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
24 \$78,480,694,000, of which \$3,000,000,000, to remain
25 available through December 31, 2018, shall be placed in

1 reserve for use only in such amounts and at such times
2 as may become necessary to carry out program operations:
3 *Provided*, That funds provided herein shall be expended
4 in accordance with section 16 of the Food and Nutrition
5 Act of 2008: *Provided further*, That of the funds made
6 available under this heading, \$998,000 may be used to
7 provide nutrition education services to State agencies and
8 Federally Recognized Tribes participating in the Food
9 Distribution Program on Indian Reservations: *Provided*
10 *further*, That this appropriation shall be subject to any
11 work registration or workfare requirements as may be re-
12 quired by law: *Provided further*, That funds made available
13 for Employment and Training under this heading shall re-
14 main available through September 30, 2018: *Provided fur-*
15 *ther*, That funds made available under this heading for
16 section 28(d)(1), section 4(b), and section 27(a) of the
17 Food and Nutrition Act of 2008 shall remain available
18 through September 30, 2018: *Provided further*, That none
19 of the funds made available under this heading may be
20 obligated or expended in contravention of section 213A of
21 the Immigration and Nationality Act (8 U.S.C. 1183A):
22 *Provided further*, That funds made available under this
23 heading may be used to enter into contracts and employ
24 staff to conduct studies, evaluations, or to conduct activi-

1 ties related to program integrity provided that such activi-
2 ties are authorized by the Food and Nutrition Act of 2008.

3 COMMODITY ASSISTANCE PROGRAM

4 For necessary expenses to carry out disaster assist-
5 ance and the Commodity Supplemental Food Program as
6 authorized by section 4(a) of the Agriculture and Con-
7 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
8 Emergency Food Assistance Act of 1983; special assist-
9 ance for the nuclear affected islands, as authorized by sec-
10 tion 103(f)(2) of the Compact of Free Association Amend-
11 ments Act of 2003 (Public Law 108–188); and the Farm-
12 ers’ Market Nutrition Program, as authorized by section
13 17(m) of the Child Nutrition Act of 1966, \$315,139,000,
14 to remain available through September 30, 2018: *Pro-*
15 *vided*, That none of these funds shall be available to reim-
16 burse the Commodity Credit Corporation for commodities
17 donated to the program: *Provided further*, That notwith-
18 standing any other provision of law, effective with funds
19 made available in fiscal year 2017 to support the Seniors
20 Farmers’ Market Nutrition Program, as authorized by
21 section 4402 of the Farm Security and Rural Investment
22 Act of 2002, such funds shall remain available through
23 September 30, 2018: *Provided further*, That of the funds
24 made available under section 27(a) of the Food and Nutri-
25 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may

1 use up to 10 percent for costs associated with the distribu-
2 tion of commodities.

3 NUTRITION PROGRAMS ADMINISTRATION

4 For necessary administrative expenses of the Food
5 and Nutrition Service for carrying out any domestic nutri-
6 tion assistance program, \$170,716,000: *Provided*, That of
7 the funds provided herein, \$17,700,000 shall be available
8 until expended for relocation expenses and for the alter-
9 ation and repair of buildings and improvements pursuant
10 to 7 U.S.C. 2250: *Provided further*, That of the funds pro-
11 vided herein, \$2,000,000 shall be used for the purposes
12 of section 4404 of Public Law 107-171, as amended by
13 section 4401 of Public Law 110-246: *Provided further*,
14 That of the funds provided herein, \$1,000,000 shall be
15 used to contract for an independent study to identify the
16 best means of consolidating and coordinating reporting re-
17 quirements under Child Nutrition Programs to eliminate
18 redundancy, increase efficiency, and reduce the reporting
19 burden on school food authorities and State agencies.

1 TITLE V
2 FOREIGN ASSISTANCE AND RELATED
3 PROGRAMS
4 FOREIGN AGRICULTURAL SERVICE
5 SALARIES AND EXPENSES
6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses of the Foreign Agricultural
8 Service, including not to exceed \$250,000 for representa-
9 tion allowances and for expenses pursuant to section 8 of
10 the Act approved August 3, 1956 (7 U.S.C. 1766),
11 \$196,571,000: *Provided*, That the Service may utilize ad-
12 vances of funds, or reimburse this appropriation for ex-
13 penditures made on behalf of Federal agencies, public and
14 private organizations and institutions under agreements
15 executed pursuant to the agricultural food production as-
16 sistance programs (7 U.S.C. 1737) and the foreign assist-
17 ance programs of the United States Agency for Inter-
18 national Development: *Provided further*, That funds made
19 available for middle-income country training programs,
20 funds made available for the Borlaug International Agri-
21 cultural Science and Technology Fellowship program, and
22 up to \$2,000,000 of the Foreign Agricultural Service ap-
23 propriation solely for the purpose of offsetting fluctuations
24 in international currency exchange rates, subject to docu-

1 mentation by the Foreign Agricultural Service, shall re-
2 main available until expended.

3 FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD
4 FOR PROGRESS PROGRAM ACCOUNT
5 (INCLUDING TRANSFER OF FUNDS)

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

11 FOOD FOR PEACE TITLE II GRANTS

12 For expenses during the current fiscal year, not oth-
13 erwise recoverable, and unrecovered prior years’ costs, in-
14 cluding interest thereon, under the Food for Peace Act
15 (Public Law 83-480), for commodities supplied in connec-
16 tion with dispositions abroad under title II of said Act,
17 \$1,466,000,000, to remain available until expended: *Pro-*
18 *vided*, That the Administrator of the United States Agen-
19 cy for International Development shall in each instance
20 notify in writing the Committees on Appropriations of
21 both Houses of Congress, the Committee on Agriculture
22 of the House, and the Committee on Agriculture, Nutri-
23 tion, and Forestry of the Senate and make publicly avail-
24 able online the amount and use of authority in section
25 202(a) of the Food for Peace Act (7 U.S.C. 1722(a)) to

1 notwithstanding the minimum level of nonemergency assist-
2 ance required by section 412(e)(2) of the Food for Peace
3 Act (7 U.S.C. 1736f(e)(2)) not later than 15 days after
4 the date of such action.

5 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
6 AND CHILD NUTRITION PROGRAM GRANTS

7 For necessary expenses to carry out the provisions
8 of section 3107 of the Farm Security and Rural Invest-
9 ment Act of 2002 (7 U.S.C. 1736o-1), \$201,626,000, to
10 remain available until expended: *Provided*, That the Com-
11 modity Credit Corporation is authorized to provide the
12 services, facilities, and authorities for the purpose of im-
13 plementing such section, subject to reimbursement from
14 amounts provided herein: *Provided further*, That of the
15 amount made available under this heading, \$5,000,000,
16 shall remain available until expended for necessary ex-
17 penses to carry out the provisions of section 3207 of the
18 Agricultural Act of 2014 (7 U.S.C. 1726e).

19 COMMODITY CREDIT CORPORATION EXPORT (LOANS)
20 CREDIT GUARANTEE PROGRAM ACCOUNT
21 (INCLUDING TRANSFERS OF FUNDS)

22 For administrative expenses to carry out the Com-
23 modity Credit Corporation's Export Guarantee Program,
24 GSM 102 and GSM 103, \$8,537,000; to cover common
25 overhead expenses as permitted by section 11 of the Com-

1 modify Credit Corporation Charter Act and in conformity
2 with the Federal Credit Reform Act of 1990, of which
3 \$6,074,000 shall be transferred to and merged with the
4 appropriation for “Foreign Agricultural Service, Salaries
5 and Expenses”, and of which \$2,463,000 shall be trans-
6 ferred to and merged with the appropriation for “Farm
7 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; for miscellaneous
14 and emergency expenses of enforcement activities, author-
15 ized and approved by the Secretary and to be accounted
16 for solely on the Secretary’s certificate, not to exceed
17 \$25,000; and notwithstanding section 521 of Public Law
18 107–188; \$4,655,089,000: *Provided*, That of the amount
19 provided under this heading, \$754,524,000 shall be de-
20 rived from prescription drug user fees authorized by 21
21 U.S.C. 379h, and shall be credited to this account and
22 remain available until expended; \$126,083,000 shall be de-
23 rived from medical device user fees authorized by 21
24 U.S.C. 379j, and shall be credited to this account and re-
25 main available until expended; \$323,011,000 shall be de-

1 rived from human generic drug user fees authorized by
2 21 U.S.C. 379j-42, and shall be credited to this account
3 and remain available until expended; \$22,079,000 shall be
4 derived from biosimilar biological product user fees au-
5 thorized by 21 U.S.C. 379j-52, and shall be credited to
6 this account and remain available until expended;
7 \$23,673,000 shall be derived from animal drug user fees
8 authorized by 21 U.S.C. 379j-12, and shall be credited
9 to this account and remain available until expended;
10 \$11,341,000 shall be derived from animal generic drug
11 user fees authorized by 21 U.S.C. 379j-21, and shall be
12 credited to this account and remain available until ex-
13 pended; \$635,000,000 shall be derived from tobacco prod-
14 uct user fees authorized by 21 U.S.C. 387s, and shall be
15 credited to this account and remain available until ex-
16 pended: *Provided further*, That in addition to and notwith-
17 standing any other provision under this heading, amounts
18 collected for prescription drug user fees, medical device
19 user fees, human generic drug user fees, biosimilar biologi-
20 cal product user fees, animal drug user fees, and animal
21 generic drug user fees that exceed the respective fiscal
22 year 2017 limitations are appropriated and shall be cred-
23 ited to this account and remain available until expended:
24 *Provided further*, That fees derived from prescription drug,
25 medical device, human generic drug, biosimilar biological

1 product, animal drug, and animal generic drug assess-
2 ments for fiscal year 2017, including any such fees col-
3 lected prior to fiscal year 2017 but credited for fiscal year
4 2017, shall be subject to the fiscal year 2017 limitations:
5 *Provided further*, That the Secretary may accept payment
6 during fiscal year 2017 of user fees specified under this
7 heading and authorized for fiscal year 2018, prior to the
8 due date for such fees, and that amounts of such fees as-
9 sessed for fiscal year 2018 for which the Secretary accepts
10 payment in fiscal year 2017 shall not be included in
11 amounts under this heading: *Provided further*, That none
12 of these funds shall be used to develop, establish, or oper-
13 ate any program of user fees authorized by 31 U.S.C.
14 9701: *Provided further*, That of the total amount appro-
15 priated: (1) \$1,025,503,000 shall be for the Center for
16 Food Safety and Applied Nutrition and related field activi-
17 ties in the Office of Regulatory Affairs; (2)
18 \$1,329,328,000 shall be for the Center for Drug Evalua-
19 tion and Research and related field activities in the Office
20 of Regulatory Affairs; (3) \$339,618,000 shall be for the
21 Center for Biologics Evaluation and Research and for re-
22 lated field activities in the Office of Regulatory Affairs;
23 (4) \$194,252,000 shall be for the Center for Veterinary
24 Medicine and for related field activities in the Office of
25 Regulatory Affairs; (5) \$427,928,000 shall be for the Cen-

1 ter for Devices and Radiological Health and for related
2 field activities in the Office of Regulatory Affairs; (6)
3 \$63,331,000 shall be for the National Center for Toxi-
4 cological Research; (7) \$596,338,000 shall be for the Cen-
5 ter for Tobacco Products and for related field activities
6 in the Office of Regulatory Affairs; (8) not to exceed
7 \$163,507,000 shall be for Rent and Related activities, of
8 which \$46,856,000 is for White Oak Consolidation, other
9 than the amounts paid to the General Services Adminis-
10 tration for rent; (9) not to exceed \$231,293,000 shall be
11 for payments to the General Services Administration for
12 rent; and (10) \$283,991,000 shall be for other activities,
13 including the Office of the Commissioner of Food and
14 Drugs, the Office of Foods and Veterinary Medicine, the
15 Office of Medical and Tobacco Products, the Office of
16 Global and Regulatory Policy, the Office of Operations,
17 the Office of the Chief Scientist, and central services for
18 these offices: *Provided further*, That not to exceed \$25,000
19 of this amount shall be for official reception and represen-
20 tation expenses, not otherwise provided for, as determined
21 by the Commissioner: *Provided further*, That any transfer
22 of funds pursuant to section 770(n) of the Federal Food,
23 Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only
24 be from amounts made available under this heading for
25 other activities: *Provided further*, That of the amounts

1 that are made available under this heading for “other ac-
2 tivities”, and that are not derived from user fees,
3 \$1,500,000 shall be transferred to and merged with the
4 appropriation for “Department of Health and Human
5 Services—Office of Inspector General” for oversight of the
6 programs and operations of the Food and Drug Adminis-
7 tration and shall be in addition to funds otherwise made
8 available for oversight of the Food and Drug Administra-
9 tion: *Provided further*, That of the total amount made
10 available under this heading, \$3,000,000 shall be used by
11 the Commissioner of Food and Drugs, in coordination
12 with the Secretary of Agriculture, for consumer outreach
13 and education regarding agricultural biotechnology and
14 biotechnology-derived food products and animal feed, in-
15 cluding through publication and distribution of science-
16 based educational information on the environmental, nu-
17 tritional, food safety, economic, and humanitarian impacts
18 of such biotechnology, food products, and feed: *Provided*
19 *further*, That funds may be transferred from one specified
20 activity to another with the prior approval of the Commit-
21 tees on Appropriations of both Houses of Congress.

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

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

12 BUILDINGS AND FACILITIES

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

18 INDEPENDENT AGENCY

19 FARM CREDIT ADMINISTRATION

20 LIMITATION ON ADMINISTRATIVE EXPENSES

21 Not to exceed \$68,600,000 (from assessments col-
22 lected from farm credit institutions, including the Federal
23 Agricultural Mortgage Corporation) shall be obligated
24 during the current fiscal year for administrative expenses
25 as authorized under 12 U.S.C. 2249: *Provided*, That this

1 limitation shall not apply to expenses associated with re-
2 ceiverships: *Provided further*, That the agency may exceed
3 this limitation by up to 10 percent with notification to the
4 Committees on Appropriations of both Houses of Con-
5 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,

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appropriations and authorizations made for the Depart-

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ment of Agriculture for the current fiscal year under this

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Act shall be available for the purchase, in addition to those

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specifically provided for, of not to exceed 52 passenger

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motor vehicles of which 52 shall be for replacement only,

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and for the hire of such vehicles: *Provided*, That notwith-

11

standing this section, the only purchase of new passenger

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vehicles shall be for those determined by the Secretary to

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be necessary for transportation safety, to reduce oper-

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ational costs, and for the protection of life, property, and

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public safety.

16

SEC. 702. Notwithstanding any other provision of

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this Act, the Secretary of Agriculture may transfer unobli-

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gated balances of discretionary funds appropriated by this

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Act or any other available unobligated discretionary bal-

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ances that are remaining available of the Department of

21

Agriculture to the Working Capital Fund for the acquisi-

22

tion of plant and capital equipment necessary for the deliv-

23

ery of financial, administrative, and information tech-

24

nology services of primary benefit to the agencies of the

25

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 of annual
17 income amounts in the Working Capital Fund of the De-
18 partment of Agriculture allocated for the National Fi-
19 nance Center, the Secretary may reserve not more than
20 4 percent for the replacement or acquisition of capital
21 equipment, including equipment for the improvement and
22 implementation of a financial management plan, informa-
23 tion technology, and other systems of the National Fi-
24 nance Center or to pay any unforeseen, extraordinary cost
25 of the National Finance Center: *Provided further*, That

1 none of the amounts reserved shall be available for obliga-
2 tion unless the Secretary submits written notification of
3 the obligation to the Committees on Appropriations of
4 both Houses of Congress: *Provided further*, That in addi-
5 tion to the funds appropriated or made available in this
6 Act for the National Finance Center the Secretary shall
7 make available \$8,608,000 from unobligated balances of
8 the Working Capital Fund and unobligated balances and
9 reserves of the National Finance Center for travel, infor-
10 mation technology, financial management systems, and re-
11 lated expenses incurred as a result of a February 2017
12 tornado: *Provided further*, That the limitations on the obli-
13 gation of funds pending notification to Congressional
14 Committees shall not apply to any obligation that, as de-
15 termined by the Secretary, is necessary to respond to a
16 declared state of emergency that significantly impacts the
17 operations of the National Finance Center; or to evacuate
18 employees of the National Finance Center to a safe haven
19 to continue operations of the National Finance Center.

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

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

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

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

18 SEC. 706. None of the funds made available to the
19 Department of Agriculture by this Act may be used to ac-
20 quire new information technology systems or significant
21 upgrades, as determined by the Office of the Chief Infor-
22 mation Officer, without the approval of the Chief Informa-
23 tion Officer and the concurrence of the Executive Informa-
24 tion Technology Investment Review Board: *Provided, That*
25 notwithstanding any other provision of law, none of the

1 funds appropriated or otherwise made available by this
2 Act may be transferred to the Office of the Chief Informa-
3 tion Officer without written notification to and the prior
4 approval of the Committees on Appropriations of both
5 Houses of Congress: *Provided further*, That, notwith-
6 standing section 11319 of title 40, United States Code,
7 none of the funds available to the Department of Agri-
8 culture for information technology shall be obligated for
9 projects, contracts, or other agreements over \$25,000
10 prior to receipt of written approval by the Chief Informa-
11 tion Officer: *Provided further*, That the Chief Information
12 Officer may authorize an agency to obligate funds without
13 written approval from the Chief Information Officer for
14 projects, contracts, or other agreements up to \$250,000
15 based upon the performance of an agency measured
16 against the performance plan requirements described in
17 the explanatory statement accompanying Public Law 113-
18 235.

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

24 SEC. 708. Notwithstanding any other provision of
25 law, any former RUS borrower that has repaid or prepaid

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

7 SEC. 709. Except as otherwise specifically provided
8 by law, not more than \$20,000,000 in unobligated bal-
9 ances from appropriations made available for salaries and
10 expenses in this Act for the Farm Service Agency shall
11 remain available through September 30, 2018, for infor-
12 mation technology expenses: *Provided*, That except as oth-
13 erwise specifically provided by law, unobligated balances
14 from appropriations made available for salaries and ex-
15 penses in this Act for the Rural Development mission area
16 shall remain available through September 30, 2018, for
17 information technology expenses.

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

23 SEC. 711. In the case of each program established
24 or amended by the Agricultural Act of 2014 (Public Law
25 113–79), other than by title I or subtitle A of title III

1 of such Act, or programs for which indefinite amounts
2 were provided in that Act, that is authorized or required
3 to be carried out using funds of the Commodity Credit
4 Corporation—

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

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

17 SEC. 712. Of the funds made available by this Act,
18 not more than \$2,000,000 shall be used to cover necessary
19 expenses of activities related to all advisory committees,
20 panels, commissions, and task forces of the Department
21 of Agriculture, except for panels used to comply with nego-
22 tiated rule makings and panels used to evaluate competi-
23 tively awarded grants.

24 SEC. 713. None of the funds in this Act shall be avail-
25 able to pay indirect costs charged against any agricultural

1 research, education, or extension grant awards issued by
2 the National Institute of Food and Agriculture that exceed
3 30 percent of total Federal funds provided under each
4 award: *Provided*, That notwithstanding section 1462 of
5 the National Agricultural Research, Extension, and
6 Teaching Policy Act of 1977 (7 U.S.C. 3310), funds pro-
7 vided by this Act for grants awarded competitively by the
8 National Institute of Food and Agriculture shall be avail-
9 able to pay full allowable indirect costs for each grant
10 awarded under section 9 of the Small Business Act (15
11 U.S.C. 638).

12 SEC. 714. None of the funds appropriated or other-
13 wise made available by this or any other Act shall be used
14 to pay the salaries and expenses of personnel to carry out
15 the following:

16 (1) The Watershed Rehabilitation program au-
17 thorized by section 14(h)(1) of the Watershed Pro-
18 tection and Flood Prevention Act (16 U.S.C.
19 1012(h)(1)) in excess of \$9,000,000;

20 (2) The Environmental Quality Incentives Pro-
21 gram as authorized by sections 1240-1240H of the
22 Food Security Act of 1985 (16 U.S.C. 3839aa-
23 3839aa-8) in excess of \$1,357,000,000: *Provided*,
24 That this limitation shall apply only to funds pro-

1 vided by section 1241(a)(5)(D) of the Food Security
2 Act of 1985 (16 U.S.C. 3841(a)(5)(D));

3 (3) The Biomass Crop Assistance Program au-
4 thorized by section 9011 of the Farm Security and
5 Rural Investment Act of 2002 (7 U.S.C. 8111) in
6 excess of \$3,000,000 in new obligational authority;

7 (4) The Biorefinery, Renewable Chemical and
8 Biobased Product Manufacturing Assistance pro-
9 gram as authorized by section 9003 of the Farm Se-
10 curity and Rural Investment Act of 2002 (7 U.S.C.
11 8103) in excess of \$151,000,000 of the funding
12 made available by subsection (g)(1)(A) of that sec-
13 tion for all fiscal years; and

14 (5) A program authorized by section 524(b) of
15 the Federal Crop Insurance Act, as amended (7
16 U.S.C. 1524(b)) in excess of \$7,000,000 for fiscal
17 year 2017: *Provided*, That notwithstanding section
18 524(b)(4)(C)(i) and 524(b)(4)(C)(iii) this limitation
19 shall not apply to funds provided by section
20 524(b)(4)(C)(ii).

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

1 of personnel to carry out a program under section 32 of
2 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
3 referred to as “section 32”) in excess of \$886,000,000 (ex-
4 clusive of carryover appropriations from prior fiscal
5 years), as follows: Child Nutrition Programs Entitlement
6 Commodities—\$465,000,000; State Option Contracts—
7 \$5,000,000; Removal of Defective Commodities—
8 \$2,500,000; Administration of Section 32 Commodity
9 Purchases—\$35,440,000: *Provided*, That of the total
10 funds made available in the matter preceding this proviso
11 that remain unobligated on October 1, 2017, such unobli-
12 gated balances shall carryover into the next fiscal year and
13 shall remain available until expended for any of the three
14 stated purposes of section 32, except that any such carry-
15 over funds used in accordance with clause (3) of section
16 32 may not exceed \$75,000,000 and may not be obligated
17 until the Secretary of Agriculture provides written notifi-
18 cation of the expenditures to the Committees on Appro-
19 priations of both Houses of Congress at least two weeks
20 in advance: *Provided further*, That none of the funds made
21 available in this Act or any other Act shall be used for
22 salaries and expenses to carry out in this fiscal year sub-
23 section (i)(1)(E) of section 19 of the Richard B. Russell
24 National School Lunch Act (42 U.S.C. 1769a), except in
25 an amount that excludes the transfer of \$125,000,000 of

1 the funds to be transferred under subsection (c) of section
2 14222, until October 1, 2017: *Provided further*, That
3 \$125,000,000 made available on October 1, 2017, to carry
4 out such section 19 shall be excluded from the limitation
5 described in subsection (b)(2)(A)(x) of section 14222: *Pro-*
6 *vided further*, That, with the exception of any available
7 carryover funds authorized in the first proviso of this sec-
8 tion to be used for the purposes of clause (3) of section
9 32, none of the funds appropriated or otherwise made
10 available by this or any other Act shall be used to pay
11 the salaries or expenses of any employee of the Depart-
12 ment of Agriculture or officer of the Commodity Credit
13 Corporation to carry out clause (3) of section 32, or for
14 any surplus removal activities or price support activities
15 under section 5 of the Commodity Credit Corporation
16 Charter Act (15 U.S.C. 714c): *Provided further*, That the
17 available unobligated balances under (b)(2)(A)(ix) of sec-
18 tion 14222 in excess of the limitation set forth in this sec-
19 tion, excluding the carryover amounts authorized in the
20 first proviso of this section for section 32 and the amounts
21 to be transferred pursuant to the second proviso of this
22 section, are hereby permanently rescinded.

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

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

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

1 (1) creates new programs;

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

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

6 (4) relocates an office or employees;

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

8 or

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

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

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

1 in excess of \$500,000 or 10 percent, whichever is less,
2 that—

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

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

8 (3) results from any general savings from a re-
9 duction in personnel which would result in a change
10 in existing programs, activities, or projects as ap-
11 proved by Congress; unless the Secretary of Agri-
12 culture or the Secretary of Health and Human Serv-
13 ices (as the case may be) notifies in writing and re-
14 ceives approval from the Committees on Appropria-
15 tions of both Houses of Congress at least 30 days
16 in advance of the reprogramming or transfer of such
17 funds or the use of such authority.

18 (c) The Secretary of Agriculture or the Secretary of
19 Health and Human Services shall notify in writing and
20 receive approval from the Committees on Appropriations
21 of both Houses of Congress before implementing any pro-
22 gram or activity not carried out during the previous fiscal
23 year unless the program or activity is funded by this Act
24 or specifically funded by any other Act.

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

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

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

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

24 (e) As described in this section, no funds may be used
25 for any activities unless the Secretary of Agriculture or

1 the Secretary of Health and Human Services receives from
2 the Committee on Appropriations of both Houses of Con-
3 gress written or electronic mail confirmation of receipt of
4 the notification as required in this section.

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

11 SEC. 719. None of the funds appropriated or other-
12 wise made available to the Department of Agriculture, the
13 Food and Drug Administration, or the Farm Credit Ad-
14 ministration shall be used to transmit or otherwise make
15 available reports, questions, or responses to questions that
16 are a result of information requested for the appropria-
17 tions hearing process to any non-Department of Agri-
18 culture, non-Department of Health and Human Services,
19 or non-Farm Credit Administration employee.

20 SEC. 720. Unless otherwise authorized by existing
21 law, none of the funds provided in this Act, may be used
22 by an executive branch agency to produce any pre-
23 packaged news story intended for broadcast or distribution
24 in the United States unless the story includes a clear noti-
25 fication within the text or audio of the prepackaged news

1 story that the prepackaged news story was prepared or
2 funded by that executive branch agency.

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

11 SEC. 722. In addition to amounts otherwise made
12 available by this Act and notwithstanding the last sentence
13 of 16 U.S.C. 1310, there is appropriated \$4,000,000, to
14 remain available until expended, to implement non-renew-
15 able agreements on eligible lands, including flooded agri-
16 cultural lands, as determined by the Secretary, under the
17 Water Bank Act (16 U.S.C. 1301–1311).

18 SEC. 723. Not later than 30 days after the date of
19 enactment of this Act, the Secretary of Agriculture, the
20 Commissioner of the Food and Drug Administration, and
21 the Chairman of the Farm Credit Administration shall
22 submit to the Committees on Appropriations of both
23 Houses of Congress a detailed spending plan by program,
24 project, and activity for all the funds made available under
25 this Act including appropriated user fees, as defined in

1 the explanatory statement described in section 4 (in the
2 matter preceding division A of this consolidated Act).

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

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

24 SEC. 726. For loans and loan guarantees that do not
25 require budget authority and the program level has been

1 established in this Act, the Secretary of Agriculture may
2 increase the program level for such loans and loan guaran-
3 tees by not more than 25 percent: *Provided*, That prior
4 to the Secretary implementing such an increase, the Sec-
5 retary notifies, in writing, the Committees on Appropria-
6 tions of both Houses of Congress at least 15 days in ad-
7 vance.

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

21 SEC. 728. None of the funds made available by this
22 Act may be used to procure processed poultry products
23 imported into the United States from the People's Repub-
24 lic of China for use in the school lunch program under
25 the Richard B. Russell National School Lunch Act (42

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

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

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

23 SEC. 731. There is hereby appropriated \$1,996,000
24 to carry out section 1621 of Public Law 110–246.

1 SEC. 732. None of the funds made available by this
2 Act may be used by the Secretary of Agriculture, acting
3 through the Food and Nutrition Service, to commence any
4 new research and evaluation projects until the Secretary
5 submits to the Committees on Appropriations of both
6 Houses of Congress a research and evaluation plan for fis-
7 cal year 2017, prepared in coordination with the Research,
8 Education, and Economics mission area of the Depart-
9 ment of Agriculture, and a period of 30 days beginning
10 on the date of the submission of the plan expires to permit
11 Congressional review of the plan.

12 SEC. 733. In carrying out subsection (h) of section
13 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
14 Secretary of Agriculture shall have the same authority
15 with respect to loans guaranteed under such section and
16 eligible lenders for such loans as the Secretary has under
17 subsections (h) and (j) of section 538 of such Act (42
18 U.S.C. 1490p-2) with respect to loans guaranteed under
19 such section 538 and eligible lenders for such loans.

20 SEC. 734. None of the funds made available by this
21 Act may be used to propose, promulgate, or implement
22 any rule, or take any other action with respect to, allowing
23 or requiring information intended for a prescribing health
24 care professional, in the case of a drug or biological prod-
25 uct subject to section 503(b)(1) of the Federal Food,

1 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
2 tributed to such professional electronically (in lieu of in
3 paper form) unless and until a Federal law is enacted to
4 allow or require such distribution.

5 SEC. 735. Any amounts transferred pursuant to sec-
6 tion 149 of the Continuing Appropriations Act, 2017 (divi-
7 sion C of Public Law 114–223), as amended by the Fur-
8 ther Continuing and Security Assistance Appropriations
9 Act, 2017 (Public Law 114–254), that the Secretary of
10 Agriculture determines are not necessary for the cost of
11 direct telecommunications loans authorized by section 305
12 of the Rural Electrification Act of 1936 (7 U.S.C. 935)
13 shall be transferred back to the accounts to which they
14 were originally appropriated and shall be available for the
15 same purposes as originally appropriated.

16 SEC. 736. None of the funds made available by this
17 Act may be used to notify a sponsor or otherwise acknowl-
18 edge receipt of a submission for an exemption for inves-
19 tigational use of a drug or biological product under section
20 505(i) of the Federal Food, Drug, and Cosmetic Act (21
21 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
22 Service Act (42 U.S.C. 262(a)(3)) in research in which
23 a human embryo is intentionally created or modified to
24 include a heritable genetic modification. Any such submis-

1 sion shall be deemed to have not been received by the Sec-
2 retary, and the exemption may not go into effect.

3 SEC. 737. None of the funds made available by this
4 or any other Act may be used to carry out the final rule
5 promulgated by the Food and Drug Administration and
6 put into effect November 16, 2015, in regards to the haz-
7 ard analysis and risk-based preventive control require-
8 ments of the current good manufacturing practice, hazard
9 analysis, and risk-based preventive controls for food for
10 animals rule with respect to the regulation of the produc-
11 tion, distribution, sale, or receipt of dried spent grain by-
12 products of the alcoholic beverage production process.

13 SEC. 738. (a) The Secretary of Agriculture shall—

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

17 (A) veterinary control and oversight;

18 (B) disease history and vaccination prac-
19 tices;

20 (C) livestock demographics and
21 traceability;

22 (D) epidemiological separation from poten-
23 tial sources of infection;

24 (E) surveillance practices;

25 (F) diagnostic laboratory capabilities; and

1 (G) emergency preparedness and response;
2 and

3 (2) promptly make publicly available the final
4 reports of any audits or reviews conducted pursuant
5 to subsection (1).

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

9 SEC. 739. None of the funds made available by this
10 Act may be used to carry out any activities or incur any
11 expense related to the issuance of licenses under section
12 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-
13 newal of such licenses, to class B dealers who sell dogs
14 and cats for use in research, experiments, teaching, or
15 testing.

16 SEC. 740. No partially hydrogenated oils as defined
17 in the order published by the Food and Drug Administra-
18 tion in the Federal Register on June 17, 2015 (80 Fed.
19 Reg. 34650 et seq.) shall be deemed unsafe within the
20 meaning of section 409(a) of the Federal Food, Drug, and
21 Cosmetic Act (21 U.S.C. 348(a)) and no food that is intro-
22 duced or delivered for introduction into interstate com-
23 merce that bears or contains a partially hydrogenated oil
24 shall be deemed adulterated under sections 402(a)(1) or
25 402(a)(2)(C)(i) of this Act by virtue of bearing or con-

1 taining a partially hydrogenated oil until the compliance
2 date as specified in such order (June 18, 2018).

3 SEC. 741. The Secretary may charge a fee for lenders
4 to access Department loan guarantee systems in connec-
5 tion with such lenders' participation in loan guarantee
6 programs of the Rural Housing Service: *Provided*, That
7 the funds collected from such fees shall be made available
8 to the Secretary without further appropriation and such
9 funds shall be deposited into the Rural Development Sala-
10 ries and Expense Account and shall remain available until
11 expended for obligation and expenditure by the Secretary
12 for administrative expenses of the Rural Housing Service
13 Loan Guarantee Program in addition to other available
14 funds: *Provided further*, That such fees collected shall not
15 exceed \$50 per loan.

16 SEC. 742. (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. 743. In addition to amounts otherwise made
25 available by this Act under the heading "Animal and Plant

1 Health Inspection Service—Buildings and Facilities”,
2 there is appropriated \$47,000,000, to remain available
3 until expended, for fruit fly rearing facilities.

4 SEC. 744. Beginning on the date of enactment of this
5 Act, in fiscal year 2017 and each fiscal year hereafter,
6 notwithstanding any other provision of law, a household
7 certified to participate in the Supplemental Nutrition As-
8 sistance Program is required to report in a manner pre-
9 scribed by the Secretary if the household no longer resides
10 in the State in which it is certified.

11 SEC. 745. Of the unobligated balances from amounts
12 made available for the special supplemental nutrition pro-
13 gram as authorized by section 17 of the Child Nutrition
14 Act of 1966 (42 U.S.C. 1786), \$850,000,000 are re-
15 scinded.

16 SEC. 746. (a)(1) No Federal funds made available for
17 this fiscal year for the rural water, waste water, waste dis-
18 posal, and solid waste management programs authorized
19 by sections 306, 306A, 306C, 306D, 306E, and 310B of
20 the Consolidated Farm and Rural Development Act (7
21 U.S.C. 1926 et seq.) shall be used for a project for the
22 construction, alteration, maintenance, or repair of a public
23 water or wastewater system unless all of the iron and steel
24 products used in the project are produced in the United
25 States.

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

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

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

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

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

19 (c) If the Secretary or the designee receives a request
20 for a waiver under this section, the Secretary or the des-
21 ignee shall make available to the public on an informal
22 basis a copy of the request and information available to
23 the Secretary or the designee concerning the request, and
24 shall allow for informal public input on the request for
25 at least 15 days prior to making a finding based on the

1 request. The Secretary or the designee shall make the re-
2 quest and accompanying information available by elec-
3 tronic means, including on the official public Internet Web
4 site of the Department.

5 (d) This section shall be applied in a manner con-
6 sistent with United States obligations under international
7 agreements.

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

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

20 (g) For purposes of this section, the terms “United
21 States” and “State” shall include each of the several
22 States, the District of Columbia, and each federally recog-
23 nized Indian tribe.

24 SEC. 747. (a) For the period beginning on the date
25 of enactment of this Act through school year 2017–2018,

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

21 (b) For the period beginning on the date of enact-
22 ment of this Act through school year 2017–2018, none
23 of the funds appropriated or otherwise made available by
24 this or any other Act shall be used to pay the salaries
25 and expenses of personnel to implement any regulations

1 under the Richard B. Russell National School Lunch Act
2 (42 U.S.C. 1751 et seq.), the Child Nutrition Act of 1966
3 (42 U.S.C. 1771 et seq.), the Healthy, Hunger-Free Kids
4 Act of 2010 (Public Law 111–296), or any other law that
5 would require a reduction in the quantity of sodium con-
6 tained in federally reimbursed meals, foods, and snacks
7 sold in schools below Target 1 (as described in section
8 220.8(f)(3) of title 7, Code of Federal Regulations (or suc-
9 cessor regulations)).

10 (c) For the period beginning on the date of enactment
11 of this Act through school year 2017-2018, notwith-
12 standing any other provision of law, the Secretary shall
13 allow States to grant special exemptions for the service
14 of flavored, low-fat fluid milk in the school lunch program
15 established under the Richard B. Russell National School
16 Lunch Act (42 U.S.C. 1751 et seq.) and the school break-
17 fast program established under the Child Nutrition Act
18 of 1966 (42 U.S.C. 1771 et seq.), and as a competitive
19 food available on campus during the school day, to schools
20 which demonstrate a reduction in student milk consump-
21 tion or an increase in school milk waste.

22 SEC. 748. In addition to amounts otherwise made
23 available under this Act to carry out section 27(a)(1) of
24 the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(1))

1 for fiscal year 2017, there is appropriated \$19,000,000
2 to carry out such section.

3 SEC. 749. (a) Subject to subsection (b), the Secretary
4 of Agriculture may conduct a pilot program in accordance
5 with this section that authorizes not more than
6 \$600,000,000 in funds from rural electrification loans
7 made by the Federal Financing Bank that are guaranteed
8 under section 306 of the Rural Electrification Act of 1936
9 to be used for refinancing debt pursuant to section 306C
10 of such Act (including any associated prepayment pen-
11 alties and prepayment or refinance premium), notwith-
12 standing subsections (b) and (c)(4) of section 306C of
13 such Act.

14 (b) The Secretary of Agriculture may not provide an
15 authorization under subsection (a) to a borrower unless
16 the Secretary determines that the refinancing involved will
17 benefit the ratepayers of the borrower.

18 (c) The Federal Financing Bank shall make a new
19 loan to each borrower refinancing a loan pursuant to this
20 section and section 306 of the Rural Electrification Act
21 of 1936, for the purpose of providing funds for the refi-
22 nancing, which loan shall be obligated from amounts made
23 available for rural electrification loans, and the Secretary
24 of Agriculture shall guarantee the new loan pursuant to
25 section 306 of the Rural Electrification Act of 1936.

1 (d) For the cost of refinancing a loan pursuant to
2 this section for any borrower identified by the Federal Fi-
3 nancing Bank as having opted since origination of the loan
4 to pay an interest rate premium for the eligibility to pre-
5 pay at par, including a borrower paying an interest rate
6 premium in the near-term for the right to prepay at par
7 starting in 2020, \$13,800,000, to remain available until
8 expended: *Provided*, That these funds shall also be avail-
9 able for refinancing a loan pursuant to any extension or
10 expansion of this pilot program that is enacted subsequent
11 to this Act for those same borrowers.

12 (e) The authority for the pilot program provided by
13 this section shall remain in effect through September 30,
14 2019.

15 SEC. 750. Of the total amounts made available by
16 this Act for direct loans and grants in the following head-
17 ings: “Rural Housing Service—Rural Housing Insurance
18 Fund Program Account”; “Rural Housing Service—Mu-
19 tual and Self-Help Housing Grants”; “Rural Housing
20 Service—Rural Housing Assistance Grants”; “Rural
21 Housing Service—Rural Community Facilities Program
22 Account”; “Rural Business-Cooperative Service—Rural
23 Business Program Account”; “Rural Business-Coopera-
24 tive Service—Rural Economic Development Loans Pro-
25 gram Account”; “Rural Business- Cooperative Service—

1 Rural Cooperative Development Grants”; “Rural Utilities
2 Service—Rural Water and Waste Disposal Program Ac-
3 count”; “Rural Utilities Service—Rural Electrification
4 and Telecommunications Loans Program Account”; and
5 “Rural Utilities Service—Distance Learning, Telemedi-
6 cine, and Broadband Program”, to the maximum extent
7 feasible, at least 10 percent of the new unobligated bal-
8 ances remaining upon enactment shall be allocated for as-
9 sistance in persistent poverty counties under this section:
10 *Provided*, That for purposes of this section, the term “per-
11 sistent poverty counties” means any county that has had
12 20 percent or more of its population living in poverty over
13 the past 30 years, as measured by the 1980, 1990, and
14 2000 decennial censuses, and 2007–2011 American Com-
15 munity Survey 5-year average: *Provided further*, That with
16 respect to specific activities for which program levels have
17 been made available by this Act that are not supported
18 by budget authority, the requirements of this section shall
19 be applied to such program level.

20 SEC. 751. For the purposes of determining eligibility
21 or level of program assistance for Rural Development mis-
22 sion area programs the Secretary shall not include incar-
23 cerated prison populations.

24 SEC. 752. For an additional amount for “Food and
25 Drug Administration—Salaries and Expenses” to prevent,

1 prepare for, and respond to emerging health threats, in-
2 cluding the Ebola and Zika viruses, domestically and
3 internationally and to develop necessary medical counter-
4 measures and vaccines, including the review, regulation,
5 and post market surveillance of vaccines and therapies,
6 and for related administrative activities, \$10,000,000, to
7 remain available until expended.

8 SEC. 753. There is hereby appropriated for the
9 “Emergency Conservation Program”, \$28,651,000, to re-
10 main available until expended for emergencies not declared
11 as a major disaster or emergency under the Robert T.
12 Stafford Disaster Relief and Emergency Assistance Act
13 (42 U.S.C. 5121 et seq.).

14 SEC. 754. None of the funds appropriated by this Act
15 may be used in any way, directly or indirectly, to influence
16 congressional action on any legislation or appropriation
17 matters pending before Congress, other than to commu-
18 nicate to Members of Congress as described in 18 U.S.C.
19 1913.

20 SEC. 755. In addition to funds appropriated in this
21 Act, there is hereby appropriated \$134,000,000, to remain
22 available until expended, under the heading “Food for
23 Peace Title II Grants”: *Provided*, That the funds made
24 available under this section shall be used for the purposes

1 set forth in the Food for Peace Act for both emergency
2 and non-emergency purposes.

3 SEC. 756. The Secretary of Health and Human Serv-
4 ices, acting through the Commissioner of Food and Drugs,
5 shall issue final regulations revising the Federal drug reg-
6 ulations (as defined in section 1112(c) of such Act (21
7 U.S.C. 360dd note)) with respect to medical gases not
8 later than July 15, 2017.

9 SEC. 757. For an additional amount for “Animal and
10 Plant Health Inspection Service—Salaries and Expenses”,
11 \$5,500,000, to remain available until September 30, 2018,
12 for one-time control and management and associated ac-
13 tivities directly related to the multiple-agency response to
14 citrus greening.

15 SEC. 758. The following unobligated balances identi-
16 fied by the following Treasury Appropriation Fund Sym-
17 bols are hereby rescinded: 12X1951, \$632,928.89;
18 12X1953, \$2,420,129.91; 12X1902, \$352,323.31;
19 12X1900, \$16,452.44; and 12X1232, \$529,310.95: *Pro-*
20 *vided*, That no amounts may be rescinded from amounts
21 that were designated by the Congress as an emergency or
22 disaster relief requirement pursuant to a concurrent reso-
23 lution on the budget or the Balanced Budget and Emer-
24 gency Deficit Control Act of 1985.

1 SEC. 759. The unobligated balances resulting from
2 offsetting collections identified by Treasury Appropriation
3 Fund Symbols 12X1951, 12X2002, 12X2006, 12X1902,
4 12X1900, 12X1232, and 12X1980, respectively, are here-
5 by rescinded: *Provided*, that no amounts may be rescinded
6 from amounts that were designated by the Congress as
7 an emergency or disaster relief requirement pursuant to
8 a concurrent resolution on the budget or the Balanced
9 Budget and Emergency Deficit Control Act of 1985.

10 SEC. 760. There is hereby appropriated \$5,000,000,
11 to remain available until September 30, 2018, for a pilot
12 program for the National Institute of Food and Agri-
13 culture to provide grants to nonprofit organizations for
14 programs and services to establish and enhance farming
15 and ranching opportunities for military veterans.

16 SEC. 761. During fiscal year 2017, the Food and
17 Drug Administration (FDA) shall not allow the introduc-
18 tion or delivery for introduction into interstate commerce
19 of any food that contains genetically engineered salmon
20 until FDA publishes final labeling guidelines for informing
21 consumers of such content.

22 SEC. 762. None of the funds made available in this
23 Act may be used to pay the salary or expenses of per-
24 sonnel—

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

3 (2) to inspect horses under section 903 of the
4 Federal Agriculture Improvement and Reform Act of
5 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

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

9 SEC. 763. The Secretary shall set aside for Rural
10 Economic Area Partnership (REAP) Zones, until August
11 15, 2017, an amount of funds made available in title III
12 under the headings of Rural Housing Insurance Fund
13 Program Account, Mutual and Self-Help Housing Grants,
14 Rural Housing Assistance Grants, Rural Community Fa-
15 cilities Program Account, Rural Business Program Ac-
16 count, Rural Development Loan Fund Program Account,
17 and Rural Water and Waste Disposal Program Account,
18 equal to the amount obligated in REAP Zones with re-
19 spect to funds provided under such headings in the most
20 recent fiscal year any such funds were obligated under
21 such headings for REAP Zones.

22 SEC. 764. There is hereby appropriated \$600,000 for
23 the purposes of section 727 of division A of Public Law
24 112–55.

1 SEC. 765. None of the funds made available by this
2 Act may be used to implement, administer, or enforce the
3 “variety” requirements of the final rule entitled “Enhanc-
4 ing Retailer Standards in the Supplemental Nutrition As-
5 sistance Program (SNAP)” published by the Department
6 of Agriculture in the Federal Register on December 15,
7 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
8 culture amends the definition of the term “variety” as de-
9 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
10 eral Regulations, and “variety” as applied in the definition
11 of the term “staple food” as defined in section 271.2 of
12 title 7, Code of Federal Regulations, to increase the num-
13 ber of items that qualify as acceptable varieties in each
14 staple food category so that the total number of such items
15 in each staple food category exceeds the number of such
16 items in each staple food category included in the final
17 rule as published on December 15, 2016: *Provided*, That
18 until the Secretary promulgates such regulatory amend-
19 ments, the Secretary shall apply the requirements regard-
20 ing acceptable varieties and breadth of stock to Supple-
21 mental Nutrition Assistance Program retailers that were
22 in effect on the day before the date of the enactment of
23 the Agricultural Act of 2014 (Public Law 113–79).

24 SEC. 766. None of the funds made available by this
25 Act may be used by the Food and Drug Administration

1 to develop, issue, promote, or advance any regulations ap-
2 plicable to food manufacturers for population-wide sodium
3 reduction actions or to develop, issue, promote or advance
4 final guidance applicable to food manufacturers for long
5 term population-wide sodium reduction actions until the
6 date on which a dietary reference intake report with re-
7 spect to sodium is completed.

8 SEC. 767. There is hereby appropriated \$1,000,000,
9 to remain available until September 30, 2018, for the cost
10 of loans and grants that is consistent with section 4206
11 of the Agricultural Act of 2014, for necessary expenses
12 of the Secretary to support projects that provide access
13 to healthy food in underserved areas, to create and pre-
14 serve quality jobs, and to revitalize low-income commu-
15 nities.

16 SEC. 768. In addition to funds appropriated in this
17 Act, there is hereby appropriated \$500,000, to remain
18 available until September 30, 2018, under the heading
19 “Rural Development, Salaries and Expenses”, for develop-
20 ment of an implementation plan for increasing access to
21 education in the fields of science, technology, engineering,
22 and mathematics in rural communities through the Dis-
23 tance Learning and Telemedicine program.

24 SEC. 769. There is hereby appropriated \$8,000,000,
25 to remain available until September 30, 2018, to carry out

1 section 6407 of the Farm Security and Rural Investment
2 Act of 2002 (7 U.S.C. 8107a).

3 SEC. 770. (a) Of the unobligated balances from
4 amounts made available in fiscal year 2016 for the Com-
5 prehensive Loan Accounting System under the heading
6 “Rural Development, Salaries and Expenses”, \$8,900,000
7 are hereby rescinded.

8 (b) For an additional amount for “Rural Develop-
9 ment, Salaries and Expenses”, \$8,900,000, to remain
10 available until September 30, 2018, is provided for Infor-
11 mation Technology modernization activities.

12 SEC. 771. The Secretary shall modify the pilot pro-
13 gram initiated March 1, 2017, designed to preserve afford-
14 able rental housing through non-profit transfer or acquisi-
15 tion of Section 515 properties with expiring mortgages.
16 The program will study effective means to transfer Section
17 515 properties exiting the program due to mortgage matu-
18 rity to qualified nonprofit organizations to preserve the
19 properties in the Rural Housing Service multi-family pro-
20 gram. The Secretary shall—

21 (1) Conduct limited research under the author-
22 ity found at section 506(b) of the Housing Act of
23 1949, as amended (41 U.S.C. §1476(b));

24 (2) Track the results and identify ways or in-
25 centives to create additional opportunities for non-

1 profits to participate in the preservation of prop-
2 erties;

3 (3) Work collaboratively with third-parties to
4 address concerns identified on the Department
5 issued guidance issued September 16, 2016 titled,
6 “March 1, 2017, Pilot Program to Promote Non-
7 Profit Participation in Transactions to Retain the
8 Section 515 Portfolio” to maximize research benefits
9 and potential application; and

10 (4) Conduct research for two years after the
11 date of the enactment of this Act and report the
12 findings to the Committees on Appropriations of
13 both Houses of Congress:

14 *Provided*, That there is hereby appropriated \$1,000,000,
15 to remain available until September 30, 2018, to provide
16 grants to qualified non-profit organizations and public
17 housing authorities to provide technical assistance, includ-
18 ing financial and legal services, to RHS multi-family hous-
19 ing borrowers to facilitate the acquisition of RHS multi-
20 family housing properties in areas where the Secretary de-
21 termines a risk of loss of affordable housing.

22 SEC. 772. (a) The Secretary of Agriculture (referred
23 to in this section as the “Secretary”) shall carry out a
24 pilot program during fiscal year 2017 with respect to the
25 2016 crop year for county-level agriculture risk coverage

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

12 (b) The alternate calculation method referred to in
13 subsection (a) is a method of calculating the actual yield
14 for the 2016 crop year for county-level agriculture risk
15 coverage payments under section 1117(b)(1) of the Agri-
16 cultural Act of 2014 (7 U.S.C. 9017(b)(1)), under
17 which—

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

21 (2) if there is insufficient NASS data for a
22 county (as determined under standards of the Sec-
23 retary in effect as of the date of enactment of this
24 Act) or the available NASS data produces a sub-
25 stantially disparate result, the calculation of the

1 county yield is determined using comparable contig-
2 uous county NASS data as determined by the Farm
3 Service Agency office in the applicable State; and

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

14 (c)(1) A supplemental payment made under the pilot
15 program established under this section may be made to
16 an agricultural producer who is subject to the alternate
17 calculation method described in subsection (b) if that agri-
18 cultural producer would otherwise receive a county-level
19 agriculture risk coverage payment for the 2016 crop year
20 in an amount that is less than the payment that the agri-
21 cultural producer would receive under the alternate cal-
22 culation method.

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

1 (A) the payment that the agricultural producer
2 would have received without the alternate calculation
3 method described in subsection (b); and

4 (B) the payment that the agricultural producer
5 would receive using the alternate calculation method.

6 (d)(1) There is appropriated to the Secretary, out of
7 funds of the Treasury not otherwise appropriated,
8 \$5,000,000, to remain available until September 30, 2018,
9 to carry out the pilot program described in this section.

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

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

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

21 (f) Nothing in this section affects the calculation of
22 actual yield for purposes of county-level agriculture risk
23 coverage payments under section 1117(b)(1) of the Agri-
24 cultural Act of 2014 (7 U.S.C. 9017(b)(1)) other than

1 payments made in accordance with the pilot program
2 under this section.

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

9 SEC. 773. None of the funds made available by this
10 Act or any other Act may be used—

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

13 (2) to prohibit the transportation, processing,
14 sale, or use of industrial hemp that is grown or cul-
15 tivated in accordance with section 7606 of the Agri-
16 cultural Act of 2014, within or outside the State in
17 which the industrial hemp is grown or cultivated.

18 SEC. 774. Notwithstanding any other provision of
19 law, for purposes of applying the Federal Food, Drug, and
20 Cosmetic Act (21 U.S.C. 301 et seq.), the acceptable mar-
21 ket name of *Lithodes aequispinus* is “golden king crab.”

22 This division may be cited as the “Agriculture, Rural
23 Development, Food and Drug Administration, and Re-
24 lated Agencies Appropriations Act, 2017”.

1 **DIVISION B—COMMERCE, JUSTICE,**
2 **SCIENCE, AND RELATED AGENCIES**
3 **APPROPRIATIONS ACT, 2017**

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 2018, of which \$12,000,000 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 For necessary expenses for export administration and
4 national security activities of the Department of Com-
5 merce, including costs associated with the performance of
6 export administration field activities both domestically and
7 abroad; full medical coverage for dependent members of
8 immediate families of employees stationed overseas; em-
9 ployment of citizens of the United States and aliens by
10 contract for services abroad; payment of tort claims, in
11 the manner authorized in the first paragraph of section
12 2672 of title 28, United States Code, when such claims
13 arise in foreign countries; not to exceed \$13,500 for offi-
14 cial representation expenses abroad; awards of compensa-
15 tion to informers under the Export Administration Act of
16 1979, and as authorized by section 1(b) of the Act of June
17 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase
18 of passenger motor vehicles for official use and motor vehi-
19 cles for law enforcement use with special requirement vehi-
20 cles eligible for purchase without regard to any price limi-
21 tation otherwise established by law, \$112,500,000, to re-
22 main available until expended: *Provided*, That the provi-
23 sions of the first sentence of section 105(f) and all of sec-
24 tion 108(c) of the Mutual Educational and Cultural Ex-
25 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall

1 apply in carrying out these activities: *Provided further*,
2 That payments and contributions collected and accepted
3 for materials or services provided as part of such activities
4 may be retained for use in covering the cost of such activi-
5 ties, and for providing information to the public with re-
6 spect to the export administration and national security
7 activities of the Department of Commerce and other ex-
8 port control programs of the United States and other gov-
9 ernments.

10 ECONOMIC DEVELOPMENT ADMINISTRATION

11 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

12 For grants for economic development assistance as
13 provided by the Public Works and Economic Development
14 Act of 1965, for trade adjustment assistance, and for
15 grants authorized by section 27 of the Stevenson-Wydler
16 Technology Innovation Act of 1980 (15 U.S.C. 3722),
17 \$237,000,000, to remain available until expended, of
18 which \$17,000,000 shall be for grants under such section
19 27.

20 SALARIES AND EXPENSES

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

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

4 MINORITY BUSINESS DEVELOPMENT AGENCY

5 MINORITY BUSINESS DEVELOPMENT

6 For necessary expenses of the Department of Com-
7 merce in fostering, promoting, and developing minority
8 business enterprise, including expenses of grants, con-
9 tracts, and other agreements with public or private organi-
10 zations, \$34,000,000.

11 ECONOMIC AND STATISTICAL ANALYSIS

12 SALARIES AND EXPENSES

13 For necessary expenses, as authorized by law, of eco-
14 nomic and statistical analysis programs of the Department
15 of Commerce, \$107,300,000, to remain available until
16 September 30, 2018.

17 BUREAU OF THE CENSUS

18 CURRENT SURVEYS AND PROGRAMS

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

1 Population Survey using the same health insurance ques-
2 tions included in previous years, in addition to the revised
3 questions implemented in the Current Population Survey
4 beginning in February 2014.

5 PERIODIC CENSUSES AND PROGRAMS
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses for collecting, compiling, ana-
8 lyzing, preparing and publishing statistics for periodic cen-
9 suses and programs provided for by law, \$1,200,000,000,
10 to remain available until September 30, 2018: *Provided*,
11 That, from amounts provided herein, funds may be used
12 for promotion, outreach, and marketing activities: *Pro-*
13 *vided further*, That within the amounts appropriated,
14 \$2,580,000 shall be transferred to the “Office of Inspector
15 General” account for activities associated with carrying
16 out investigations and audits related to the Bureau of the
17 Census: *Provided further*, That not more than 50 percent
18 of the amounts made available under this heading for in-
19 formation technology related to 2020 census delivery, in-
20 cluding the Census Enterprise Data Collection and Proc-
21 essing (CEDCaP) program, may be obligated until the
22 Secretary submits to the Committees on Appropriations
23 of the House of Representatives and the Senate a plan
24 for expenditure that: (1) identifies for each CEDCaP
25 project/investment over \$25,000: (A) the functional and

1 performance capabilities to be delivered and the mission
2 benefits to be realized; (B) the estimated lifecycle cost, in-
3 cluding estimates for development as well as maintenance
4 and operations; and (C) key milestones to be met; (2) de-
5 tails for each project/investment: (A) reasons for any cost
6 and schedule variances; and (B) top risks and mitigation
7 strategies; and (3) has been submitted to the Government
8 Accountability Office.

9 NATIONAL TELECOMMUNICATIONS AND INFORMATION

10 ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses, as provided for by law, of
13 the National Telecommunications and Information Ad-
14 ministration (NTIA), \$32,000,000, to remain available
15 until September 30, 2018: *Provided*, That, notwith-
16 standing 31 U.S.C. 1535(d), the Secretary of Commerce
17 shall charge Federal agencies for costs incurred in spec-
18 trum management, analysis, operations, and related serv-
19 ices, and such fees shall be retained and used as offsetting
20 collections for costs of such spectrum services, to remain
21 available until expended: *Provided further*, That the Sec-
22 retary of Commerce is authorized to retain and use as off-
23 setting collections all funds transferred, or previously
24 transferred, from other Government agencies for all costs
25 incurred in telecommunications research, engineering, and

1 related activities by the Institute for Telecommunication
2 Sciences of NTLA, in furtherance of its assigned functions
3 under this paragraph, and such funds received from other
4 Government agencies shall remain available until ex-
5 pended.

6 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
7 AND CONSTRUCTION

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

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

15 For necessary expenses of the United States Patent
16 and Trademark Office (USPTO) provided for by law, in-
17 cluding defense of suits instituted against the Under Sec-
18 retary of Commerce for Intellectual Property and Director
19 of the USPTO, \$3,230,000,000, to remain available until
20 expended: *Provided*, That the sum herein appropriated
21 from the general fund shall be reduced as offsetting collec-
22 tions of fees and surcharges assessed and collected by the
23 USPTO under any law are received during fiscal year
24 2017, so as to result in a fiscal year 2017 appropriation
25 from the general fund estimated at \$0: *Provided further*,

1 That during fiscal year 2017, should the total amount of
2 such offsetting collections be less than \$3,230,000,000
3 this amount shall be reduced accordingly: *Provided fur-*
4 *ther*, That any amount received in excess of
5 \$3,230,000,000 in fiscal year 2017 and deposited in the
6 Patent and Trademark Fee Reserve Fund shall remain
7 available until expended: *Provided further*, That the Direc-
8 tor of USPTO shall submit a spending plan to the Com-
9 mittees on Appropriations of the House of Representatives
10 and the Senate for any amounts made available by the
11 preceding proviso and such spending plan shall be treated
12 as a reprogramming under section 505 of this Act and
13 shall not be available for obligation or expenditure except
14 in compliance with the procedures set forth in that section:
15 *Provided further*, That any amounts reprogrammed in ac-
16 cordance with the preceding proviso shall be transferred
17 to the United States Patent and Trademark Office “Sala-
18 ries and Expenses” account: *Provided further*, That from
19 amounts provided herein, not to exceed \$900 shall be
20 made available in fiscal year 2017 for official reception
21 and representation expenses: *Provided further*, That in fis-
22 cal year 2017 from the amounts made available for “Sala-
23 ries and Expenses” for the USPTO, the amounts nec-
24 essary to pay (1) the difference between the percentage
25 of basic pay contributed by the USPTO and employees

1 under section 8334(a) of title 5, United States Code, and
2 the normal cost percentage (as defined by section
3 8331(17) of that title) as provided by the Office of Per-
4 sonnel Management (OPM) for USPTO's specific use, of
5 basic pay, of employees subject to subchapter III of chap-
6 ter 83 of that title, and (2) the present value of the other-
7 wise unfunded accruing costs, as determined by OPM for
8 USPTO's specific use of post-retirement life insurance
9 and post-retirement health benefits coverage for all
10 USPTO employees who are enrolled in Federal Employees
11 Health Benefits (FEHB) and Federal Employees Group
12 Life Insurance (FEGLI), shall be transferred to the Civil
13 Service Retirement and Disability Fund, the FEGLI
14 Fund, and the FEHB Fund, as appropriate, and shall be
15 available for the authorized purposes of those accounts:
16 *Provided further*, That any differences between the present
17 value factors published in OPM's yearly 300 series benefit
18 letters and the factors that OPM provides for USPTO's
19 specific use shall be recognized as an imputed cost on
20 USPTO's financial statements, where applicable: *Provided*
21 *further*, That, notwithstanding any other provision of law,
22 all fees and surcharges assessed and collected by USPTO
23 are available for USPTO only pursuant to section 42(c)
24 of title 35, United States Code, as amended by section
25 22 of the Leahy-Smith America Invents Act (Public Law

1 112–29): *Provided further*, That within the amounts ap-
2 propriated, \$2,000,000 shall be transferred to the “Office
3 of Inspector General” account for activities associated
4 with carrying out investigations and audits related to the
5 USPTO.

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

9 For necessary expenses of the National Institute of
10 Standards and Technology (NIST), \$690,000,000, to re-
11 main available until expended, of which not to exceed
12 \$9,000,000 may be transferred to the “Working Capital
13 Fund”: *Provided*, That not to exceed \$5,000 shall be for
14 official reception and representation expenses: *Provided*
15 *further*, That NIST may provide local transportation for
16 summer undergraduate research fellowship program par-
17 ticipants.

18 INDUSTRIAL TECHNOLOGY SERVICES

19 For necessary expenses for industrial technology
20 services, \$155,000,000, to remain available until ex-
21 pended, of which \$130,000,000 shall be for the Hollings
22 Manufacturing Extension Partnership, and of which
23 \$25,000,000 shall be for the National Network for Manu-
24 facturing Innovation: *Provided*, That of the amount pro-

1 vided under this heading, \$2,000,000 shall be derived
2 from recoveries of prior year obligations.

3 CONSTRUCTION OF RESEARCH FACILITIES

4 For construction of new research facilities, including
5 architectural and engineering design, and for renovation
6 and maintenance of existing facilities, not otherwise pro-
7 vided for the National Institute of Standards and Tech-
8 nology, as authorized by sections 13 through 15 of the
9 National Institute of Standards and Technology Act (15
10 U.S.C. 278c–278e), \$109,000,000, to remain available
11 until expended: *Provided*, That the Secretary of Commerce
12 shall include in the budget justification materials that the
13 Secretary submits to Congress in support of the Depart-
14 ment of Commerce budget (as submitted with the budget
15 of the President under section 1105(a) of title 31, United
16 States Code) an estimate for each National Institute of
17 Standards and Technology construction project having a
18 total multi-year program cost of more than \$5,000,000,
19 and simultaneously the budget justification materials shall
20 include an estimate of the budgetary requirements for
21 each such project for each of the 5 subsequent fiscal years.

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

5 For necessary expenses of activities authorized by law
6 for the National Oceanic and Atmospheric Administration,
7 including maintenance, operation, and hire of aircraft and
8 vessels; grants, contracts, or other payments to nonprofit
9 organizations for the purposes of conducting activities
10 pursuant to cooperative agreements; and relocation of fa-
11 cilities, \$3,367,875,000, to remain available until Sep-
12 tember 30, 2018, except that funds provided for coopera-
13 tive enforcement shall remain available until September
14 30, 2019: *Provided*, That fees and donations received by
15 the National Ocean Service for the management of na-
16 tional marine sanctuaries may be retained and used for
17 the salaries and expenses associated with those activities,
18 notwithstanding section 3302 of title 31, United States
19 Code: *Provided further*, That in addition, \$130,164,000
20 shall be derived by transfer from the fund entitled “Pro-
21 mote and Develop Fishery Products and Research Per-
22 taining to American Fisheries”, which shall only be used
23 for fishery activities related to the Saltonstall-Kennedy
24 Grant Program, Cooperative Research, Annual Stock As-
25 sessments, Survey and Monitoring Projects, Interjurisdic-

1 tional Fisheries Grants, and Fish Information Networks:
2 *Provided further*, That of the \$3,515,539,000 provided for
3 in direct obligations under this heading, \$3,367,875,000
4 is appropriated from the general fund, \$130,164,000 is
5 provided by transfer and \$17,500,000 is derived from re-
6 coveries of prior year obligations: *Provided further*, That
7 the total amount available for National Oceanic and At-
8 mospheric Administration corporate services administra-
9 tive support costs shall not exceed \$228,440,000: *Provided*
10 *further*, That any deviation from the amounts designated
11 for specific activities in the explanatory statement de-
12 scribed in section 4 (in the matter preceding division A
13 of this consolidated Act), or any use of deobligated bal-
14 ances of funds provided under this heading in previous
15 years, shall be subject to the procedures set forth in sec-
16 tion 505 of this Act: *Provided further*, That in addition,
17 for necessary retired pay expenses under the Retired Serv-
18 iceman's Family Protection and Survivor Benefits Plan,
19 and for payments for the medical care of retired personnel
20 and their dependents under the Dependents' Medical Care
21 Act (10 U.S.C. ch. 55), such sums as may be necessary.

22 PROCUREMENT, ACQUISITION AND CONSTRUCTION

23 (INCLUDING TRANSFER OF FUNDS)

24 For procurement, acquisition and construction of
25 capital assets, including alteration and modification costs,

1 of the National Oceanic and Atmospheric Administration,
2 \$2,242,610,000, to remain available until September 30,
3 2019, except that funds provided for acquisition and con-
4 struction of vessels and construction of facilities shall re-
5 main available until expended: *Provided*, That of the
6 \$2,255,610,000 provided for in direct obligations under
7 this heading, \$2,242,610,000 is appropriated from the
8 general fund and \$13,000,000 is provided from recoveries
9 of prior year obligations: *Provided further*, That any devi-
10 ation from the amounts designated for specific activities
11 in the explanatory statement described in section 4 (in the
12 matter preceding division A of this consolidated Act), or
13 any use of deobligated balances of funds provided under
14 this heading in previous years, shall be subject to the pro-
15 cedures set forth in section 505 of this Act: *Provided fur-*
16 *ther*, That the Secretary of Commerce shall include in
17 budget justification materials that the Secretary submits
18 to Congress in support of the Department of Commerce
19 budget (as submitted with the budget of the President
20 under section 1105(a) of title 31, United States Code) an
21 estimate for each National Oceanic and Atmospheric Ad-
22 ministration procurement, acquisition or construction
23 project having a total of more than \$5,000,000 and simul-
24 taneously the budget justification shall include an estimate
25 of the budgetary requirements for each such project for

1 each of the 5 subsequent fiscal years: *Provided further*,
2 That, within the amounts appropriated, \$1,302,000 shall
3 be transferred to the “Office of Inspector General” ac-
4 count for activities associated with carrying out investiga-
5 tions and audits related to satellite procurement, acquisi-
6 tion and construction.

7 PACIFIC COASTAL SALMON RECOVERY

8 For necessary expenses associated with the restora-
9 tion of Pacific salmon populations, \$65,000,000, to re-
10 main available until September 30, 2018: *Provided*, That,
11 of the funds provided herein, the Secretary of Commerce
12 may issue grants to the States of Washington, Oregon,
13 Idaho, Nevada, California, and Alaska, and to the Feder-
14 ally recognized tribes of the Columbia River and Pacific
15 Coast (including Alaska), for projects necessary for con-
16 servation of salmon and steelhead populations that are
17 listed as threatened or endangered, or that are identified
18 by a State as at-risk to be so listed, for maintaining popu-
19 lations necessary for exercise of tribal treaty fishing rights
20 or native subsistence fishing, or for conservation of Pacific
21 coastal salmon and steelhead habitat, based on guidelines
22 to be developed by the Secretary of Commerce: *Provided*
23 *further*, That all funds shall be allocated based on sci-
24 entific and other merit principles and shall not be available
25 for marketing activities: *Provided further*, That funds dis-

1 bursed to States shall be subject to a matching require-
2 ment of funds or documented in-kind contributions of at
3 least 33 percent of the Federal funds.

4 FISHERMEN'S CONTINGENCY FUND

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

9 FISHERIES FINANCE PROGRAM ACCOUNT

10 Subject to section 502 of the Congressional Budget
11 Act of 1974, during fiscal year 2017, obligations of direct
12 loans may not exceed \$24,000,000 for Individual Fishing
13 Quota loans and not to exceed \$100,000,000 for tradi-
14 tional direct loans as authorized by the Merchant Marine
15 Act of 1936.

16 DEPARTMENTAL MANAGEMENT

17 SALARIES AND EXPENSES

18 For necessary expenses for the management of the
19 Department of Commerce provided for by law, including
20 not to exceed \$4,500 for official reception and representa-
21 tion, \$58,000,000: *Provided*, That within amounts pro-
22 vided, the Secretary of Commerce may use up to
23 \$2,500,000 to engage in activities to provide businesses
24 and communities with information about and referrals to
25 relevant Federal, State, and local government programs.

1 RENOVATION AND MODERNIZATION
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for the renovation and mod-
4 ernization of the Herbert C. Hoover Building, including
5 security-related costs, \$4,000,000, to remain available
6 until expended: *Provided*, That the Secretary of Commerce
7 may transfer up to \$8,224,000 to this account from funds
8 available to the Department of Commerce: *Provided fur-*
9 *ther*, That the transfer authority provided in the first pro-
10 viso is in addition to any other transfer authority con-
11 tained in this Act: *Provided further*, That any transfer
12 pursuant to the authority provided under this heading
13 shall be treated as a reprogramming under section 505
14 of this Act and shall not be available for obligation or ex-
15 penditure except in compliance with the procedures set
16 forth in that section.

17 OFFICE OF INSPECTOR GENERAL

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

21 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE
22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 101. During the current fiscal year, applicable
24 appropriations and funds made available to the Depart-
25 ment of Commerce by this Act shall be available for the

1 activities specified in the Act of October 26, 1949 (15
2 U.S.C. 1514), to the extent and in the manner prescribed
3 by the Act, and, notwithstanding 31 U.S.C. 3324, may
4 be used for advanced payments not otherwise authorized
5 only upon the certification of officials designated by the
6 Secretary of Commerce that such payments are in the
7 public interest.

8 SEC. 102. During the current fiscal year, appropria-
9 tions made available to the Department of Commerce by
10 this Act for salaries and expenses shall be available for
11 hire of passenger motor vehicles as authorized by 31
12 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
13 3109; and uniforms or allowances therefor, as authorized
14 by law (5 U.S.C. 5901–5902).

15 SEC. 103. Not to exceed 5 percent of any appropria-
16 tion made available for the current fiscal year for the De-
17 partment of Commerce 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: *Provided*, That any transfer pursuant to this section
21 shall be treated as a reprogramming of funds under sec-
22 tion 505 of this Act and shall not be available for obliga-
23 tion or expenditure except in compliance with the proce-
24 dures set forth in that section: *Provided further*, That the
25 Secretary of Commerce shall notify the Committees on Ap-

1 appropriations at least 15 days in advance of the acquisition
2 or disposal of any capital asset (including land, structures,
3 and equipment) not specifically provided for in this Act
4 or any other law appropriating funds for the Department
5 of Commerce.

6 SEC. 104. The requirements set forth by section 105
7 of the Commerce, Justice, Science, and Related Agencies
8 Appropriations Act, 2012 (Public Law 112–55), as
9 amended by section 105 of title I of division B of Public
10 Law 113–6, are hereby adopted by reference and made
11 applicable with respect to fiscal year 2017: *Provided*, That
12 the life cycle cost for the Joint Polar Satellite System is
13 \$11,322,125,000 and the life cycle cost for the Geo-
14 stationary Operational Environmental Satellite R-Series
15 Program is \$10,828,059,000.

16 SEC. 105. Notwithstanding any other provision of
17 law, the Secretary may furnish services (including but not
18 limited to utilities, telecommunications, and security serv-
19 ices) necessary to support the operation, maintenance, and
20 improvement of space that persons, firms, or organizations
21 are authorized, pursuant to the Public Buildings Coopera-
22 tive Use Act of 1976 or other authority, to use or occupy
23 in the Herbert C. Hoover Building, Washington, DC, or
24 other buildings, the maintenance, operation, and protec-
25 tion of which has been delegated to the Secretary from

1 the Administrator of General Services pursuant to the
2 Federal Property and Administrative Services Act of 1949
3 on a reimbursable or non-reimbursable basis. Amounts re-
4 ceived as reimbursement for services provided under this
5 section or the authority under which the use or occupancy
6 of the space is authorized, up to \$200,000, shall be cred-
7 ited to the appropriation or fund which initially bears the
8 costs of such services.

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

13 SEC. 107. The Administrator of the National Oceanic
14 and Atmospheric Administration is authorized to use, with
15 their consent, with reimbursement and subject to the lim-
16 its of available appropriations, the land, services, equip-
17 ment, personnel, and facilities of any department, agency,
18 or instrumentality of the United States, or of any State,
19 local government, Indian tribal government, Territory, or
20 possession, or of any political subdivision thereof, or of
21 any foreign government or international organization, for
22 purposes related to carrying out the responsibilities of any
23 statute administered by the National Oceanic and Atmos-
24 pheric Administration.

1 SEC. 108. The National Technical Information Serv-
2 ice shall not charge any customer for a copy of any report
3 or document generated by the Legislative Branch unless
4 the Service has provided information to the customer on
5 how an electronic copy of such report or document may
6 be accessed and downloaded for free online. Should a cus-
7 tomer still require the Service to provide a printed or dig-
8 ital copy of the report or document, the charge shall be
9 limited to recovering the Service's cost of processing, re-
10 producing, and delivering such report or document.

11 SEC. 109. The Secretary of Commerce may waive the
12 requirement for bonds under 40 U.S.C. 3131 with respect
13 to contracts for the construction, alteration, or repair of
14 vessels, regardless of the terms of the contracts as to pay-
15 ment or title, when the contract is made under the Coast
16 and Geodetic Survey Act of 1947 (33 U.S.C. 883a et seq.).

17 SEC. 110. None of the funds appropriated or other-
18 wise made available in this or any other Act, with respect
19 to any fiscal year, may be used in contravention of section
20 110 of the Commerce, Justice, Science, and Related Agen-
21 cies Appropriations Act, 2016 (Public Law 114–113).

22 SEC. 111. To carry out the responsibilities of the Na-
23 tional Oceanic and Atmospheric Administration (NOAA),
24 the Administrator of NOAA is authorized to: (1) enter
25 into grants and cooperative agreements with; (2) use on

1 a non-reimbursable basis land, services, equipment, per-
2 sonnel, and facilities provided by; and (3) receive and ex-
3 pend funds made available on a consensual basis from: a
4 Federal agency, State or subdivision thereof, local govern-
5 ment, tribal government, territory, or possession or any
6 subdivisions thereof: *Provided*, That funds received for
7 permitting and related regulatory activities pursuant to
8 this section shall be deposited under the heading “Na-
9 tional Oceanic and Atmospheric Administration—Oper-
10 ations, Research, and Facilities” and shall remain avail-
11 able until September 30, 2019, for such purposes: *Pro-*
12 *vided further*, That all funds within this section and their
13 corresponding uses are subject to section 505 of this Act.

14 SEC. 112. Amounts provided by this Act or by any
15 prior appropriations Act that remain available for obliga-
16 tion, for necessary expenses of the programs of the Eco-
17 nomics and Statistics Administration of the Department
18 of Commerce, including amounts provided for programs
19 of the Bureau of Economic Analysis and the U.S. Census
20 Bureau, shall be available for expenses of cooperative
21 agreements with appropriate entities, including any Fed-
22 eral, State, or local governmental unit, or institution of
23 higher education, to aid and promote statistical, research,
24 and methodology activities which further the purposes for
25 which such amounts have been made available.

1 SEC. 113. For fiscal year 2017 and each fiscal year
2 thereafter, no person shall conduct any research, explo-
3 ration, salvage, or other activity that would physically
4 alter or disturb the wreck or wreck site of the RMS *Ti-*
5 *tanic* unless authorized by the Secretary of Commerce per
6 the provisions of the Agreement Concerning the Ship-
7 wrecked Vessel RMS *Titanic*. The Secretary of Commerce
8 shall take appropriate actions to carry out this section
9 consistent with the Agreement.

10 This title may be cited as the “Department of Com-
11 merce Appropriations Act, 2017”.

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, \$114,124,000, 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, \$31,000,000, to remain available
15 until expended: *Provided*, That the Attorney General may
16 transfer up to \$35,400,000 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

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, \$440,000,000, 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: *Provided*, That not to exceed
11 \$15,000,000 of the total amount made available under
12 this heading shall remain available until expended: *Pro-*
13 *vided further*, That any unobligated balances available
14 from funds appropriated for the Executive Office for Im-
15 migration Review under the heading “General Administra-
16 tion, Administrative Review and Appeals” shall be trans-
17 ferred to and merged with the appropriation under this
18 heading.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General, \$95,583,000, including not to exceed \$10,000 to
22 meet unforeseen emergencies of a confidential character.

1 UNITED STATES PAROLE COMMISSION

2 SALARIES AND EXPENSES

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

9 LEGAL ACTIVITIES

10 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

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

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

24 In addition, for reimbursement of expenses of the De-
25 partment of Justice associated with processing cases

1 under the National Childhood Vaccine Injury Act of 1986,
2 not to exceed \$10,000,000, to be appropriated from the
3 Vaccine Injury Compensation Trust Fund.

4 SALARIES AND EXPENSES, ANTITRUST DIVISION

5 For expenses necessary for the enforcement of anti-
6 trust and kindred laws, \$164,977,000, to remain available
7 until expended: *Provided*, That notwithstanding any other
8 provision of law, fees collected for premerger notification
9 filings under the Hart-Scott-Rodino Antitrust Improve-
10 ments Act of 1976 (15 U.S.C. 18a), regardless of the year
11 of collection (and estimated to be \$125,000,000 in fiscal
12 year 2017), shall be retained and used for necessary ex-
13 penses in this appropriation, and shall remain available
14 until expended: *Provided further*, That the sum herein ap-
15 propriated from the general fund shall be reduced as such
16 offsetting collections are received during fiscal year 2017,
17 so as to result in a final fiscal year 2017 appropriation
18 from the general fund estimated at \$39,977,000.

19 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

20 For necessary expenses of the Offices of the United
21 States Attorneys, including inter-governmental and coop-
22 erative agreements, \$2,035,000,000: *Provided*, That of the
23 total amount appropriated, not to exceed \$7,200 shall be
24 available for official reception and representation ex-
25 penses: *Provided further*, That not to exceed \$25,000,000

1 shall remain available until expended: *Provided further*,
2 That each United States Attorney shall establish or par-
3 ticipate in a task force on human trafficking.

4 UNITED STATES TRUSTEE SYSTEM FUND

5 For necessary expenses of the United States Trustee
6 Program, as authorized, \$225,908,000, to remain avail-
7 able until expended: *Provided*, That, notwithstanding any
8 other provision of law, deposits to the United States
9 Trustee System Fund and amounts herein appropriated
10 shall be available in such amounts as may be necessary
11 to pay refunds due depositors: *Provided further*, That, not-
12 withstanding any other provision of law, fees collected pur-
13 suant to section 589a(b) of title 28, United States Code,
14 shall be retained and used for necessary expenses in this
15 appropriation and shall remain available until expended:
16 *Provided further*, That to the extent that fees collected in
17 fiscal year 2017, net of amounts necessary to pay refunds
18 due depositors, exceed \$225,908,000, those excess
19 amounts shall be available in future fiscal years only to
20 the extent provided in advance in appropriations Acts:
21 *Provided further*, That the sum herein appropriated from
22 the general fund shall be reduced (1) as such fees are re-
23 ceived during fiscal year 2017, net of amounts necessary
24 to pay refunds due depositors, (estimated at
25 \$163,000,000) and (2) to the extent that any remaining

1 general fund appropriations can be derived from amounts
2 deposited in the Fund in previous fiscal years that are not
3 otherwise appropriated, so as to result in a final fiscal year
4 2017 appropriation from the general fund estimated at
5 \$62,908,000.

6 SALARIES AND EXPENSES, FOREIGN CLAIMS

7 SETTLEMENT COMMISSION

8 For expenses necessary to carry out the activities of
9 the Foreign Claims Settlement Commission, including
10 services as authorized by section 3109 of title 5, United
11 States Code, \$2,374,000.

12 FEES AND EXPENSES OF WITNESSES

13 For fees and expenses of witnesses, for expenses of
14 contracts for the procurement and supervision of expert
15 witnesses, for private counsel expenses, including ad-
16 vances, and for expenses of foreign counsel, \$270,000,000,
17 to remain available until expended, of which not to exceed
18 \$16,000,000 is for construction of buildings for protected
19 witness safesites; not to exceed \$3,000,000 is for the pur-
20 chase and maintenance of armored and other vehicles for
21 witness security caravans; and not to exceed \$13,000,000
22 is for the purchase, installation, maintenance, and up-
23 grade of secure telecommunications equipment and a se-
24 cure automated information network to store and retrieve
25 the identities and locations of protected witnesses: *Pro-*

1 *vided*, That amounts made available under this heading
2 may not be transferred pursuant to section 205 of this
3 Act.

4 SALARIES AND EXPENSES, COMMUNITY RELATIONS
5 SERVICE
6 (INCLUDING TRANSFER OF FUNDS)

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

22 ASSETS FORFEITURE FUND

23 For expenses authorized by subparagraphs (B), (F),
24 and (G) of section 524(c)(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, \$1,249,040,000, of which not to exceed
7 \$6,000 shall be available for official reception and rep-
8 resentation expenses, and not to exceed \$15,000,000 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, \$10,000,000, to remain avail-
14 able until expended.

15 FEDERAL PRISONER DETENTION

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses related to United States pris-
18 oners in the custody of the United States Marshals Service
19 as authorized by section 4013 of title 18, United States
20 Code, \$1,454,414,000, to remain available until expended:
21 *Provided*, That not to exceed \$20,000,000 shall be consid-
22 ered “funds appropriated for State and local law enforce-
23 ment assistance” pursuant to section 4013(b) of title 18,
24 United States Code: *Provided further*, That the United
25 States Marshals Service shall be responsible for managing

1 the Justice Prisoner and Alien Transportation System:
2 *Provided further*, That any unobligated balances available
3 from funds appropriated under the heading “General Ad-
4 ministration, Detention Trustee” shall be transferred to
5 and merged with the appropriation under this heading.

6 NATIONAL SECURITY DIVISION

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For expenses necessary to carry out the activities of
10 the National Security Division, \$96,000,000, of which not
11 to exceed \$5,000,000 for information technology systems
12 shall remain available until expended: *Provided*, That not-
13 withstanding section 205 of this Act, upon a determina-
14 tion by the Attorney General that emergent circumstances
15 require additional funding for the activities of the National
16 Security Division, the Attorney General may transfer such
17 amounts to this heading from available appropriations for
18 the current fiscal year for the Department of Justice, as
19 may be necessary to respond to such circumstances: *Pro-*
20 *vided further*, That any transfer pursuant to the preceding
21 proviso shall be treated as a reprogramming under section
22 505 of this Act and shall not be available for obligation
23 or expenditure except in compliance with the procedures
24 set forth in that section.

1 INTERAGENCY LAW ENFORCEMENT

2 INTERAGENCY CRIME AND DRUG ENFORCEMENT

3 For necessary expenses for the identification, inves-
4 tigation, and prosecution of individuals associated with the
5 most significant drug trafficking organizations,
6 transnational organized crime, and money laundering or-
7 ganizations not otherwise provided for, to include inter-
8 governmental agreements with State and local law en-
9 forcement agencies engaged in the investigation and pros-
10 ecution of individuals involved in transnational organized
11 crime and drug trafficking, \$517,000,000, of which
12 \$50,000,000 shall remain available until expended: *Pro-*
13 *vided*, That any amounts obligated from appropriations
14 under this heading may be used under authorities avail-
15 able to the organizations reimbursed from this appropria-
16 tion.

17 FEDERAL BUREAU OF INVESTIGATION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Federal Bureau of In-
20 vestigation for detection, investigation, and prosecution of
21 crimes against the United States, \$8,767,201,000, of
22 which not to exceed \$285,882,000 shall remain available
23 until expended: *Provided*, That not to exceed \$184,500
24 shall be available for official reception and representation
25 expenses: *Provided further*, That in addition to other funds

1 provided for Construction projects, the Federal Bureau of
2 Investigation may use up to \$68,982,000 under this head-
3 ing for all costs related to construction, conversion, modi-
4 fication and extension of federally owned and leased space;
5 preliminary planning and design of projects; and operation
6 and maintenance of secure work environment facilities and
7 secure networking capabilities.

8 CONSTRUCTION

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses, to include the cost of equip-
11 ment, furniture, and information technology requirements,
12 related to construction or acquisition of buildings, facili-
13 ties and sites by purchase, or as otherwise authorized by
14 law; conversion, modification and extension of federally
15 owned buildings; preliminary planning and design of
16 projects; and operation and maintenance of secure work
17 environment facilities and secure networking capabilities;
18 \$420,178,000, to remain available until expended, of
19 which \$181,000,000 shall be derived by transfer from the
20 Department of Justice's Working Capital Fund: *Provided,*
21 That \$323,000,000 shall be for the new Federal Bureau
22 of Investigation consolidated headquarters facility in the
23 National Capital Region.

1 DRUG ENFORCEMENT ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Drug Enforcement Ad-
4 ministration, including not to exceed \$70,000 to meet un-
5 foreseen emergencies of a confidential character pursuant
6 to section 530C of title 28, United States Code; and ex-
7 penses for conducting drug education and training pro-
8 grams, including travel and related expenses for partici-
9 pants in such programs and the distribution of items of
10 token value that promote the goals of such programs,
11 \$2,102,976,000, of which not to exceed \$75,000,000 shall
12 remain available until expended and not to exceed \$90,000
13 shall be available for official reception and representation
14 expenses.

15 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND

16 EXPLOSIVES

17 SALARIES AND EXPENSES

18 For necessary expenses of the Bureau of Alcohol, To-
19 bacco, Firearms and Explosives, for training of State and
20 local law enforcement agencies with or without reimburse-
21 ment, including training in connection with the training
22 and acquisition of canines for explosives and fire
23 accelerants detection; and for provision of laboratory as-
24 sistance to State and local law enforcement agencies, with
25 or without reimbursement, \$1,258,600,000, of which not

1 to exceed \$36,000 shall be for official reception and rep-
2 resentation expenses, not to exceed \$1,000,000 shall be
3 available for the payment of attorneys' fees as provided
4 by section 924(d)(2) of title 18, United States Code, and
5 not to exceed \$20,000,000 shall remain available until ex-
6 pended: *Provided*, That none of the funds appropriated
7 herein shall be available to investigate or act upon applica-
8 tions for relief from Federal firearms disabilities under
9 section 925(c) of title 18, United States Code: *Provided*
10 *further*, That such funds shall be available to investigate
11 and act upon applications filed by corporations for relief
12 from Federal firearms disabilities under section 925(c) of
13 title 18, United States Code: *Provided further*, That no
14 funds made available by this or any other Act may be used
15 to transfer the functions, missions, or activities of the Bu-
16 reau of Alcohol, Tobacco, Firearms and Explosives to
17 other agencies or Departments.

18 FEDERAL PRISON SYSTEM

19 SALARIES AND EXPENSES

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of the Federal Prison System
22 for the administration, operation, and maintenance of
23 Federal penal and correctional institutions, and for the
24 provision of technical assistance and advice on corrections
25 related issues to foreign governments, \$7,008,800,000:

1 *Provided*, That the Attorney General may transfer to the
2 Department of Health and Human Services such amounts
3 as may be necessary for direct expenditures by that De-
4 partment for medical relief for inmates of Federal penal
5 and correctional institutions: *Provided further*, That the
6 Director of the Federal Prison System, where necessary,
7 may enter into contracts with a fiscal agent or fiscal inter-
8 mediary claims processor to determine the amounts pay-
9 able to persons who, on behalf of the Federal Prison Sys-
10 tem, furnish health services to individuals committed to
11 the custody of the Federal Prison System: *Provided fur-*
12 *ther*, That not to exceed \$5,400 shall be available for offi-
13 cial reception and representation expenses: *Provided fur-*
14 *ther*, That not to exceed \$50,000,000 shall remain avail-
15 able for necessary operations until September 30, 2018:
16 *Provided further*, That, of the amounts provided for con-
17 tract confinement, not to exceed \$20,000,000 shall remain
18 available until expended to make payments in advance for
19 grants, contracts and reimbursable agreements, and other
20 expenses: *Provided further*, That the Director of the Fed-
21 eral Prison System may accept donated property and serv-
22 ices relating to the operation of the prison card program
23 from a not-for-profit entity which has operated such pro-
24 gram in the past, notwithstanding the fact that such not-
25 for-profit entity furnishes services under contracts to the

1 Federal Prison System relating to the operation of pre-
2 release services, halfway houses, or other custodial facili-
3 ties.

4 BUILDINGS AND FACILITIES

5 For planning, acquisition of sites and construction of
6 new facilities; purchase and acquisition of facilities and re-
7 modeling, and equipping of such facilities for penal and
8 correctional use, including all necessary expenses incident
9 thereto, by contract or force account; and constructing,
10 remodeling, and equipping necessary buildings and facili-
11 ties at existing penal and correctional institutions, includ-
12 ing all necessary expenses incident thereto, by contract or
13 force account, \$130,000,000, to remain available until ex-
14 pended, of which \$50,000,000 shall be available only for
15 costs related to construction of new facilities: *Provided*,
16 That labor of United States prisoners may be used for
17 work performed under this appropriation.

18 FEDERAL PRISON INDUSTRIES, INCORPORATED

19 The Federal Prison Industries, Incorporated, is here-
20 by authorized to make such expenditures within the limits
21 of funds and borrowing authority available, and in accord
22 with the law, and to make such contracts and commit-
23 ments without regard to fiscal year limitations as provided
24 by section 9104 of title 31, United States Code, as may

1 be necessary in carrying out the program set forth in the
2 budget for the current fiscal year for such corporation.

3 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
4 PRISON INDUSTRIES, INCORPORATED

5 Not to exceed \$2,700,000 of the funds of the Federal
6 Prison Industries, Incorporated, shall be available for its
7 administrative expenses, and for services as authorized by
8 section 3109 of title 5, United States Code, to be com-
9 puted on an accrual basis to be determined in accordance
10 with the corporation's current prescribed accounting sys-
11 tem, and such amounts shall be exclusive of depreciation,
12 payment of claims, and expenditures which such account-
13 ing system requires to be capitalized or charged to cost
14 of commodities acquired or produced, including selling and
15 shipping expenses, and expenses in connection with acqui-
16 sition, construction, operation, maintenance, improvement,
17 protection, or disposition of facilities and other property
18 belonging to the corporation or in which it has an interest.

19 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

20 OFFICE ON VIOLENCE AGAINST WOMEN

21 VIOLENCE AGAINST WOMEN PREVENTION AND

22 PROSECUTION PROGRAMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For grants, contracts, cooperative agreements, and
25 other assistance for the prevention and prosecution of vio-

1 lence against women, as authorized by the Omnibus Crime
2 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
3 et seq.) (“the 1968 Act”); the Violent Crime Control and
4 Law Enforcement Act of 1994 (Public Law 103–322)
5 (“the 1994 Act”); the Victims of Child Abuse Act of 1990
6 (Public Law 101–647) (“the 1990 Act”); the Prosecu-
7 torial Remedies and Other Tools to end the Exploitation
8 of Children Today Act of 2003 (Public Law 108–21); the
9 Juvenile Justice and Delinquency Prevention Act of 1974
10 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims
11 of Trafficking and Violence Protection Act of 2000 (Public
12 Law 106–386) (“the 2000 Act”); the Violence Against
13 Women and Department of Justice Reauthorization Act
14 of 2005 (Public Law 109–162) (“the 2005 Act”); the Vio-
15 lence Against Women Reauthorization Act of 2013 (Public
16 Law 113–4) (“the 2013 Act”); and the Rape Survivor
17 Child Custody Act of 2015 (Public Law 114–22) (“the
18 2015 Act”); and for related victims services,
19 \$481,500,000, to remain available until expended, of
20 which \$326,000,000 shall be derived by transfer from
21 amounts available for obligation in this Act from the Fund
22 established by section 1402 of chapter XIV of title II of
23 Public Law 98–473 (42 U.S.C. 10601), notwithstanding
24 section 1402(d) of such Act of 1984, and merged with the
25 amounts otherwise made available under this heading:

1 *Provided*, That except as otherwise provided by law, not
2 to exceed 5 percent of funds made available under this
3 heading may be used for expenses related to evaluation,
4 training, and technical assistance: *Provided further*, That
5 of the amount provided—

6 (1) \$215,000,000 is for grants to combat vio-
7 lence against women, as authorized by part T of the
8 1968 Act;

9 (2) \$30,000,000 is for transitional housing as-
10 sistance grants for victims of domestic violence, dat-
11 ing violence, stalking, or sexual assault as authorized
12 by section 40299 of the 1994 Act;

13 (3) \$3,000,000 is for the National Institute of
14 Justice for research and evaluation of violence
15 against women and related issues addressed by
16 grant programs of the Office on Violence Against
17 Women, which shall be transferred to “Research,
18 Evaluation and Statistics” for administration by the
19 Office of Justice Programs;

20 (4) \$11,000,000 is for a grant program to pro-
21 vide services to advocate for and respond to youth
22 victims of domestic violence, dating violence, sexual
23 assault, and stalking; assistance to children and
24 youth exposed to such violence; programs to engage
25 men and youth in preventing such violence; and as-

1 sistance to middle and high school students through
2 education and other services related to such violence:
3 *Provided*, That unobligated balances available for
4 the programs authorized by sections 41201, 41204,
5 41303, and 41305 of the 1994 Act, prior to its
6 amendment by the 2013 Act, shall be available for
7 this program: *Provided further*, That 10 percent of
8 the total amount available for this grant program
9 shall be available for grants under the program au-
10 thorized by section 2015 of the 1968 Act: *Provided*
11 *further*, That the definitions and grant conditions in
12 section 40002 of the 1994 Act shall apply to this
13 program;

14 (5) \$53,000,000 is for grants to encourage ar-
15 rest policies as authorized by part U of the 1968
16 Act, of which \$4,000,000 is for a homicide reduction
17 initiative;

18 (6) \$35,000,000 is for sexual assault victims
19 assistance, as authorized by section 41601 of the
20 1994 Act;

21 (7) \$35,000,000 is for rural domestic violence
22 and child abuse enforcement assistance grants, as
23 authorized by section 40295 of the 1994 Act;

1 (8) \$20,000,000 is for grants to reduce violent
2 crimes against women on campus, as authorized by
3 section 304 of the 2005 Act;

4 (9) \$45,000,000 is for legal assistance for vic-
5 tims, as authorized by section 1201 of the 2000 Act;

6 (10) \$5,000,000 is for enhanced training and
7 services to end violence against and abuse of women
8 in later life, as authorized by section 40802 of the
9 1994 Act;

10 (11) \$16,000,000 is for grants to support fami-
11 lies in the justice system, as authorized by section
12 1301 of the 2000 Act: *Provided*, That unobligated
13 balances available for the programs authorized by
14 section 1301 of the 2000 Act and section 41002 of
15 the 1994 Act, prior to their amendment by the 2013
16 Act, shall be available for this program;

17 (12) \$6,000,000 is for education and training
18 to end violence against and abuse of women with
19 disabilities, as authorized by section 1402 of the
20 2000 Act;

21 (13) \$500,000 is for the National Resource
22 Center on Workplace Responses to assist victims of
23 domestic violence, as authorized by section 41501 of
24 the 1994 Act;

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

7 (15) \$500,000 is for a national clearinghouse
8 that provides training and technical assistance on
9 issues relating to sexual assault of American Indian
10 and Alaska Native women;

11 (16) \$4,000,000 is for grants to assist tribal
12 governments in exercising special domestic violence
13 criminal jurisdiction, as authorized by section 904 of
14 the 2013 Act: *Provided*, That the grant conditions in
15 section 40002(b) of the 1994 Act shall apply to this
16 program; and

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

19 OFFICE OF JUSTICE PROGRAMS

20 RESEARCH, EVALUATION AND STATISTICS

21 (INCLUDING TRANSFER OF FUNDS)

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

1 Act of 1974 (“the 1974 Act”); the Missing Children’s As-
2 sistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial
3 Remedies and Other Tools to end the Exploitation of Chil-
4 dren Today Act of 2003 (Public Law 108–21); the Justice
5 for All Act of 2004 (Public Law 108–405); the Violence
6 Against Women and Department of Justice Reauthoriza-
7 tion Act of 2005 (Public Law 109–162) (“the 2005 Act”);
8 the Victims of Child Abuse Act of 1990 (Public Law 101–
9 647); the Second Chance Act of 2007 (Public Law 110–
10 199); the Victims of Crime Act of 1984 (Public Law 98–
11 473); the Adam Walsh Child Protection and Safety Act
12 of 2006 (Public Law 109–248) (“the Adam Walsh Act”);
13 the PROTECT Our Children Act of 2008 (Public Law
14 110–401); subtitle D of title II of the Homeland Security
15 Act of 2002 (Public Law 107–296) (“the 2002 Act”); the
16 NICS Improvement Amendments Act of 2007 (Public
17 Law 110–180); the Violence Against Women Reauthoriza-
18 tion Act of 2013 (Public Law 113–4) (“the 2013 Act”);
19 and other programs, \$89,000,000, to remain available
20 until expended, of which—

21 (1) \$45,500,000 is for criminal justice statistics
22 programs, and other activities, as authorized by part
23 C of title I of the 1968 Act, of which \$5,000,000 is
24 for a nationwide incident-based crime statistics pro-
25 gram;

1 (2) \$39,500,000 is for research, development,
2 and evaluation programs, and other activities as au-
3 thorized by part B of title I of the 1968 Act and
4 subtitle D of title II of the 2002 Act, of which
5 \$4,000,000 is for research targeted toward devel-
6 oping a better understanding of the domestic
7 radicalization phenomenon, and advancing evidence-
8 based strategies for effective intervention and pre-
9 vention; and

10 (3) \$4,000,000 is for activities to strengthen
11 and enhance the practice of forensic sciences, of
12 which \$3,000,000 is for transfer to the National In-
13 stitute of Standards and Technology to support Sci-
14 entific Area Committees.

15 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

16 (INCLUDING TRANSFER OF FUNDS)

17 For grants, contracts, cooperative agreements, and
18 other assistance authorized by the Violent Crime Control
19 and Law Enforcement Act of 1994 (Public Law 103–322)
20 (“the 1994 Act”); the Omnibus Crime Control and Safe
21 Streets Act of 1968 (“the 1968 Act”); the Justice for All
22 Act of 2004 (Public Law 108–405); the Victims of Child
23 Abuse Act of 1990 (Public Law 101–647) (“the 1990
24 Act”); the Trafficking Victims Protection Reauthorization
25 Act of 2005 (Public Law 109–164); the Violence Against

1 Women and Department of Justice Reauthorization Act
2 of 2005 (Public Law 109–162) (“the 2005 Act”); the
3 Adam Walsh Child Protection and Safety Act of 2006
4 (Public Law 109–248) (“the Adam Walsh Act”); the Vic-
5 tims of Trafficking and Violence Protection Act of 2000
6 (Public Law 106–386); the NICS Improvement Amend-
7 ments Act of 2007 (Public Law 110–180); subtitle D of
8 title II of the Homeland Security Act of 2002 (Public Law
9 107–296) (“the 2002 Act”); the Second Chance Act of
10 2007 (Public Law 110–199); the Prioritizing Resources
11 and Organization for Intellectual Property Act of 2008
12 (Public Law 110–403); the Victims of Crime Act of 1984
13 (Public Law 98–473); the Mentally Ill Offender Treat-
14 ment and Crime Reduction Reauthorization and Improve-
15 ment Act of 2008 (Public Law 110–416); the Violence
16 Against Women Reauthorization Act of 2013 (Public Law
17 113–4) (“the 2013 Act”); the Comprehensive Addiction
18 and Recovery Act of 2016 (Public Law 114–198)
19 (“CARA”); and other programs, \$1,258,500,000, to re-
20 main available until expended as follows—

21 (1) \$396,000,000 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 \$7,500,000 is for the Officer Robert Wilson III Me-
4 morial Initiative on Preventing Violence Against
5 Law Enforcement Officer Resilience and Surviv-
6 ability (VALOR), \$5,000,000 is for an initiative to
7 support evidence-based policing, \$2,500,000 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 a
12 national training initiative to improve police-based
13 responses to people with mental illness or develop-
14 mental disabilities, \$6,500,000 is for competitive
15 and evidence-based programs to reduce gun crime
16 and gang violence, \$2,000,000 is for a student loan
17 repayment assistance program pursuant to section
18 952 of Public Law 110–315, \$2,500,000 is for the
19 Capital Litigation Improvement Grant Program, as
20 authorized by section 426 of Public Law 108–405,
21 and for grants for wrongful conviction review,
22 \$10,500,000 is for prison rape prevention and pros-
23 ecution grants to States and units of local govern-
24 ment, and other programs, as authorized by the
25 Prison Rape Elimination Act of 2003 (Public Law

1 108–79), and \$20,000,000 is for the sole purpose of
2 providing reimbursement of extraordinary law en-
3 forcement and related costs directly associated with
4 protection of the President-elect incurred from No-
5 vember 9, 2016 until the inauguration of the Presi-
6 dent-elect as President: *Provided*, That reimburse-
7 ment under the foregoing shall be provided only for
8 costs that a State or local agency can document as
9 being over and above normal law enforcement oper-
10 ations and directly attributable to the provision of
11 protection described herein: *Provided further*, That
12 section 154 of the Continuing Appropriations Act,
13 2017 (division C of Public Law 114–223), as
14 amended by the Further Continuing and Security
15 Assistance Appropriations Act, 2017 (Public Law
16 114–254), is amended by inserting after
17 “\$7,000,000” the following: “, to remain available
18 until September 30, 2017,”;

19 (2) \$210,000,000 for the State Criminal Alien
20 Assistance Program, as authorized by section
21 241(i)(5) of the Immigration and Nationality Act (8
22 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction
23 shall request compensation for any cost greater than
24 the actual cost for Federal immigration and other

1 detainees housed in State and local detention facili-
2 ties;

3 (3) \$45,000,000 for victim services programs
4 for victims of trafficking, as authorized by section
5 107(b)(2) of Public Law 106–386, for programs au-
6 thorized under Public Law 109–164, or programs
7 authorized under Public Law 113–4;

8 (4) \$13,000,000 for economic, high technology,
9 white collar and Internet crime prevention grants,
10 including as authorized by section 401 of Public
11 Law 110–403;

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

15 (6) \$22,500,000 for the matching grant pro-
16 gram for law enforcement armor vests, as authorized
17 by section 2501 of title I of the 1968 Act: *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) \$73,000,000 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);

6 (9) \$13,000,000 for Paul Coverdell Forensic
7 Sciences Improvement Grants under part BB of title
8 I of the 1968 Act;

9 (10) \$125,000,000 for DNA-related and foren-
10 sic programs and activities, of which—

11 (A) \$117,000,000 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) \$4,000,000 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) \$45,000,000 for a grant program for com-
7 munity-based sexual assault response reform;

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

11 (13) \$68,000,000 for offender reentry programs
12 and research, as authorized by the Second Chance
13 Act of 2007 (Public Law 110–199), without regard
14 to the time limitations specified at section 6(1) of
15 such Act, of which not to exceed \$6,000,000 is for
16 a program to improve State, local, and tribal proba-
17 tion or parole supervision efforts and strategies,
18 \$5,000,000 is for Children of Incarcerated Parents
19 Demonstrations to enhance and maintain parental
20 and family relationships for incarcerated parents as
21 a reentry or recidivism reduction strategy, and
22 \$4,000,000 is for additional replication sites employ-
23 ing the Project HOPE Opportunity Probation with
24 Enforcement model implementing swift and certain
25 sanctions in probation, and for a research project on

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

8 (14) \$50,000,000 for the Comprehensive School
9 Safety Initiative;

10 (15) \$65,000,000 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, \$25,000,000 is for a justice
15 reinvestment initiative, for activities related to crimi-
16 nal justice reform and recidivism reduction, and
17 \$17,500,000 is for an Edward Byrne Memorial
18 criminal justice innovation program; and

19 (16) \$103,000,000 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) \$43,000,000 for Drug Courts, as au-
2 thorized by section 1001(a)(25)(A) of title I of
3 the 1968 Act;

4 (B) \$12,000,000 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) \$14,000,000 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) \$7,000,000 for a veterans treatment
16 courts program; and

17 (E) \$14,000,000 for a program to monitor
18 prescription drugs and scheduled listed chemical
19 products:

20 *Provided*, That, if a unit of local government uses any of
21 the funds made available under this heading to increase
22 the number of law enforcement officers, the unit of local
23 government will achieve a net gain in the number of law
24 enforcement officers who perform non-administrative pub-
25 lic sector safety service.

1 JUVENILE JUSTICE PROGRAMS

2 For grants, contracts, cooperative agreements, and
3 other assistance authorized by the Juvenile Justice and
4 Delinquency Prevention Act of 1974 (“the 1974 Act”); the
5 Omnibus Crime Control and Safe Streets Act of 1968
6 (“the 1968 Act”); the Violence Against Women and De-
7 partment of Justice Reauthorization Act of 2005 (Public
8 Law 109–162) (“the 2005 Act”); the Missing Children’s
9 Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial
10 Remedies and Other Tools to end the Exploitation of Chil-
11 dren Today Act of 2003 (Public Law 108–21); the Victims
12 of Child Abuse Act of 1990 (Public Law 101–647) (“the
13 1990 Act”); the Adam Walsh Child Protection and Safety
14 Act of 2006 (Public Law 109–248) (“the Adam Walsh
15 Act”); the PROTECT Our Children Act of 2008 (Public
16 Law 110–401); the Violence Against Women Reauthoriza-
17 tion Act of 2013 (Public Law 113–4) (“the 2013 Act”);
18 and other juvenile justice programs, \$247,000,000, to re-
19 main available until expended as follows—

20 (1) \$55,000,000 for programs authorized by
21 section 221 of the 1974 Act, and for training and
22 technical assistance to assist small, nonprofit organi-
23 zations with the Federal grants process: *Provided,*
24 That of the amounts provided under this paragraph,
25 \$500,000 shall be for a competitive demonstration

1 grant program to support emergency planning
2 among State, local and tribal juvenile justice resi-
3 dential facilities;

4 (2) \$80,000,000 for youth mentoring grants;

5 (3) \$14,500,000 for delinquency prevention, as
6 authorized by section 505 of the 1974 Act, of which,
7 pursuant to sections 261 and 262 thereof—

8 (A) \$4,000,000 shall be for gang and
9 youth violence education, prevention and inter-
10 vention, and related activities;

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

14 (C) \$2,000,000 shall be for competitive
15 grants focusing on girls in the juvenile justice
16 system; and

17 (D) \$8,000,000 shall be for community-
18 based violence prevention initiatives, including
19 for public health approaches to reducing shoot-
20 ings and violence;

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

23 (5) \$72,500,000 for missing and exploited chil-
24 dren programs, including as authorized by sections
25 404(b) and 405(a) of the 1974 Act (except that sec-

1 tion 102(b)(4)(B) of the PROTECT Our Children
2 Act of 2008 (Public Law 110–401) shall not apply
3 for purposes of this Act);

4 (6) \$2,000,000 for child abuse training pro-
5 grams for judicial personnel and practitioners, as
6 authorized by section 222 of the 1990 Act; and

7 (7) \$2,000,000 for a program to improve juve-
8 nile indigent defense:

9 *Provided*, That not more than 10 percent of each amount
10 may be used for research, evaluation, and statistics activi-
11 ties designed to benefit the programs or activities author-
12 ized: *Provided further*, That not more than 2 percent of
13 the amounts designated under paragraphs (1) through (4)
14 and (6) may be used for training and technical assistance:
15 *Provided further*, That the two preceding provisos shall not
16 apply to grants and projects administered pursuant to sec-
17 tions 261 and 262 of the 1974 Act and to missing and
18 exploited children programs.

19 PUBLIC SAFETY OFFICER BENEFITS
20 (INCLUDING TRANSFER OF FUNDS)

21 For payments and expenses authorized under section
22 1001(a)(4) of title I of the Omnibus Crime Control and
23 Safe Streets Act of 1968, such sums as are necessary (in-
24 cluding amounts for administrative costs), to remain avail-
25 able until expended; and \$16,300,000 for payments au-

1 thORIZED by section 1201(b) of such Act and for edu-
2 cational assistance authorized by section 1218 of such Act,
3 to remain available until expended: *Provided*, That not-
4 withstanding section 205 of this Act, upon a determina-
5 tion by the Attorney General that emergent circumstances
6 require additional funding for such disability and edu-
7 cation payments, the Attorney General may transfer such
8 amounts to “Public Safety Officer Benefits” from avail-
9 able appropriations for the Department of Justice as may
10 be necessary to respond to such circumstances: *Provided*
11 *further*, That any transfer pursuant to the preceding pro-
12 viso shall be treated as a reprogramming under section
13 505 of this Act and shall not be available for obligation
14 or expenditure except in compliance with the procedures
15 set forth in that section.

16 COMMUNITY ORIENTED POLICING SERVICES

17 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

18 (INCLUDING TRANSFER OF FUNDS)

19 For activities authorized by the Violent Crime Con-
20 trol and Law Enforcement Act of 1994 (Public Law 103–
21 322); the Omnibus Crime Control and Safe Streets Act
22 of 1968 (“the 1968 Act”); and the Violence Against
23 Women and Department of Justice Reauthorization Act
24 of 2005 (Public Law 109–162) (“the 2005 Act”),
25 \$221,500,000, to remain available until expended: *Pro-*

1 *vided*, That any balances made available through prior
2 year deobligations shall only be available in accordance
3 with section 505 of this Act: *Provided further*, That of the
4 amount provided under this heading—

5 (1) \$10,000,000 is for anti-methamphetamine-
6 related activities, which shall be transferred to the
7 Drug Enforcement Administration upon enactment
8 of this Act;

9 (2) \$194,500,000 is for grants under section
10 1701 of title I of the 1968 Act (42 U.S.C. 3796dd)
11 for the hiring and rehiring of additional career law
12 enforcement officers under part Q of such title not-
13 withstanding subsection (i) of such section: *Pro-*
14 *vided*, That, notwithstanding section 1704(c) of such
15 title (42 U.S.C. 3796dd–3(c)), funding for hiring or
16 rehiring a career law enforcement officer may not
17 exceed \$125,000 unless the Director of the Office of
18 Community Oriented Policing Services grants a
19 waiver from this limitation: *Provided further*, That of
20 the amounts appropriated under this paragraph,
21 \$5,000,000 is for community policing development
22 activities in furtherance of the purposes in section
23 1701: *Provided further*, That within the amounts ap-
24 propriated under this paragraph, \$10,000,000 is for
25 the collaborative reform model of technical assist-

1 ance in furtherance of the purposes in section 1701:
2 *Provided further*, That of the amounts appropriated
3 under this paragraph \$35,000,000 is for regional in-
4 formation sharing activities, as authorized by part M
5 of title I of the 1968 Act, which shall be transferred
6 to and merged with “Research, Evaluation, and Sta-
7 tistics” for administration by the Office of Justice
8 Programs: *Provided further*, That of the amounts
9 appropriated under this paragraph, \$7,500,000 is
10 for activities authorized by the POLICE Act of 2016
11 (Public Law 114–199);

12 (3) \$7,000,000 is for competitive grants to
13 State law enforcement agencies in States with high
14 seizures of precursor chemicals, finished meth-
15 amphetamine, laboratories, and laboratory dump sei-
16 zures: *Provided*, That funds appropriated under this
17 paragraph shall be utilized for investigative purposes
18 to locate or investigate illicit activities, including
19 precursor diversion, laboratories, or methamphet-
20 amine traffickers; and

21 (4) \$10,000,000 is for competitive grants to
22 statewide law enforcement agencies in States with
23 high rates of primary treatment admissions for her-
24 oin and other opioids: *Provided*, That these funds
25 shall be utilized for investigative purposes to locate

1 or investigate illicit activities, including activities re-
2 lated to the distribution of heroin or unlawful dis-
3 tribution of prescription opioids, or unlawful heroin
4 and prescription opioid traffickers through statewide
5 collaboration.

6 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

7 (INCLUDING TRANSFER OF FUNDS)

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

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

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

24 SEC. 204. Nothing in the preceding section shall re-
25 move the obligation of the Director of the Bureau of Pris-

1 ons to provide escort services necessary for a female in-
2 mate to receive such service outside the Federal facility:
3 *Provided*, That nothing in this section in any way dimin-
4 ishes the effect of section 203 intended to address the phil-
5 osophical beliefs of individual employees of the Bureau of
6 Prisons.

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

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

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

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

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

21 SEC. 209. The notification thresholds and procedures
22 set forth in section 505 of this Act shall apply to devi-
23 ations from the amounts designated for specific activities
24 in this Act and in the explanatory statement described in
25 section 4 (in the matter preceding division A of this con-

1 solidated Act), and to any use of deobligated balances of
2 funds provided under this title in previous years.

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

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

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

24 (1) up to 3 percent of funds made available to
25 the Office of Justice Programs for grant or reim-

1 bursement programs may be used by such Office to
2 provide training and technical assistance; and

3 (2) up to 2 percent of funds made available for
4 grant or reimbursement programs under such head-
5 ings, except for amounts appropriated specifically for
6 research, evaluation, or statistical programs adminis-
7 tered by the National Institute of Justice and the
8 Bureau of Justice Statistics, shall be transferred to
9 and merged with funds provided to the National In-
10 stitute of Justice and the Bureau of Justice Statis-
11 tics, to be used by them for research, evaluation, or
12 statistical purposes, without regard to the authoriza-
13 tions for such grant or reimbursement programs.

14 SEC. 213. At the discretion of the Attorney General,
15 and in addition to any amounts that otherwise may be
16 available (or authorized to be made available) by law, up
17 to 7 percent of funds made available for grant or reim-
18 bursement programs—

19 (1) under the heading “State and Local Law
20 Enforcement Assistance” (except for funds made
21 available under paragraphs (1), (2), and (16) under
22 such heading); and

23 (2) under the headings “Juvenile Justice Pro-
24 grams” (except for funds made available under para-
25 graph (5) under such heading) and “Community

1 Oriented Policing Services Programs”, to be trans-
2 ferred to and merged with funds made available
3 under the heading “State and Local Law Enforce-
4 ment Assistance”,
5 shall be available for tribal criminal justice assistance
6 without regard to the authorizations for such grant or re-
7 imbursement programs.

8 SEC. 214. Upon request by a grantee for whom the
9 Attorney General has determined there is a fiscal hard-
10 ship, the Attorney General may, with respect to funds ap-
11 propriated in this or any other Act making appropriations
12 for fiscal years 2014 through 2017 for the following pro-
13 grams, waive the following requirements:

14 (1) For the adult and juvenile offender State
15 and local reentry demonstration projects under part
16 FF of title I of the Omnibus Crime Control and
17 Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)),
18 the requirements under section 2976(g)(1) of such
19 part.

20 (2) For State, Tribal, and local reentry courts
21 under part FF of title I of such Act of 1968 (42
22 U.S.C. 3797w-2(e)(1) and (2)), the requirements
23 under section 2978(e)(1) and (2) of such part.

24 (3) For the prosecution drug treatment alter-
25 natives to prison program under part CC of title I

1 of such Act of 1968 (42 U.S.C. 3797q-3), the re-
2 quirements under section 2904 of such part.

3 (4) For grants to protect inmates and safe-
4 guard communities as authorized by section 6 of the
5 Prison Rape Elimination Act of 2003 (42 U.S.C.
6 15605(c)(3)), the requirements of section 6(c)(3) of
7 such Act.

8 SEC. 215. Notwithstanding any other provision of
9 law, section 20109(a) of subtitle A of title II of the Violent
10 Crime Control and Law Enforcement Act of 1994 (42
11 U.S.C. 13709(a)) shall not apply to amounts made avail-
12 able by this or any other Act.

13 SEC. 216. None of the funds made available under
14 this Act, other than for the national instant criminal back-
15 ground check system established under section 103 of the
16 Brady Handgun Violence Prevention Act (18 U.S.C. 922
17 note), may be used by a Federal law enforcement officer
18 to facilitate the transfer of an operable firearm to an indi-
19 vidual if the Federal law enforcement officer knows or sus-
20 pects that the individual is an agent of a drug cartel, un-
21 less law enforcement personnel of the United States con-
22 tinuously monitor or control the firearm at all times.

23 SEC. 217. (a) None of the income retained in the De-
24 partment of Justice Working Capital Fund pursuant to
25 title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C.

1 527 note) shall be available for obligation during fiscal
2 year 2017, except up to \$40,000,000 may be obligated for
3 implementation of a unified Department of Justice finan-
4 cial management system.

5 (b) Not to exceed \$30,000,000 of the unobligated bal-
6 ances transferred to the capital account of the Department
7 of Justice Working Capital Fund pursuant to title I of
8 Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note)
9 shall be available for obligation in fiscal year 2017, and
10 any use, obligation, transfer or allocation of such funds
11 shall be treated as a reprogramming of funds under sec-
12 tion 505 of this Act.

13 (c) Not to exceed \$10,000,000 of the excess unobli-
14 gated balances available under section 524(c)(8)(E) of
15 title 28, United States Code, shall be available for obliga-
16 tion during fiscal year 2017, and any use, obligation,
17 transfer or allocation of such funds shall be treated as a
18 reprogramming of funds under section 505 of this Act.

19 SEC. 218. Discretionary funds that are made avail-
20 able in this Act for the Office of Justice Programs may
21 be used to participate in Performance Partnership Pilots
22 authorized under section 526 of division H of Public Law
23 113–76, section 524 of division G of Public Law 113–235,
24 section 525 of division H of Public Law 114–113, and

1 such authorities as are enacted for Performance Partner-
2 ship Pilots in an appropriations Act for fiscal year 2017.

3 SEC. 219. In addition to any other transfer authority
4 available to the Department of Justice, for fiscal years
5 2017 through 2022, unobligated balances available in the
6 Department of Justice Working Capital Fund pursuant
7 to title I of Public Law 102–140 (105 Stat. 784; 28
8 U.S.C. 527 note) may be transferred to the “Federal Bu-
9 reau of Investigation, Construction” account, to remain
10 available until expended for the new Federal Bureau of
11 Investigation headquarters in the National Capital Re-
12 gion: *Provided*, That the cumulative total amount of funds
13 transferred from the Working Capital Fund from fiscal
14 year 2017 through 2022 pursuant to this section shall not
15 exceed \$315,000,000: *Provided further*, That transfers
16 pursuant to this section shall not count against any ceiling
17 on the use of unobligated balances transferred to the cap-
18 ital account of the Working Capital Fund in this or any
19 other Act in any such fiscal year: *Provided further*, That
20 any transfer pursuant to this section shall be treated as
21 a reprogramming under section 505 of this Act and shall
22 not be available for obligation or expenditure except in
23 compliance with the procedures set forth in that section.

24 This title may be cited as the “Department of Justice
25 Appropriations Act, 2017”.

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, \$5,555,000.

13 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 SCIENCE

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

1 aircraft, \$5,764,900,000, to remain available until Sep-
2 tember 30, 2018: *Provided*, That the formulation and de-
3 velopment costs (with development cost as defined under
4 section 30104 of title 51, United States Code) for the
5 James Webb Space Telescope shall not exceed
6 \$8,000,000,000: *Provided further*, That should the indi-
7 vidual identified under subsection (c)(2)(E) of section
8 30104 of title 51, United States Code, as responsible for
9 the James Webb Space Telescope determine that the de-
10 velopment cost of the program is likely to exceed that limi-
11 tation, the individual shall immediately notify the Admin-
12 istrator and the increase shall be treated as if it meets
13 the 30 percent threshold described in subsection (f) of sec-
14 tion 30104: *Provided further*, That, of the amounts pro-
15 vided, \$275,000,000 is for an orbiter and a lander to meet
16 the science goals for the Jupiter Europa mission as out-
17 lined in the most recent planetary science decadal survey:
18 *Provided further*, That the National Aeronautics and
19 Space Administration shall use the Space Launch System
20 as the launch vehicle or vehicles for the Jupiter Europa
21 mission, plan for an orbiter launch no later than 2022 and
22 a lander launch no later than 2024, and include in the
23 fiscal year 2018 budget the 5-year funding profile nec-
24 essary to achieve these goals.

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, \$660,000,000, to remain available
14 until September 30, 2018.

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, \$686,500,000, to re-
3 main available until September 30, 2018: *Provided*, That
4 \$130,000,000 shall be for the RESTORE satellite serv-
5 icing program for continuation of formulation and devel-
6 opment activities for RESTORE and such funds shall not
7 support activities solely needed for the asteroid redirect
8 mission.

9 EXPLORATION

10 For necessary expenses, not otherwise provided for,
11 in the conduct and support of exploration research and
12 development activities, including research, development,
13 operations, support, and services; maintenance and repair,
14 facility planning and design; space flight, spacecraft con-
15 trol, and communications activities; program manage-
16 ment; personnel and related costs, including uniforms or
17 allowances therefor, as authorized by sections 5901 and
18 5902 of title 5, United States Code; travel expenses; pur-
19 chase and hire of passenger motor vehicles; and purchase,
20 lease, charter, maintenance, and operation of mission and
21 administrative aircraft, \$4,324,000,000, to remain avail-
22 able until September 30, 2018: *Provided*, That not less
23 than \$1,350,000,000 shall be for the Orion Multi-Purpose
24 Crew Vehicle: *Provided further*, That not less than
25 \$2,150,000,000 shall be for the Space Launch System

1 (SLS) launch vehicle, which shall have a lift capability not
2 less than 130 metric tons and which shall have core ele-
3 ments and an Exploration Upper Stage developed simulta-
4 neously: *Provided further*, That of the amounts provided
5 for SLS, not less than \$300,000,000 shall be for Explo-
6 ration Upper Stage development: *Provided further*, That
7 \$429,000,000 shall be for exploration ground systems:
8 *Provided further*, That the National Aeronautics and
9 Space Administration (NASA) shall provide to the Com-
10 mittees on Appropriations of the House of Representatives
11 and the Senate, concurrent with the annual budget sub-
12 mission, a 5-year budget profile for an integrated budget
13 that includes the Space Launch System, the Orion Multi-
14 Purpose Crew Vehicle, and associated ground systems,
15 that will meet the Exploration Mission 2 (EM-2) manage-
16 ment agreement launch date of no later than 2021 at a
17 success level equal to the Agency Baseline Commitment
18 for EM-2 of the Orion Multi-Purpose Crew Vehicle: *Pro-*
19 *vided further*, That \$395,000,000 shall be for exploration
20 research and development.

21 SPACE OPERATIONS

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

1 craft control and communications activities, including op-
2 erations, production, and services; maintenance and re-
3 pair, facility planning and design; program management;
4 personnel and related costs, including uniforms or allow-
5 ances therefor, as authorized by sections 5901 and 5902
6 of title 5, United States Code; travel expenses; purchase
7 and hire of passenger motor vehicles; and purchase, lease,
8 charter, maintenance and operation of mission and admin-
9 istrative aircraft, \$4,950,700,000, to remain available
10 until September 30, 2018.

11 EDUCATION

12 For necessary expenses, not otherwise provided for,
13 in the conduct and support of aerospace and aeronautical
14 education research and development activities, including
15 research, development, operations, support, and services;
16 program management; personnel and related costs, includ-
17 ing uniforms or allowances therefor, as authorized by sec-
18 tions 5901 and 5902 of title 5, United States Code; travel
19 expenses; purchase and hire of passenger motor vehicles;
20 and purchase, lease, charter, maintenance, and operation
21 of mission and administrative aircraft, \$100,000,000, to
22 remain available until September 30, 2018, of which
23 \$18,000,000 shall be for the Experimental Program to
24 Stimulate Competitive Research and \$40,000,000 shall be

1 for the National Space Grant College and Fellowship Pro-
2 gram.

3 SAFETY, SECURITY AND MISSION SERVICES

4 For necessary expenses, not otherwise provided for,
5 in the conduct and support of science, aeronautics, space
6 technology, exploration, space operations and education
7 research and development activities, including research,
8 development, operations, support, and services; mainte-
9 nance and repair, facility planning and design; space
10 flight, spacecraft control, and communications activities;
11 program management; personnel and related costs, includ-
12 ing uniforms or allowances therefor, as authorized by sec-
13 tions 5901 and 5902 of title 5, United States Code; travel
14 expenses; purchase and hire of passenger motor vehicles;
15 not to exceed \$63,000 for official reception and represen-
16 tation expenses; and purchase, lease, charter, mainte-
17 nance, and operation of mission and administrative air-
18 craft, \$2,768,600,000, to remain available until Sep-
19 tember 30, 2018.

20 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND
21 RESTORATION

22 For necessary expenses for construction of facilities
23 including repair, rehabilitation, revitalization, and modi-
24 fication of facilities, construction of new facilities and ad-
25 ditions to existing facilities, facility planning and design,

1 and restoration, and acquisition or condemnation of real
2 property, as authorized by law, and environmental compli-
3 ance and restoration, \$360,700,000, to remain available
4 until September 30, 2022: *Provided*, That proceeds from
5 leases deposited into this account shall be available for a
6 period of 5 years to the extent and in amounts as provided
7 in annual appropriations Acts: *Provided further*, That such
8 proceeds referred to in the preceding proviso shall be avail-
9 able for obligation for fiscal year 2017 in an amount not
10 to exceed \$9,470,300: *Provided further*, That each annual
11 budget request shall include an annual estimate of gross
12 receipts and collections and proposed use of all funds col-
13 lected pursuant to section 20145 of title 51, United States
14 Code.

15 OFFICE OF INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
17 General in carrying out the Inspector General Act of 1978,
18 \$37,900,000, of which \$500,000 shall remain available
19 until September 30, 2018.

20 ADMINISTRATIVE PROVISIONS

21 (INCLUDING TRANSFERS OF FUNDS)

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

1 Not to exceed 5 percent of any appropriation made
2 available for the current fiscal year for the National Aero-
3 nautics and Space Administration in this Act may be
4 transferred between such appropriations, but no such ap-
5 propriation, except as otherwise specifically provided, shall
6 be increased by more than 10 percent by any such trans-
7 fers, except that “Construction and Environmental Com-
8 pliance and Restoration” may be increased up to 15 per-
9 cent by such transfers. Balances so transferred shall be
10 merged with and available for the same purposes and the
11 same time period as the appropriations to which trans-
12 ferred. Any transfer pursuant to this provision shall be
13 treated as a reprogramming of funds under section 505
14 of this Act and shall not be available for obligation except
15 in compliance with the procedures set forth in that section.

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

1 NATIONAL SCIENCE FOUNDATION

2 RESEARCH AND RELATED ACTIVITIES

3 For necessary expenses in carrying out the National
4 Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),
5 and Public Law 86–209 (42 U.S.C. 1880 et seq.); services
6 as authorized by section 3109 of title 5, United States
7 Code; maintenance and operation of aircraft and purchase
8 of flight services for research support; acquisition of air-
9 craft; and authorized travel; \$6,033,645,000, to remain
10 available until September 30, 2018, of which not to exceed
11 \$544,000,000 shall remain available until expended for
12 polar research and operations support, and for reimburse-
13 ment to other Federal agencies for operational and science
14 support and logistical and other related activities for the
15 United States Antarctic program: *Provided*, That receipts
16 for scientific support services and materials furnished by
17 the National Research Centers and other National Science
18 Foundation supported research facilities may be credited
19 to this appropriation.

20 MAJOR RESEARCH EQUIPMENT AND FACILITIES

21 CONSTRUCTION

22 For necessary expenses for the acquisition, construc-
23 tion, commissioning, and upgrading of major research
24 equipment, facilities, and other such capital assets pursu-
25 ant to the National Science Foundation Act of 1950 (42

1 U.S.C. 1861 et seq.), including authorized travel,
2 \$209,000,000, to remain available until expended.

3 EDUCATION AND HUMAN RESOURCES

4 For necessary expenses in carrying out science, math-
5 ematics and engineering education and human resources
6 programs and activities pursuant to the National Science
7 Foundation Act of 1950 (42 U.S.C. 1861 et seq.), includ-
8 ing services as authorized by section 3109 of title 5,
9 United States Code, authorized travel, and rental of con-
10 ference rooms in the District of Columbia, \$880,000,000,
11 to remain available until September 30, 2018.

12 AGENCY OPERATIONS AND AWARD MANAGEMENT

13 For agency operations and award management nec-
14 essary in carrying out the National Science Foundation
15 Act of 1950 (42 U.S.C. 1861 et seq.); services authorized
16 by section 3109 of title 5, United States Code; hire of pas-
17 senger motor vehicles; uniforms or allowances therefor, as
18 authorized by sections 5901 and 5902 of title 5, United
19 States Code; rental of conference rooms in the District of
20 Columbia; and reimbursement of the Department of
21 Homeland Security for security guard services;
22 \$330,000,000: *Provided*, That not to exceed \$8,280 is for
23 official reception and representation expenses: *Provided*
24 *further*, That contracts may be entered into under this
25 heading in fiscal year 2017 for maintenance and operation

1 of facilities and for other services to be provided during
2 the next fiscal year: *Provided further*, That of the amount
3 provided for costs associated with the acquisition, occu-
4 pancy, and related costs of new headquarters space, not
5 more than \$40,700,000 shall remain available until ex-
6 pended.

7 OFFICE OF THE NATIONAL SCIENCE BOARD

8 For necessary expenses (including payment of sala-
9 ries, authorized travel, hire of passenger motor vehicles,
10 the rental of conference rooms in the District of Columbia,
11 and the employment of experts and consultants under sec-
12 tion 3109 of title 5, United States Code) involved in car-
13 rying out section 4 of the National Science Foundation
14 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
15 (42 U.S.C. 1880 et seq.), \$4,370,000: *Provided*, That not
16 to exceed \$2,500 shall be available for official reception
17 and representation expenses.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector
20 General as authorized by the Inspector General Act of
21 1978, \$15,200,000, of which \$400,000 shall remain avail-
22 able until September 30, 2018.

1 ADMINISTRATIVE PROVISION
2 (INCLUDING TRANSFER OF FUNDS)

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

12 This title may be cited as the “Science Appropria-
13 tions Act, 2017”.

1 TITLE IV
2 RELATED AGENCIES
3 COMMISSION ON CIVIL RIGHTS
4 SALARIES AND EXPENSES

5 For necessary expenses of the Commission on Civil
6 Rights, including hire of passenger motor vehicles,
7 \$9,200,000: *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 \$364,500,000: *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, \$91,500,000, 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, \$385,000,000, of which \$352,000,000 is for
14 basic field programs and required independent audits;
15 \$5,000,000 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; \$19,000,000 is for manage-
18 ment and grants oversight; \$4,000,000 is for client self-
19 help and information technology; \$4,000,000 is for a Pro
20 Bono Innovation Fund; and \$1,000,000 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. 2996(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 2016 and
19 2017, 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 \$3,431,000.

1 OFFICE OF THE UNITED STATES TRADE
2 REPRESENTATIVE
3 SALARIES AND EXPENSES
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses of the Office of the United
6 States Trade Representative, including the hire of pas-
7 senger motor vehicles and the employment of experts and
8 consultants as authorized by section 3109 of title 5,
9 United States Code, \$62,000,000, of which \$1,000,000
10 shall remain available until expended: *Provided*, That of
11 the total amount made available under this heading, up
12 to \$15,000,000 may be derived from the Trade Enforce-
13 ment Trust Fund established in subsection (a) of section
14 611 of the Trade Facilitation and Trade Enforcement Act
15 of 2015 (19 U.S.C. 4405) for activities of the United
16 States Trade Representative authorized by subsection (d)
17 of such section, including transfers: *Provided further*, That
18 any transfer pursuant to paragraph (1) of such subsection
19 (d) shall be treated as a reprogramming under section 505
20 of this Act: *Provided further*, That of the total amount
21 made available under this heading, not to exceed \$124,000
22 shall be available for official reception and representation
23 expenses.

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.) \$5,121,000, of which \$500,000
6 shall remain available until September 30, 2018: *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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TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

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

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

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

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected 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 2017, 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 (42 U.S.C. 10601) in any fiscal year in ex-
19 cess of \$2,573,000,000 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, \$10,000,000 shall
23 remain available until expended to the Department of Jus-
24 tice Office of Inspector General for oversight and auditing
25 purposes.

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

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

12 SEC. 513. Any funds provided in this Act used to im-
13 plement E-Government Initiatives shall be subject to the
14 procedures set forth in section 505 of this Act.

15 SEC. 514. (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. 515. (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.

17 (b) None of the funds appropriated or otherwise
18 made available under this Act may be used to acquire a
19 high-impact or moderate-impact information system re-
20 viewed and assessed under subsection (a) unless the head
21 of the assessing entity described in subsection (a) has—

22 (1) developed, in consultation with NIST, the
23 FBI, and supply chain risk management experts, a
24 mitigation strategy for any identified risks;

1 (2) determined, in consultation with NIST and
2 the FBI, that the acquisition of such system is in
3 the national interest of the United States; and

4 (3) reported that determination to the Commit-
5 tees on Appropriations of the House of Representa-
6 tives and the Senate and the agency Inspector Gen-
7 eral.

8 SEC. 516. None of the funds made available in this
9 Act shall be used in any way whatsoever to support or
10 justify the use of torture by any official or contract em-
11 ployee of the United States Government.

12 SEC. 517. (a) Notwithstanding any other provision
13 of law or treaty, none of the funds appropriated or other-
14 wise made available under this Act or any other Act may
15 be expended or obligated by a department, agency, or in-
16 strumentality of the United States to pay administrative
17 expenses or to compensate an officer or employee of the
18 United States in connection with requiring an export li-
19 cense for the export to Canada of components, parts, ac-
20 cessories or attachments for firearms listed in Category
21 I, section 121.1 of title 22, Code of Federal Regulations
22 (International Trafficking in Arms Regulations (ITAR),
23 part 121, as it existed on April 1, 2005) with a total value
24 not exceeding \$500 wholesale in any transaction, provided

1 that the conditions of subsection (b) of this section are
2 met by the exporting party for such articles.

3 (b) The foregoing exemption from obtaining an ex-
4 port license—

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

11 (2) does not permit the export without a license
12 of—

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

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

22 (C) articles for export from Canada to an-
23 other foreign destination.

24 (c) In accordance with this section, the District Di-
25 rectors of Customs and postmasters shall permit the per-

1 manent or temporary export without a license of any un-
2 classified articles specified in subsection (a) to Canada for
3 end use in Canada or return to the United States, or tem-
4 porary import of Canadian-origin items from Canada for
5 end use in the United States or return to Canada for a
6 Canadian citizen.

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

18 SEC. 518. Notwithstanding any other provision of
19 law, no department, agency, or instrumentality of the
20 United States receiving appropriated funds under this Act
21 or any other Act shall obligate or expend in any way such
22 funds to pay administrative expenses or the compensation
23 of any officer or employee of the United States to deny
24 any application submitted pursuant to 22 U.S.C.
25 2778(b)(1)(B) and qualified pursuant to 27 CFR section

1 478.112 or .113, for a permit to import United States ori-
2 gin “curios or relics” firearms, parts, or ammunition.

3 SEC. 519. None of the funds made available in this
4 Act may be used to include in any new bilateral or multi-
5 lateral trade agreement the text of—

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

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

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

12 SEC. 520. None of the funds made available in this
13 Act may be used to authorize or issue a national security
14 letter in contravention of any of the following laws author-
15 izing the Federal Bureau of Investigation to issue national
16 security letters: The Right to Financial Privacy Act of
17 1978; The Electronic Communications Privacy Act of
18 1986; The Fair Credit Reporting Act; The National Secu-
19 rity Act of 1947; USA PATRIOT Act; USA FREEDOM
20 Act of 2015; and the laws amended by these Acts.

21 SEC. 521. If at any time during any quarter, the pro-
22 gram manager of a project within the jurisdiction of the
23 Departments of Commerce or Justice, the National Aero-
24 nautics and Space Administration, or the National Science
25 Foundation totaling more than \$75,000,000 has reason-

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

18 SEC. 522. Funds appropriated by this Act, or made
19 available by the transfer of funds in this Act, for intel-
20 ligence or intelligence related activities are deemed to be
21 specifically authorized by the Congress for purposes of sec-
22 tion 504 of the National Security Act of 1947 (50 U.S.C.
23 3094) during fiscal year 2017 until the enactment of the
24 Intelligence Authorization Act for fiscal year 2017.

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

4 (2) “National Oceanic and Atmospheric Admin-
5 istration, Operations, Research, and Facilities”,
6 \$18,000,000; and

7 (3) “National Oceanic and Atmospheric Admin-
8 istration, Procurement, Acquisition and Construc-
9 tion”, \$5,000,000.

10 (b) Of the unobligated balances available to the De-
11 partment of Justice, the following funds are hereby re-
12 scinded, not later than September 30, 2017, from the fol-
13 lowing accounts in the specified amounts—

14 (1) “Working Capital Fund”, \$300,000,000;

15 (2) “United States Marshals Service, Federal
16 Prisoner Detention”, \$24,000,000;

17 (3) “Federal Bureau of Investigation, Salaries
18 and Expenses”, \$140,000,000 from fees collected to
19 defray expenses for the automation of fingerprint
20 identification and criminal justice information serv-
21 ices and associated costs;

22 (4) “State and Local Law Enforcement Activi-
23 ties, Office on Violence Against Women, Violence
24 Against Women Prevention and Prosecution Pro-
25 grams”, \$10,000,000;

1 (5) “State and Local Law Enforcement Activi-
2 ties, Office of Justice Programs”, \$50,000,000;

3 (6) “State and Local Law Enforcement Activi-
4 ties, Community Oriented Policing Services”,
5 \$15,000,000;

6 (7) “Legal Activities, Assets Forfeiture Fund”,
7 \$503,196,000, of which \$201,196,000 is perma-
8 nently rescinded;

9 (8) “Drug Enforcement Administration, Sala-
10 ries and Expenses”, \$12,092,000;

11 (9) “Federal Bureau of Investigation, Salaries
12 and Expenses”, \$51,600,000; and

13 (10) “Federal Prison System, Buildings and
14 Facilities”, \$3,400,000.

15 (c) The Departments of Commerce and Justice shall
16 submit to the Committees on Appropriations of the House
17 of Representatives and the Senate a report no later than
18 September 1, 2017, specifying the amount of each rescis-
19 sion made pursuant to subsections (a) and (b).

20 SEC. 525. None of the funds made available in this
21 Act may be used to purchase first class or premium airline
22 travel in contravention of sections 301–10.122 through
23 301–10.124 of title 41 of the Code of Federal Regulations.

24 SEC. 526. None of the funds made available in this
25 Act may be used to send or otherwise pay for the attend-

1 ance of more than 50 employees from a Federal depart-
2 ment or agency, who are stationed in the United States,
3 at any single conference occurring outside the United
4 States unless such conference is a law enforcement train-
5 ing or operational conference for law enforcement per-
6 sonnel and the majority of Federal employees in attend-
7 ance are law enforcement personnel stationed outside the
8 United States.

9 SEC. 527. 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. 528. (a) None of the funds appropriated or oth-
20 erwise made available in this or any other Act may be used
21 to construct, acquire, or modify any facility in the United
22 States, its territories, or possessions to house any indi-
23 vidual described in subsection (c) for the purposes of de-
24 tention or imprisonment in the custody or under the effec-
25 tive control of the Department of Defense.

1 (b) The prohibition in subsection (a) shall not apply
2 to any modification of facilities at United States Naval
3 Station, Guantanamo Bay, Cuba.

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

7 (1) is not a citizen of the United States or a
8 member of the Armed Forces of the United States;
9 and

10 (2) is—

11 (A) in the custody or under the effective
12 control of the Department of Defense; or

13 (B) otherwise under detention at United
14 States Naval Station, Guantanamo Bay, Cuba.

15 SEC. 529. The Director of the Office of Management
16 and Budget shall instruct any department, agency, or in-
17 strumentality of the United States receiving funds appro-
18 priated under this Act to track undisbursed balances in
19 expired grant accounts and include in its annual perform-
20 ance plan and performance and accountability reports the
21 following:

22 (1) Details on future action the department,
23 agency, or instrumentality will take to resolve
24 undisbursed balances in expired grant accounts.

1 (2) The method that the department, agency, or
2 instrumentality uses to track undisbursed balances
3 in expired grant accounts.

4 (3) Identification of undisbursed balances in ex-
5 pired grant accounts that may be returned to the
6 Treasury of the United States.

7 (4) In the preceding 3 fiscal years, details on
8 the total number of expired grant accounts with
9 undisbursed balances (on the first day of each fiscal
10 year) for the department, agency, or instrumentality
11 and the total finances that have not been obligated
12 to a specific project remaining in the accounts.

13 SEC. 530. (a) None of the funds made available by
14 this Act may be used for the National Aeronautics and
15 Space Administration (NASA) or the Office of Science
16 and Technology Policy (OSTP) to develop, design, plan,
17 promulgate, implement, or execute a bilateral policy, pro-
18 gram, order, or contract of any kind to participate, col-
19 laborate, or coordinate bilaterally in any way with China
20 or any Chinese-owned company unless such activities are
21 specifically authorized by a law enacted after the date of
22 enactment of this Act.

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

1 (c) The limitations described in subsections (a) and
2 (b) shall not apply to activities which NASA or OSTP,
3 after consultation with the Federal Bureau of Investiga-
4 tion, have certified—

5 (1) pose no risk of resulting in the transfer of
6 technology, data, or other information with national
7 security or economic security implications to China
8 or a Chinese-owned company; and

9 (2) will not involve knowing interactions with
10 officials who have been determined by the United
11 States to have direct involvement with violations of
12 human rights.

13 (d) Any certification made under subsection (c) shall
14 be submitted to the Committees on Appropriations of the
15 House of Representatives and the Senate, and the Federal
16 Bureau of Investigation, no later than 30 days prior to
17 the activity in question and shall include a description of
18 the purpose of the activity, its agenda, its major partici-
19 pants, and its location and timing.

20 SEC. 531. None of the funds made available by this
21 Act may be used to pay the salaries or expenses of per-
22 sonnel to deny, or fail to act on, an application for the
23 importation of any model of shotgun if—

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

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

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

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

16 SEC. 533. The Departments of Commerce and Jus-
17 tice, the National Aeronautics and Space Administration,
18 the National Science Foundation, the Commission on Civil
19 Rights, the Equal Employment Opportunity Commission,
20 the International Trade Commission, the Legal Services
21 Corporation, the Marine Mammal Commission, the Offices
22 of Science and Technology Policy and the United States
23 Trade Representative, and the State Justice Institute
24 shall submit spending plans, signed by the respective de-
25 partment or agency head, to the Committees on Appro-

1 priations of the House of Representatives and the Senate
2 within 45 days after the date of enactment of this Act.

3 SEC. 534. None of the funds made available by this
4 Act may be obligated or expended to implement the Arms
5 Trade Treaty until the Senate approves a resolution of
6 ratification for the Treaty.

7 SEC. 535. Notwithstanding any other provision of
8 this Act, none of the funds appropriated or otherwise
9 made available by this Act may be used to pay award or
10 incentive fees for contractor performance that has been
11 judged to be below satisfactory performance or for per-
12 formance that does not meet the basic requirements of a
13 contract.

14 SEC. 536. The Department of Commerce, the Na-
15 tional Aeronautics and Space Administration, and the Na-
16 tional Science Foundation shall provide a quarterly report
17 to the Committees on Appropriations of the House of Rep-
18 resentatives and the Senate on any official travel to China
19 by any employee of such Department or agency, including
20 the purpose of such travel.

21 SEC. 537. None of the funds made available in this
22 Act to the Department of Justice may be used, with re-
23 spect to any of the States of Alabama, Alaska, Arkansas,
24 Arizona, California, Colorado, Connecticut, Delaware,
25 Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky, Lou-

1 isiana, Maine, Maryland, Massachusetts, Michigan, Min-
2 nesota, Mississippi, Missouri, Montana, Nevada, New
3 Hampshire, New Jersey, New Mexico, New York, North
4 Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode
5 Island, South Carolina, Tennessee, Texas, Utah, Vermont,
6 Virginia, Washington, West Virginia, Wisconsin, and Wyo-
7 ming, or with respect to the District of Columbia, Guam,
8 or Puerto Rico, to prevent any of them from implementing
9 their own laws that authorize the use, distribution, posses-
10 sion, or cultivation of medical marijuana.

11 SEC. 538. None of the funds made available by this
12 Act may be used in contravention of section 7606 (“Legit-
13 imacy of Industrial Hemp Research”) of the Agricultural
14 Act of 2014 (Public Law 113–79) by the Department of
15 Justice or the Drug Enforcement Administration.

16 SEC. 539. Of the amounts made available by this Act,
17 not less than 10 percent of each total amount provided,
18 respectively, for Public Works grants authorized by the
19 Public Works and Economic Development Act of 1965 and
20 grants authorized by section 27 of the Stevenson-Wydler
21 Technology Innovation Act of 1980 (15 U.S.C. 3722) shall
22 be allocated for assistance in persistent poverty counties:
23 *Provided*, That for purposes of this section, the term “per-
24 sistent poverty counties” means any county that has had
25 20 percent or more of its population living in poverty over

1 the past 30 years, as measured by the 1990 and 2000
2 decennial censuses and the most recent Small Area In-
3 come and Poverty Estimates.

4 SEC. 540. For an additional amount for “National
5 Aeronautics and Space Administration—Construction and
6 Environmental Compliance and Restoration”,
7 \$109,000,000, to remain available until expended, for re-
8 pairs at National Aeronautics and Space Administration
9 (NASA) owned facilities that directly support NASA’s
10 mission which were damaged as a result of recent natural
11 disasters: *Provided*, That such amount is designated by
12 the Congress as an emergency requirement pursuant to
13 section 251(b)(2)(A)(i) of the Balanced Budget and
14 Emergency Deficit Control Act of 1985.

15 EXCEPTION TO LIMITATION ON APPOINTMENT OF CER-
16 TAIN PERSONS AS UNITED STATES TRADE REP-
17 RESENTATIVE

18 SEC. 541. (a) IN GENERAL.—The limitation under
19 section 141(b) (4) of the Trade Act of 1974 (19 U.S.C.
20 2171(b)(4)) shall not apply to the first person appointed,
21 by and with the advice and consent of the Senate, as the
22 United States Trade Representative after the date of the
23 enactment of this Act, if that person served as a Deputy
24 United States Trade Representative before the date of the

1 enactment of the Lobbying Disclosure Act of 1995 (2
2 U.S.C. 1601 et seq.).

3 (b) LIMITED EXCEPTION.—This section applies only
4 to the first person appointed as United States Trade Rep-
5 resentative after the date of enactment of this Act, and
6 to no other person.

7 SEC. 542. For an additional amount for “Department
8 of Justice, State and Local Law Enforcement Activities,
9 Office of Justice Programs, State and Local Law Enforce-
10 ment Assistance”, \$15,000,000 for emergency law en-
11 forcement assistance for events occurring during fiscal
12 years 2016 and 2017, as authorized by section 609M of
13 the Justice Assistance Act of 1984 (42 U.S.C. 10501;
14 Public Law 98–473).

15 This division may be cited as the “Commerce, Jus-
16 tice, Science, and Related Agencies Appropriations Act,
17 2017”.

1 **DIVISION C—DEPARTMENT OF DEFENSE**
2 **APPROPRIATIONS ACT, 2017**

3 TITLE I

4 MILITARY PERSONNEL

5 MILITARY PERSONNEL, ARMY

6 For pay, allowances, individual clothing, subsistence,
7 interest on deposits, gratuities, permanent change of sta-
8 tion travel (including all expenses thereof for organiza-
9 tional movements), and expenses of temporary duty travel
10 between permanent duty stations, for members of the
11 Army on active duty (except members of reserve compo-
12 nents provided for elsewhere), cadets, and aviation cadets;
13 for members of the Reserve Officers' Training Corps; and
14 for payments pursuant to section 156 of Public Law 97–
15 377, as amended (42 U.S.C. 402 note), and to the Depart-
16 ment of Defense Military Retirement Fund,
17 \$40,042,962,000.

18 MILITARY PERSONNEL, NAVY

19 For pay, allowances, individual clothing, subsistence,
20 interest on deposits, gratuities, permanent change of sta-
21 tion travel (including all expenses thereof for organiza-
22 tional movements), and expenses of temporary duty travel
23 between permanent duty stations, for members of the
24 Navy on active duty (except members of the Reserve pro-
25 vided for elsewhere), midshipmen, and aviation cadets; for

1 members of the Reserve Officers' Training Corps; and for
2 payments pursuant to section 156 of Public Law 97-377,
3 as amended (42 U.S.C. 402 note), and to the Department
4 of Defense Military Retirement Fund, \$27,889,405,000.

5 MILITARY PERSONNEL, MARINE CORPS

6 For pay, allowances, individual clothing, subsistence,
7 interest on deposits, gratuities, permanent change of sta-
8 tion travel (including all expenses thereof for organiza-
9 tional movements), and expenses of temporary duty travel
10 between permanent duty stations, for members of the Ma-
11 rine Corps on active duty (except members of the Reserve
12 provided for elsewhere); and for payments pursuant to sec-
13 tion 156 of Public Law 97-377, as amended (42 U.S.C.
14 402 note), and to the Department of Defense Military Re-
15 tirement Fund, \$12,735,182,000.

16 MILITARY PERSONNEL, AIR FORCE

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

1 377, as amended (42 U.S.C. 402 note), and to the Depart-
2 ment of Defense Military Retirement Fund,
3 \$27,958,795,000.

4 RESERVE PERSONNEL, ARMY

5 For pay, allowances, clothing, subsistence, gratuities,
6 travel, and related expenses for personnel of the Army Re-
7 serve on active duty under sections 10211, 10302, and
8 3038 of title 10, United States Code, or while serving on
9 active duty under section 12301(d) of title 10, United
10 States Code, in connection with performing duty specified
11 in section 12310(a) of title 10, United States Code, or
12 while undergoing reserve training, or while performing
13 drills or equivalent duty or other duty, and expenses au-
14 thorized by section 16131 of title 10, United States Code;
15 and for payments to the Department of Defense Military
16 Retirement Fund, \$4,524,863,000.

17 RESERVE PERSONNEL, NAVY

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

1 duty, and expenses authorized by section 16131 of title
2 10, United States Code; and for payments to the Depart-
3 ment of Defense Military Retirement Fund,
4 \$1,921,045,000.

5 RESERVE PERSONNEL, MARINE CORPS

6 For pay, allowances, clothing, subsistence, gratuities,
7 travel, and related expenses for personnel of the Marine
8 Corps Reserve on active duty under section 10211 of title
9 10, United States Code, or while serving on active duty
10 under section 12301(d) of title 10, United States Code,
11 in connection with performing duty specified in section
12 12310(a) of title 10, United States Code, or while under-
13 going reserve training, or while performing drills or equiv-
14 alent duty, and for members of the Marine Corps platoon
15 leaders class, and expenses authorized by section 16131
16 of title 10, United States Code; and for payments to the
17 Department of Defense Military Retirement Fund,
18 \$744,795,000.

19 RESERVE PERSONNEL, AIR FORCE

20 For pay, allowances, clothing, subsistence, gratuities,
21 travel, and related expenses for personnel of the Air Force
22 Reserve on active duty under sections 10211, 10305, and
23 8038 of title 10, United States Code, or while serving on
24 active duty under section 12301(d) of title 10, United
25 States Code, in connection with performing duty specified

1 in section 12310(a) of title 10, United States Code, or
2 while undergoing reserve training, or while performing
3 drills or equivalent duty or other duty, and expenses au-
4 thorized by section 16131 of title 10, United States Code;
5 and for payments to the Department of Defense Military
6 Retirement Fund, \$1,725,526,000.

7 NATIONAL GUARD PERSONNEL, ARMY

8 For pay, allowances, clothing, subsistence, gratuities,
9 travel, and related expenses for personnel of the Army Na-
10 tional Guard while on duty under sections 10211, 10302,
11 or 12402 of title 10 or section 708 of title 32, United
12 States Code, or while serving on duty under section
13 12301(d) of title 10 or section 502(f) of title 32, United
14 States Code, in connection with performing duty specified
15 in section 12310(a) of title 10, United States Code, or
16 while undergoing training, or while performing drills or
17 equivalent duty or other duty, and expenses authorized by
18 section 16131 of title 10, United States Code; and for pay-
19 ments to the Department of Defense Military Retirement
20 Fund, \$7,899,423,000.

21 NATIONAL GUARD PERSONNEL, AIR FORCE

22 For pay, allowances, clothing, subsistence, gratuities,
23 travel, and related expenses for personnel of the Air Na-
24 tional Guard on duty under sections 10211, 10305, or
25 12402 of title 10 or section 708 of title 32, United States

1 Code, or while serving on duty under section 12301(d) of
2 title 10 or section 502(f) of title 32, United States Code,
3 in connection with performing duty specified in section
4 12310(a) of title 10, United States Code, or while under-
5 going training, or while performing drills or equivalent
6 duty or other duty, and expenses authorized by section
7 16131 of title 10, United States Code; and for payments
8 to the Department of Defense Military Retirement Fund,
9 \$3,283,982,000.

10

TITLE II

11

OPERATION AND MAINTENANCE

12

OPERATION AND MAINTENANCE, ARMY

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Army, as author-
15 ized by law, \$32,738,173,000: *Provided*, That not to ex-
16 ceed \$12,478,000 can be used for emergencies and ex-
17 traordinary expenses, to be expended on the approval or
18 authority of the Secretary of the Army, and payments may
19 be made on his certificate of necessity for confidential mili-
20 tary purposes.

21

OPERATION AND MAINTENANCE, NAVY

22 For expenses, not otherwise provided for, necessary
23 for the operation and maintenance of the Navy and the
24 Marine Corps, as authorized by law, \$38,552,017,000:
25 *Provided*, That not to exceed \$15,055,000 can be used for

1 emergencies and extraordinary expenses, to be expended
2 on the approval or authority of the Secretary of the Navy,
3 and payments may be made on his certificate of necessity
4 for confidential military purposes.

5 OPERATION AND MAINTENANCE, MARINE CORPS

6 For expenses, not otherwise provided for, necessary
7 for the operation and maintenance of the Marine Corps,
8 as authorized by law, \$5,676,152,000.

9 OPERATION AND MAINTENANCE, AIR FORCE

10 For expenses, not otherwise provided for, necessary
11 for the operation and maintenance of the Air Force, as
12 authorized by law, \$36,247,724,000: *Provided*, That not
13 to exceed \$7,699,000 can be used for emergencies and ex-
14 traordinary expenses, to be expended on the approval or
15 authority of the Secretary of the Air Force, and payments
16 may be made on his certificate of necessity for confidential
17 military purposes.

18 OPERATION AND MAINTENANCE, DEFENSE-WIDE

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses, not otherwise provided for, necessary
21 for the operation and maintenance of activities and agen-
22 cies of the Department of Defense (other than the military
23 departments), as authorized by law, \$32,373,949,000:
24 *Provided*, That not more than \$15,000,000 may be used
25 for the Combatant Commander Initiative Fund authorized

1 under section 166a of title 10, United States Code: *Pro-*
2 *vided further*, That not to exceed \$36,000,000 can be used
3 for emergencies and extraordinary expenses, to be ex-
4 pended on the approval or authority of the Secretary of
5 Defense, and payments may be made on his certificate of
6 necessity for confidential military purposes: *Provided fur-*
7 *ther*, That of the funds provided under this heading, not
8 less than \$34,964,000 shall be made available for the Pro-
9 curement Technical Assistance Cooperative Agreement
10 Program, of which not less than \$3,600,000 shall be avail-
11 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*
12 *vided further*, That none of the funds appropriated or oth-
13 erwise made available by this Act may be used to plan
14 or implement the consolidation of a budget or appropria-
15 tions liaison office of the Office of the Secretary of De-
16 fense, the office of the Secretary of a military department,
17 or the service headquarters of one of the Armed Forces
18 into a legislative affairs or legislative liaison office: *Pro-*
19 *vided further*, That \$5,023,000, to remain available until
20 expended, is available only for expenses relating to certain
21 classified activities, and may be transferred as necessary
22 by the Secretary of Defense to operation and maintenance
23 appropriations or research, development, test and evalua-
24 tion appropriations, to be merged with and to be available
25 for the same time period as the appropriations to which

1 transferred: *Provided further*, That any ceiling on the in-
2 vestment item unit cost of items that may be purchased
3 with operation and maintenance funds shall not apply to
4 the funds described in the preceding proviso: *Provided fur-*
5 *ther*, That of the funds provided under this heading,
6 \$480,000,000, to remain available until September 30,
7 2018, shall be available to provide support and assistance
8 to foreign security forces or other groups or individuals
9 to conduct, support or facilitate counterterrorism, crisis
10 response, or other Department of Defense security co-
11 operation programs: *Provided further*, That the transfer
12 authority provided under this heading is in addition to any
13 other transfer authority provided elsewhere in this Act.

14 OPERATION AND MAINTENANCE, ARMY RESERVE

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance, including training, or-
17 ganization, and administration, of the Army Reserve; re-
18 pair of facilities and equipment; hire of passenger motor
19 vehicles; travel and transportation; care of the dead; re-
20 cruiting; procurement of services, supplies, and equip-
21 ment; and communications, \$2,743,688,000.

22 OPERATION AND MAINTENANCE, NAVY RESERVE

23 For expenses, not otherwise provided for, necessary
24 for the operation and maintenance, including training, or-
25 ganization, and administration, of the Navy Reserve; re-

1 pair of facilities and equipment; hire of passenger motor
2 vehicles; travel and transportation; care of the dead; re-
3 cruiting; procurement of services, supplies, and equip-
4 ment; and communications, \$929,656,000.

5 OPERATION AND MAINTENANCE, MARINE CORPS

6 RESERVE

7 For expenses, not otherwise provided for, necessary
8 for the operation and maintenance, including training, or-
9 ganization, and administration, of the Marine Corps Re-
10 serve; repair of facilities and equipment; hire of passenger
11 motor vehicles; travel and transportation; care of the dead;
12 recruiting; procurement of services, supplies, and equip-
13 ment; and communications, \$271,133,000.

14 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance, including training, or-
17 ganization, and administration, of the Air Force Reserve;
18 repair of facilities and equipment; hire of passenger motor
19 vehicles; travel and transportation; care of the dead; re-
20 cruiting; procurement of services, supplies, and equip-
21 ment; and communications, \$3,069,229,000.

22 OPERATION AND MAINTENANCE, ARMY NATIONAL

23 GUARD

24 For expenses of training, organizing, and admin-
25 istering the Army National Guard, including medical and

1 hospital treatment and related expenses in non-Federal
2 hospitals; maintenance, operation, and repairs to struc-
3 tures and facilities; hire of passenger motor vehicles; per-
4 sonnel services in the National Guard Bureau; travel ex-
5 penses (other than mileage), as authorized by law for
6 Army personnel on active duty, for Army National Guard
7 division, regimental, and battalion commanders while in-
8 specting units in compliance with National Guard Bureau
9 regulations when specifically authorized by the Chief, Na-
10 tional Guard Bureau; supplying and equipping the Army
11 National Guard as authorized by law; and expenses of re-
12 pair, modification, maintenance, and issue of supplies and
13 equipment (including aircraft), \$6,861,478,000.

14 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

15 For expenses of training, organizing, and admin-
16 istering the Air National Guard, including medical and
17 hospital treatment and related expenses in non-Federal
18 hospitals; maintenance, operation, and repairs to struc-
19 tures and facilities; transportation of things, hire of pas-
20 senger motor vehicles; supplying and equipping the Air
21 National Guard, as authorized by law; expenses for repair,
22 modification, maintenance, and issue of supplies and
23 equipment, including those furnished from stocks under
24 the control of agencies of the Department of Defense;
25 travel expenses (other than mileage) on the same basis as

1 authorized by law for Air National Guard personnel on
2 active Federal duty, for Air National Guard commanders
3 while inspecting units in compliance with National Guard
4 Bureau regulations when specifically authorized by the
5 Chief, National Guard Bureau, \$6,615,095,000.

6 UNITED STATES COURT OF APPEALS FOR THE ARMED
7 FORCES

8 For salaries and expenses necessary for the United
9 States Court of Appeals for the Armed Forces,
10 \$14,194,000, of which not to exceed \$5,000 may be used
11 for official representation purposes.

12 ENVIRONMENTAL RESTORATION, ARMY
13 (INCLUDING TRANSFER OF FUNDS)

14 For the Department of the Army, \$170,167,000, to
15 remain available until transferred: *Provided*, That the Sec-
16 retary of the Army shall, upon determining that such
17 funds are required for environmental restoration, reduc-
18 tion and recycling of hazardous waste, removal of unsafe
19 buildings and debris of the Department of the Army, or
20 for similar purposes, transfer the funds made available by
21 this appropriation to other appropriations made available
22 to the Department of the Army, to be merged with and
23 to be available for the same purposes and for the same
24 time period as the appropriations to which transferred:
25 *Provided further*, That upon a determination that all or

1 part of the funds transferred from this appropriation are
2 not necessary for the purposes provided herein, such
3 amounts may be transferred back to this appropriation:
4 *Provided further*, That the transfer authority provided
5 under this heading is in addition to any other transfer au-
6 thority provided elsewhere in this Act.

7 ENVIRONMENTAL RESTORATION, NAVY

8 (INCLUDING TRANSFER OF FUNDS)

9 For the Department of the Navy, \$289,262,000, to
10 remain available until transferred: *Provided*, That the Sec-
11 retary of the Navy shall, upon determining that such
12 funds are required for environmental restoration, reduc-
13 tion and recycling of hazardous waste, removal of unsafe
14 buildings and debris of the Department of the Navy, or
15 for similar purposes, transfer the funds made available by
16 this appropriation to other appropriations made available
17 to the Department of the Navy, to be merged with and
18 to be available for the same purposes and for the same
19 time period as the appropriations to which transferred:
20 *Provided further*, That upon a determination that all or
21 part of the funds transferred from this appropriation are
22 not necessary for the purposes provided herein, such
23 amounts may be transferred back to this appropriation:
24 *Provided further*, That the transfer authority provided

1 under this heading is in addition to any other transfer au-
2 thority provided elsewhere in this Act.

3 ENVIRONMENTAL RESTORATION, AIR FORCE
4 (INCLUDING TRANSFER OF FUNDS)

5 For the Department of the Air Force, \$371,521,000,
6 to remain available until transferred: *Provided*, That the
7 Secretary of the Air Force shall, upon determining that
8 such funds are required for environmental restoration, re-
9 duction and recycling of hazardous waste, removal of un-
10 safe buildings and debris of the Department of the Air
11 Force, or for similar purposes, transfer the funds made
12 available by this appropriation to other appropriations
13 made available to the Department of the Air Force, to be
14 merged with and to be available for the same purposes
15 and for the same time period as the appropriations to
16 which transferred: *Provided further*, That upon a deter-
17 mination that all or part of the funds transferred from
18 this appropriation are not necessary for the purposes pro-
19 vided herein, such amounts may be transferred back to
20 this appropriation: *Provided further*, That the transfer au-
21 thority provided under this heading is in addition to any
22 other transfer authority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of Defense, \$9,009,000, to re-
4 main available until transferred: *Provided*, That the Sec-
5 retary of Defense shall, upon determining that such funds
6 are required for environmental restoration, reduction and
7 recycling of hazardous waste, removal of unsafe buildings
8 and debris of the Department of Defense, or for similar
9 purposes, transfer the funds made available by this appro-
10 priation to other appropriations made available to the De-
11 partment of Defense, to be merged with and to be avail-
12 able for the same purposes and for the same time period
13 as the appropriations to which transferred: *Provided fur-*
14 *ther*, That upon a determination that all or part of the
15 funds transferred from this appropriation are not nec-
16 essary for the purposes provided herein, such amounts
17 may be transferred back to this appropriation: *Provided*
18 *further*, That the transfer authority provided under this
19 heading is in addition to any other transfer authority pro-
20 vided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, FORMERLY USED

22 DEFENSE SITES

23 (INCLUDING TRANSFER OF FUNDS)

24 For the Department of the Army, \$222,084,000, to
25 remain available until transferred: *Provided*, That the Sec-

1 retary of the Army shall, upon determining that such
2 funds are required for environmental restoration, reduc-
3 tion and recycling of hazardous waste, removal of unsafe
4 buildings and debris at sites formerly used by the Depart-
5 ment of Defense, transfer the funds made available by this
6 appropriation to other appropriations made available to
7 the Department of the Army, to be merged with and to
8 be available for the same purposes and for the same time
9 period as the appropriations to which transferred: *Pro-*
10 *vided further*, That upon a determination that all or part
11 of the funds transferred from this appropriation are not
12 necessary for the purposes provided herein, such amounts
13 may be transferred back to this appropriation: *Provided*
14 *further*, That the transfer authority provided under this
15 heading is in addition to any other transfer authority pro-
16 vided elsewhere in this Act.

17 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

18 For expenses relating to the Overseas Humanitarian,
19 Disaster, and Civic Aid programs of the Department of
20 Defense (consisting of the programs provided under sec-
21 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
22 United States Code), \$123,125,000, to remain available
23 until September 30, 2018.

1 COOPERATIVE THREAT REDUCTION ACCOUNT

2 For assistance, including assistance provided by con-
3 tract or by grants, under programs and activities of the
4 Department of Defense Cooperative Threat Reduction
5 Program authorized under the Department of Defense Co-
6 operative Threat Reduction Act, \$325,604,000, to remain
7 available until September 30, 2019.

1 TITLE III
2 PROCUREMENT
3 AIRCRAFT PROCUREMENT, ARMY

4 For construction, procurement, production, modifica-
5 tion, and modernization of aircraft, equipment, including
6 ordnance, ground handling equipment, spare parts, and
7 accessories therefor; specialized equipment and training
8 devices; expansion of public and private plants, including
9 the land necessary therefor, for the foregoing purposes,
10 and such lands and interests therein, may be acquired,
11 and construction prosecuted thereon prior to approval of
12 title; and procurement and installation of equipment, ap-
13 pliances, and machine tools in public and private plants;
14 reserve plant and Government and contractor-owned
15 equipment layaway; and other expenses necessary for the
16 foregoing purposes, \$4,587,598,000, to remain available
17 for obligation until September 30, 2019.

18 MISSILE PROCUREMENT, ARMY

19 For construction, procurement, production, modifica-
20 tion, and modernization of missiles, equipment, including
21 ordnance, ground handling equipment, spare parts, and
22 accessories therefor; specialized equipment and training
23 devices; expansion of public and private plants, including
24 the land necessary therefor, for the foregoing purposes,
25 and such lands and interests therein, may be acquired,

1 PROCUREMENT OF AMMUNITION, ARMY

2 For construction, procurement, production, and
3 modification of ammunition, and accessories therefor; spe-
4 cialized equipment and training devices; expansion of pub-
5 lic and private plants, including ammunition facilities, au-
6 thorized by section 2854 of title 10, United States Code,
7 and the land necessary therefor, for the foregoing pur-
8 poses, and such lands and interests therein, may be ac-
9 quired, and construction prosecuted thereon prior to ap-
10 proval of title; and procurement and installation of equip-
11 ment, appliances, and machine tools in public and private
12 plants; reserve plant and Government and contractor-
13 owned equipment layaway; and other expenses necessary
14 for the foregoing purposes, \$1,483,566,000, to remain
15 available for obligation until September 30, 2019.

16 OTHER PROCUREMENT, ARMY

17 For construction, procurement, production, and
18 modification of vehicles, including tactical, support, and
19 non-tracked combat vehicles; the purchase of passenger
20 motor vehicles for replacement only; communications and
21 electronic equipment; other support equipment; spare
22 parts, ordnance, and accessories therefor; specialized
23 equipment and training devices; expansion of public and
24 private plants, including the land necessary therefor, for
25 the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; and procurement and
3 installation of equipment, appliances, and machine tools
4 in public and private plants; reserve plant and Govern-
5 ment and contractor-owned equipment layaway; and other
6 expenses necessary for the foregoing purposes,
7 \$6,147,328,000, to remain available for obligation until
8 September 30, 2019.

9 AIRCRAFT PROCUREMENT, NAVY

10 For construction, procurement, production, modifica-
11 tion, and modernization of aircraft, equipment, including
12 ordnance, spare parts, and accessories therefor; specialized
13 equipment; expansion of public and private plants, includ-
14 ing the land necessary therefor, and such lands and inter-
15 ests therein, may be acquired, and construction prosecuted
16 thereon prior to approval of title; and procurement and
17 installation of equipment, appliances, and machine tools
18 in public and private plants; reserve plant and Govern-
19 ment and contractor-owned equipment layaway,
20 \$16,135,335,000, to remain available for obligation until
21 September 30, 2019.

22 WEAPONS PROCUREMENT, NAVY

23 For construction, procurement, production, modifica-
24 tion, and modernization of missiles, torpedoes, other weap-
25 ons, and related support equipment including spare parts,

1 and accessories therefor; expansion of public and private
2 plants, including the land necessary therefor, and such
3 lands and interests therein, may be acquired, and con-
4 struction prosecuted thereon prior to approval of title; and
5 procurement and installation of equipment, appliances,
6 and machine tools in public and private plants; reserve
7 plant and Government and contractor-owned equipment
8 layaway, \$3,265,285,000, to remain available for obliga-
9 tion until September 30, 2019.

10 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
11 CORPS

12 For construction, procurement, production, and
13 modification of ammunition, and accessories therefor; spe-
14 cialized equipment and training devices; expansion of pub-
15 lic and private plants, including ammunition facilities, au-
16 thorized by section 2854 of title 10, United States Code,
17 and the land necessary therefor, for the foregoing pur-
18 poses, and such lands and interests therein, may be ac-
19 quired, and construction prosecuted thereon prior to ap-
20 proval of title; and procurement and installation of equip-
21 ment, appliances, and machine tools in public and private
22 plants; reserve plant and Government and contractor-
23 owned equipment layaway; and other expenses necessary
24 for the foregoing purposes, \$633,678,000, to remain avail-
25 able for obligation until September 30, 2019.

1 SHIPBUILDING AND CONVERSION, NAVY

2 For expenses necessary for the construction, acquisi-
3 tion, or conversion of vessels as authorized by law, includ-
4 ing armor and armament thereof, plant equipment, appli-
5 ances, and machine tools and installation thereof in public
6 and private plants; reserve plant and Government and con-
7 tractor-owned equipment layaway; procurement of critical,
8 long lead time components and designs for vessels to be
9 constructed or converted in the future; and expansion of
10 public and private plants, including land necessary there-
11 for, and such lands and interests therein, may be acquired,
12 and construction prosecuted thereon prior to approval of
13 title, as follows:

14 Ohio Replacement Submarine (AP),
15 \$773,138,000;

16 Carrier Replacement Program, \$1,255,783,000;

17 Carrier Replacement Program (AP),
18 \$1,370,784,000;

19 Virginia Class Submarine, \$3,187,985,000;

20 Virginia Class Submarine (AP),
21 \$1,852,234,000;

22 CVN Refueling Overhauls, \$1,699,120,000;

23 CVN Refueling Overhauls (AP), \$233,149,000;

24 DDG-1000 Program, \$271,756,000;

25 DDG-51 Destroyer, \$3,614,792,000;

1 Littoral Combat Ship, \$1,563,692,000;
2 LPD-17, \$1,786,000,000;
3 LHA Replacement, \$1,617,719,000;
4 TAO Fleet Oiler (AP), \$73,079,000;
5 Moored Training Ship, \$624,527,000;
6 Ship to Shore Connector, \$128,067,000;
7 Service Craft, \$65,192,000;
8 LCAC Service Life Extension Program,
9 \$82,074,000;
10 YP Craft Maintenance/ROH/SLEP,
11 \$21,363,000;
12 For outfitting, post delivery, conversions, and
13 first destination transportation, \$626,158,000;
14 Completion of Prior Year Shipbuilding Pro-
15 grams, \$160,274,000; and
16 Polar Icebreakers (AP), \$150,000,000.
17 In all: \$21,156,886,000, to remain available for obli-
18 gation until September 30, 2021: *Provided*, That addi-
19 tional obligations may be incurred after September 30,
20 2021, for engineering services, tests, evaluations, and
21 other such budgeted work that must be performed in the
22 final stage of ship construction: *Provided further*, That
23 none of the funds provided under this heading for the con-
24 struction or conversion of any naval vessel to be con-
25 structed in shipyards in the United States shall be ex-

1 pended in foreign facilities for the construction of major
2 components of such vessel: *Provided further*, That none
3 of the funds provided under this heading shall be used
4 for the construction of any naval vessel in foreign ship-
5 yards: *Provided further*, That funds appropriated or other-
6 wise made available by this Act for production of the com-
7 mon missile compartment of nuclear-powered vessels may
8 be available for multiyear procurement of critical compo-
9 nents to support continuous production of such compart-
10 ments only in accordance with the provisions of subsection
11 (i) of section 2218a of title 10, United States Code (as
12 added by section 1023 of the National Defense Authoriza-
13 tion Act for Fiscal Year 2017 (Public Law 114–328)).

14 OTHER PROCUREMENT, NAVY

15 For procurement, production, and modernization of
16 support equipment and materials not otherwise provided
17 for, Navy ordnance (except ordnance for new aircraft, new
18 ships, and ships authorized for conversion); the purchase
19 of passenger motor vehicles for replacement only; expan-
20 sion of public and private plants, including the land nec-
21 essary therefor, and such lands and interests therein, may
22 be acquired, and construction prosecuted thereon prior to
23 approval of title; and procurement and installation of
24 equipment, appliances, and machine tools in public and
25 private plants; reserve plant and Government and con-

1 tractor-owned equipment layaway, \$6,308,919,000, to re-
2 main available for obligation until September 30, 2019.

3 PROCUREMENT, MARINE CORPS

4 For expenses necessary for the procurement, manu-
5 facture, and modification of missiles, armament, military
6 equipment, spare parts, and accessories therefor; plant
7 equipment, appliances, and machine tools, and installation
8 thereof in public and private plants; reserve plant and
9 Government and contractor-owned equipment layaway; ve-
10 hicles for the Marine Corps, including the purchase of pas-
11 senger motor vehicles for replacement only; and expansion
12 of public and private plants, including land necessary
13 therefor, and such lands and interests therein, may be ac-
14 quired, and construction prosecuted thereon prior to ap-
15 proval of title, \$1,307,456,000, to remain available for ob-
16 ligation until September 30, 2019.

17 AIRCRAFT PROCUREMENT, AIR FORCE

18 For construction, procurement, and modification of
19 aircraft and equipment, including armor and armament,
20 specialized ground handling equipment, and training de-
21 vices, spare parts, and accessories therefor; specialized
22 equipment; expansion of public and private plants, Gov-
23 ernment-owned equipment and installation thereof in such
24 plants, erection of structures, and acquisition of land, for
25 the foregoing purposes, and such lands and interests

1 therein, may be acquired, and construction prosecuted
2 thereon prior to approval of title; reserve plant and Gov-
3 ernment and contractor-owned equipment layaway; and
4 other expenses necessary for the foregoing purposes in-
5 cluding rents and transportation of things,
6 \$14,253,623,000, to remain available for obligation until
7 September 30, 2019.

8 MISSILE PROCUREMENT, AIR FORCE

9 For construction, procurement, and modification of
10 missiles, rockets, and related equipment, including spare
11 parts and accessories therefor; ground handling equip-
12 ment, and training devices; expansion of public and pri-
13 vate plants, Government-owned equipment and installa-
14 tion thereof in such plants, erection of structures, and ac-
15 quisition of land, for the foregoing purposes, and such
16 lands and interests therein, may be acquired, and con-
17 struction prosecuted thereon prior to approval of title; re-
18 serve plant and Government and contractor-owned equip-
19 ment layaway; and other expenses necessary for the fore-
20 going purposes including rents and transportation of
21 things, \$2,348,121,000, to remain available for obligation
22 until September 30, 2019.

23 SPACE PROCUREMENT, AIR FORCE

24 For construction, procurement, and modification of
25 spacecraft, rockets, and related equipment, including

1 spare parts and accessories therefor; ground handling
2 equipment, and training devices; expansion of public and
3 private plants, Government-owned equipment and installa-
4 tion thereof in such plants, erection of structures, and ac-
5 quisition of land, for the foregoing purposes, and such
6 lands and interests therein, may be acquired, and con-
7 struction prosecuted thereon prior to approval of title; re-
8 serve plant and Government and contractor-owned equip-
9 ment layaway; and other expenses necessary for the fore-
10 going purposes including rents and transportation of
11 things, \$2,733,243,000, to remain available for obligation
12 until September 30, 2019.

13 PROCUREMENT OF AMMUNITION, AIR FORCE

14 For construction, procurement, production, and
15 modification of ammunition, and accessories therefor; spe-
16 cialized equipment and training devices; expansion of pub-
17 lic and private plants, including ammunition facilities, au-
18 thorized by section 2854 of title 10, United States Code,
19 and the land necessary therefor, for the foregoing pur-
20 poses, and such lands and interests therein, may be ac-
21 quired, and construction prosecuted thereon prior to ap-
22 proval of title; and procurement and installation of equip-
23 ment, appliances, and machine tools in public and private
24 plants; reserve plant and Government and contractor-
25 owned equipment layaway; and other expenses necessary

1 for the foregoing purposes, \$1,589,219,000, to remain
2 available for obligation until September 30, 2019.

3 OTHER PROCUREMENT, AIR FORCE

4 For procurement and modification of equipment (in-
5 cluding ground guidance and electronic control equipment,
6 and ground electronic and communication equipment),
7 and supplies, materials, and spare parts therefor, not oth-
8 erwise provided for; the purchase of passenger motor vehi-
9 cles for replacement only; lease of passenger motor vehi-
10 cles; and expansion of public and private plants, Govern-
11 ment-owned equipment and installation thereof in such
12 plants, erection of structures, and acquisition of land, for
13 the foregoing purposes, and such lands and interests
14 therein, may be acquired, and construction prosecuted
15 thereon, prior to approval of title; reserve plant and Gov-
16 ernment and contractor-owned equipment layaway,
17 \$17,768,224,000, to remain available for obligation until
18 September 30, 2019.

19 PROCUREMENT, DEFENSE-WIDE

20 For expenses of activities and agencies of the Depart-
21 ment of Defense (other than the military departments)
22 necessary for procurement, production, and modification
23 of equipment, supplies, materials, and spare parts there-
24 for, not otherwise provided for; the purchase of passenger
25 motor vehicles for replacement only; expansion of public

1 and private plants, equipment, and installation thereof in
2 such plants, erection of structures, and acquisition of land
3 for the foregoing purposes, and such lands and interests
4 therein, may be acquired, and construction prosecuted
5 thereon prior to approval of title; reserve plant and Gov-
6 ernment and contractor-owned equipment layaway,
7 \$4,881,022,000, to remain available for obligation until
8 September 30, 2019.

9 DEFENSE PRODUCTION ACT PURCHASES

10 For activities by the Department of Defense pursuant
11 to sections 108, 301, 302, and 303 of the Defense Produc-
12 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
13 \$64,065,000, to remain available until expended.

14 TITLE IV

15 RESEARCH, DEVELOPMENT, TEST AND

16 EVALUATION

17 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

18 ARMY

19 For expenses necessary for basic and applied sci-
20 entific research, development, test and evaluation, includ-
21 ing maintenance, rehabilitation, lease, and operation of fa-
22 cilities and equipment, \$8,332,965,000, to remain avail-
23 able for obligation until September 30, 2018.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 NAVY

3 For expenses necessary for basic and applied sci-
4 entific research, development, test and evaluation, includ-
5 ing maintenance, rehabilitation, lease, and operation of fa-
6 cilities and equipment, \$17,214,530,000, to remain avail-
7 able for obligation until September 30, 2018: *Provided*,
8 That funds appropriated in this paragraph which are
9 available for the V-22 may be used to meet unique oper-
10 ational requirements of the Special Operations Forces.

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
12 AIR FORCE

13 For expenses necessary for basic and applied sci-
14 entific research, development, test and evaluation, includ-
15 ing maintenance, rehabilitation, lease, and operation of fa-
16 cilities and equipment, \$27,788,548,000, to remain avail-
17 able for obligation until September 30, 2018.

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
19 DEFENSE-WIDE
20 (INCLUDING TRANSFER OF FUNDS)

21 For expenses of activities and agencies of the Depart-
22 ment of Defense (other than the military departments),
23 necessary for basic and applied scientific research, devel-
24 opment, test and evaluation; advanced research projects
25 as may be designated and determined by the Secretary

1 of Defense, pursuant to law; maintenance, rehabilitation,
2 lease, and operation of facilities and equipment,
3 \$18,778,550,000, to remain available for obligation until
4 September 30, 2018: *Provided*, That, of the funds made
5 available in this paragraph, \$250,000,000 for the Defense
6 Rapid Innovation Program shall only be available for ex-
7 penses, not otherwise provided for, to include program
8 management and oversight, to conduct research, develop-
9 ment, test and evaluation to include proof of concept dem-
10 onstration; engineering, testing, and validation; and tran-
11 sition to full-scale production: *Provided further*, That the
12 Secretary of Defense may transfer funds provided herein
13 for the Defense Rapid Innovation Program to appropria-
14 tions for research, development, test and evaluation to ac-
15 complish the purpose provided herein: *Provided further*,
16 That this transfer authority is in addition to any other
17 transfer authority available to the Department of Defense:
18 *Provided further*, That the Secretary of Defense shall, not
19 fewer than 30 days prior to making transfers from this
20 appropriation, notify the congressional defense committees
21 in writing of the details of any such transfer.

22 OPERATIONAL TEST AND EVALUATION, DEFENSE

23 For expenses, not otherwise provided for, necessary
24 for the independent activities of the Director, Operational
25 Test and Evaluation, in the direction and supervision of

1 operational test and evaluation, including initial oper-
2 ational test and evaluation which is conducted prior to,
3 and in support of, production decisions; joint operational
4 testing and evaluation; and administrative expenses in
5 connection therewith, \$186,994,000, to remain available
6 for obligation until September 30, 2018.

7 TITLE V

8 REVOLVING AND MANAGEMENT FUNDS

9 DEFENSE WORKING CAPITAL FUNDS

10 For the Defense Working Capital Funds,
11 \$1,511,613,000.

12 TITLE VI

13 OTHER DEPARTMENT OF DEFENSE PROGRAMS

14 DEFENSE HEALTH PROGRAM

15 For expenses, not otherwise provided for, for medical
16 and health care programs of the Department of Defense
17 as authorized by law, \$33,781,270,000; of which
18 \$31,277,002,000 shall be for operation and maintenance,
19 of which not to exceed one percent shall remain available
20 for obligation until September 30, 2018, and of which up
21 to \$15,315,832,000 may be available for contracts entered
22 into under the TRICARE program; of which
23 \$402,161,000, to remain available for obligation until Sep-
24 tember 30, 2019, shall be for procurement; and of which
25 \$2,102,107,000, to remain available for obligation until

1 September 30, 2018, shall be for research, development,
2 test and evaluation: *Provided*, That, notwithstanding any
3 other provision of law, of the amount made available under
4 this heading for research, development, test and evalua-
5 tion, not less than \$8,000,000 shall be available for HIV
6 prevention educational activities undertaken in connection
7 with United States military training, exercises, and hu-
8 manitarian assistance activities conducted primarily in Af-
9 rican nations: *Provided further*, That of the funds provided
10 under this heading for research, development, test and
11 evaluation, not less than \$1,014,600,000 shall be made
12 available to the United States Army Medical Research and
13 Materiel Command to carry out the congressionally di-
14 rected medical research programs.

15 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
16 DEFENSE

17 For expenses, not otherwise provided for, necessary
18 for the destruction of the United States stockpile of lethal
19 chemical agents and munitions in accordance with the pro-
20 visions of section 1412 of the Department of Defense Au-
21 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
22 struction of other chemical warfare materials that are not
23 in the chemical weapon stockpile, \$523,726,000, of which
24 \$119,985,000 shall be for operation and maintenance, of
25 which no less than \$49,533,000 shall be for the Chemical

1 Stockpile Emergency Preparedness Program, consisting of
2 \$20,368,000 for activities on military installations and
3 \$29,165,000, to remain available until September 30,
4 2018, to assist State and local governments, and of which
5 not more than \$13,700,000, to remain available until Sep-
6 tember 30, 2018, shall be for the destruction of eight
7 United States-origin chemical munitions in the Republic
8 of Panama, to the extent authorized by law; \$15,132,000
9 shall be for procurement, to remain available until Sep-
10 tember 30, 2019, of which \$15,132,000 shall be for the
11 Chemical Stockpile Emergency Preparedness Program to
12 assist State and local governments; and \$388,609,000, to
13 remain available until September 30, 2018, shall be for
14 research, development, test and evaluation, of which
15 \$380,892,000 shall only be for the Assembled Chemical
16 Weapons Alternatives program.

17 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

18 DEFENSE

19 (INCLUDING TRANSFER OF FUNDS)

20 For drug interdiction and counter-drug activities of
21 the Department of Defense, for transfer to appropriations
22 available to the Department of Defense for military per-
23 sonnel of the reserve components serving under the provi-
24 sions of title 10 and title 32, United States Code; for oper-
25 ation and maintenance; for procurement; and for research,

1 development, test and evaluation, \$998,800,000, of which
2 \$626,087,000 shall be for counter-narcotics support;
3 \$118,713,000 shall be for the drug demand reduction pro-
4 gram; \$234,000,000 shall be for the National Guard
5 counter-drug program; and \$20,000,000 shall be for the
6 National Guard counter-drug schools program: *Provided*,
7 That the funds appropriated under this heading shall be
8 available for obligation for the same time period and for
9 the same purpose as the appropriation to which trans-
10 ferred: *Provided further*, That upon a determination that
11 all or part of the funds transferred from this appropriation
12 are not necessary for the purposes provided herein, such
13 amounts may be transferred back to this appropriation:
14 *Provided further*, That the transfer authority provided
15 under this heading is in addition to any other transfer au-
16 thority contained elsewhere in this Act.

17 OFFICE OF THE INSPECTOR GENERAL

18 For expenses and activities of the Office of the In-
19 spector General in carrying out the provisions of the In-
20 spector General Act of 1978, as amended, \$312,035,000,
21 of which \$308,882,000 shall be for operation and mainte-
22 nance, of which not to exceed \$700,000 is available for
23 emergencies and extraordinary expenses to be expended on
24 the approval or authority of the Inspector General, and
25 payments may be made on the Inspector General's certifi-

1 cate of necessity for confidential military purposes; and
2 of which \$3,153,000, to remain available until September
3 30, 2018, shall be for research, development, test and eval-
4 uation.

5 TITLE VII

6 RELATED AGENCIES

7 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND

8 DISABILITY SYSTEM FUND

9 For payment to the Central Intelligence Agency Re-
10 tirement and Disability System Fund, to maintain the
11 proper funding level for continuing the operation of the
12 Central Intelligence Agency Retirement and Disability
13 System, \$514,000,000.

14 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

15 For necessary expenses of the Intelligence Commu-
16 nity Management Account, \$515,596,000.

1 TITLE VIII

2 GENERAL PROVISIONS

3 SEC. 8001. No part of any appropriation contained
4 in this Act shall be used for publicity or propaganda pur-
5 poses not authorized by the Congress.

6 SEC. 8002. During the current fiscal year, provisions
7 of law prohibiting the payment of compensation to, or em-
8 ployment of, any person not a citizen of the United States
9 shall not apply to personnel of the Department of Defense:
10 *Provided*, That salary increases granted to direct and indi-
11 rect hire foreign national employees of the Department of
12 Defense funded by this Act shall not be at a rate in excess
13 of the percentage increase authorized by law for civilian
14 employees of the Department of Defense whose pay is
15 computed under the provisions of section 5332 of title 5,
16 United States Code, or at a rate in excess of the percent-
17 age increase provided by the appropriate host nation to
18 its own employees, whichever is higher: *Provided further*,
19 That this section shall not apply to Department of De-
20 fense foreign service national employees serving at United
21 States diplomatic missions whose pay is set by the Depart-
22 ment of State under the Foreign Service Act of 1980: *Pro-*
23 *vided further*, That the limitations of this provision shall
24 not apply to foreign national employees of the Department
25 of Defense in the Republic of Turkey.

1 and in no case where the item for which funds are re-
2 quested has been denied by the Congress: *Provided further*,
3 That the Secretary of Defense shall notify the Congress
4 promptly of all transfers made pursuant to this authority
5 or any other authority in this Act: *Provided further*, That
6 no part of the funds in this Act shall be available to pre-
7 pare or present a request to the Committees on Appropria-
8 tions for reprogramming of funds, unless for higher pri-
9 ority items, based on unforeseen military requirements,
10 than those for which originally appropriated and in no
11 case where the item for which reprogramming is requested
12 has been denied by the Congress: *Provided further*, That
13 a request for multiple reprogrammings of funds using au-
14 thority provided in this section shall be made prior to June
15 30, 2017: *Provided further*, That transfers among military
16 personnel appropriations shall not be taken into account
17 for purposes of the limitation on the amount of funds that
18 may be transferred under this section.

19 SEC. 8006. (a) With regard to the list of specific pro-
20 grams, projects, and activities (and the dollar amounts
21 and adjustments to budget activities corresponding to
22 such programs, projects, and activities) contained in the
23 tables titled Explanation of Project Level Adjustments in
24 the explanatory statement regarding this Act, the obliga-
25 tion and expenditure of amounts appropriated or other-

1 wise made available in this Act for those programs,
2 projects, and activities for which the amounts appro-
3 priated exceed the amounts requested are hereby required
4 by law to be carried out in the manner provided by such
5 tables to the same extent as if the tables were included
6 in the text of this Act.

7 (b) Amounts specified in the referenced tables de-
8 scribed in subsection (a) shall not be treated as subdivi-
9 sions of appropriations for purposes of section 8005 of this
10 Act: *Provided*, That section 8005 shall apply when trans-
11 fers of the amounts described in subsection (a) occur be-
12 tween appropriation accounts.

13 SEC. 8007. (a) Not later than 60 days after enact-
14 ment of this Act, the Department of Defense shall submit
15 a report to the congressional defense committees to estab-
16 lish the baseline for application of reprogramming and
17 transfer authorities for fiscal year 2017: *Provided*, That
18 the report shall include—

19 (1) a table for each appropriation with a sepa-
20 rate column to display the President's budget re-
21 quest, adjustments made by Congress, adjustments
22 due to enacted rescissions, if appropriate, and the
23 fiscal year enacted level;

24 (2) a delineation in the table for each appro-
25 priation both by budget activity and program,

1 project, and activity as detailed in the Budget Ap-
2 pendix; and

3 (3) an identification of items of special congres-
4 sional interest.

5 (b) Notwithstanding section 8005 of this Act, none
6 of the funds provided in this Act shall be available for
7 reprogramming or transfer until the report identified in
8 subsection (a) is submitted to the congressional defense
9 committees, unless the Secretary of Defense certifies in
10 writing to the congressional defense committees that such
11 reprogramming or transfer is necessary as an emergency
12 requirement: *Provided*, That this subsection shall not
13 apply to transfers from the following appropriations ac-
14 counts:

15 (1) “Environmental Restoration, Army”;

16 (2) “Environmental Restoration, Navy”;

17 (3) “Environmental Restoration, Air Force”;

18 (4) “Environmental Restoration, Defense-
19 wide”;

20 (5) “Environmental Restoration, Formerly
21 Used Defense Sites”; and

22 (6) “Drug Interdiction and Counter-drug Ac-
23 tivities, Defense”.

1 (TRANSFER OF FUNDS)

2 SEC. 8008. During the current fiscal year, cash bal-
3 ances in working capital funds of the Department of De-
4 fense established pursuant to section 2208 of title 10,
5 United States Code, may be maintained in only such
6 amounts as are necessary at any time for cash disburse-
7 ments to be made from such funds: *Provided*, That trans-
8 fers may be made between such funds: *Provided further*,
9 That transfers may be made between working capital
10 funds and the “Foreign Currency Fluctuations, Defense”
11 appropriation and the “Operation and Maintenance” ap-
12 propriation accounts in such amounts as may be deter-
13 mined by the Secretary of Defense, with the approval of
14 the Office of Management and Budget, except that such
15 transfers may not be made unless the Secretary of Defense
16 has notified the Congress of the proposed transfer: *Pro-*
17 *vided further*, That except in amounts equal to the
18 amounts appropriated to working capital funds in this Act,
19 no obligations may be made against a working capital fund
20 to procure or increase the value of war reserve material
21 inventory, unless the Secretary of Defense has notified the
22 Congress prior to any such obligation.

23 SEC. 8009. Funds appropriated by this Act may not
24 be used to initiate a special access program without prior

1 notification 30 calendar days in advance to the congres-
2 sional defense committees.

3 SEC. 8010. None of the funds provided in this Act
4 shall be available to initiate: (1) a multiyear contract that
5 employs economic order quantity procurement in excess of
6 \$20,000,000 in any one year of the contract or that in-
7 cludes an unfunded contingent liability in excess of
8 \$20,000,000; or (2) a contract for advance procurement
9 leading to a multiyear contract that employs economic
10 order quantity procurement in excess of \$20,000,000 in
11 any one year, unless the congressional defense committees
12 have been notified at least 30 days in advance of the pro-
13 posed contract award: *Provided*, That no part of any ap-
14 propriation contained in this Act shall be available to ini-
15 tiate a multiyear contract for which the economic order
16 quantity advance procurement is not funded at least to
17 the limits of the Government's liability: *Provided further*,
18 That no part of any appropriation contained in this Act
19 shall be available to initiate multiyear procurement con-
20 tracts for any systems or component thereof if the value
21 of the multiyear contract would exceed \$500,000,000 un-
22 less specifically provided in this Act: *Provided further*,
23 That no multiyear procurement contract can be termi-
24 nated without 30-day prior notification to the congres-
25 sional defense committees: *Provided further*, That the exe-

1 cution of multiyear authority shall require the use of a
2 present value analysis to determine lowest cost compared
3 to an annual procurement: *Provided further*, That none of
4 the funds provided in this Act may be used for a multiyear
5 contract executed after the date of the enactment of this
6 Act unless in the case of any such contract—

7 (1) the Secretary of Defense has submitted to
8 Congress a budget request for full funding of units
9 to be procured through the contract and, in the case
10 of a contract for procurement of aircraft, that in-
11 cludes, for any aircraft unit to be procured through
12 the contract for which procurement funds are re-
13 quested in that budget request for production be-
14 yond advance procurement activities in the fiscal
15 year covered by the budget, full funding of procure-
16 ment of such unit in that fiscal year;

17 (2) cancellation provisions in the contract do
18 not include consideration of recurring manufacturing
19 costs of the contractor associated with the produc-
20 tion of unfunded units to be delivered under the con-
21 tract;

22 (3) the contract provides that payments to the
23 contractor under the contract shall not be made in
24 advance of incurred costs on funded units; and

1 (4) the contract does not provide for a price ad-
2 justment based on a failure to award a follow-on
3 contract.

4 Funds appropriated in title III of this Act may be
5 used for a multiyear procurement contract as follows: AH-
6 64E Apache Helicopter and UH-60M Blackhawk Heli-
7 copter.

8 SEC. 8011. Within the funds appropriated for the op-
9 eration and maintenance of the Armed Forces, funds are
10 hereby appropriated pursuant to section 401 of title 10,
11 United States Code, for humanitarian and civic assistance
12 costs under chapter 20 of title 10, United States Code.
13 Such funds may also be obligated for humanitarian and
14 civic assistance costs incidental to authorized operations
15 and pursuant to authority granted in section 401 of chap-
16 ter 20 of title 10, United States Code, and these obliga-
17 tions shall be reported as required by section 401(d) of
18 title 10, United States Code: *Provided*, That funds avail-
19 able for operation and maintenance shall be available for
20 providing humanitarian and similar assistance by using
21 Civic Action Teams in the Trust Territories of the Pacific
22 Islands and freely associated states of Micronesia, pursu-
23 ant to the Compact of Free Association as authorized by
24 Public Law 99-239: *Provided further*, That upon a deter-
25 mination by the Secretary of the Army that such action

1 is beneficial for graduate medical education programs con-
2 ducted at Army medical facilities located in Hawaii, the
3 Secretary of the Army may authorize the provision of med-
4 ical services at such facilities and transportation to such
5 facilities, on a nonreimbursable basis, for civilian patients
6 from American Samoa, the Commonwealth of the North-
7 ern Mariana Islands, the Marshall Islands, the Federated
8 States of Micronesia, Palau, and Guam.

9 SEC. 8012. (a) During fiscal year 2017, the civilian
10 personnel of the Department of Defense may not be man-
11 aged on the basis of any end-strength, and the manage-
12 ment of such personnel during that fiscal year shall not
13 be subject to any constraint or limitation (known as an
14 end-strength) on the number of such personnel who may
15 be employed on the last day of such fiscal year.

16 (b) The fiscal year 2018 budget request for the De-
17 partment of Defense as well as all justification material
18 and other documentation supporting the fiscal year 2018
19 Department of Defense budget request shall be prepared
20 and submitted to the Congress as if subsections (a) and
21 (b) of this provision were effective with regard to fiscal
22 year 2018.

23 (c) As required by section 1107 of the National De-
24 fense Authorization Act for Fiscal Year 2014 (Public Law
25 113–66; 10 U.S.C. 2358 note) civilian personnel at the

1 Department of Army Science and Technology Reinvention
2 Laboratories may not be managed on the basis of the
3 Table of Distribution and Allowances, and the manage-
4 ment of the workforce strength shall be done in a manner
5 consistent with the budget available with respect to such
6 Laboratories.

7 (d) Nothing in this section shall be construed to apply
8 to military (civilian) technicians.

9 SEC. 8013. None of the funds appropriated by this
10 Act shall be used for the support of any nonappropriated
11 funds activity of the Department of Defense that procures
12 malt beverages and wine with nonappropriated funds for
13 resale (including such alcoholic beverages sold by the
14 drink) on a military installation located in the United
15 States unless such malt beverages and wine are procured
16 within that State, or in the case of the District of Colum-
17 bia, within the District of Columbia, in which the military
18 installation is located: *Provided*, That, in a case in which
19 the military installation is located in more than one State,
20 purchases may be made in any State in which the installa-
21 tion is located: *Provided further*, That such local procure-
22 ment requirements for malt beverages and wine shall
23 apply to all alcoholic beverages only for military installa-
24 tions in States which are not contiguous with another
25 State: *Provided further*, That alcoholic beverages other

1 than wine and malt beverages, in contiguous States and
2 the District of Columbia shall be procured from the most
3 competitive source, price and other factors considered.

4 SEC. 8014. None of the funds made available by this
5 Act shall be used in any way, directly or indirectly, to in-
6 fluence congressional action on any legislation or appro-
7 priation matters pending before the Congress.

8 SEC. 8015. None of the funds appropriated by this
9 Act shall be available for the basic pay and allowances of
10 any member of the Army participating as a full-time stu-
11 dent and receiving benefits paid by the Secretary of Vet-
12 erans Affairs from the Department of Defense Education
13 Benefits Fund when time spent as a full-time student is
14 credited toward completion of a service commitment: *Pro-*
15 *vided*, That this section shall not apply to those members
16 who have reenlisted with this option prior to October 1,
17 1987: *Provided further*, That this section applies only to
18 active components of the Army.

19 (TRANSFER OF FUNDS)

20 SEC. 8016. Funds appropriated in title III of this Act
21 for the Department of Defense Pilot Mentor-Protégé Pro-
22 gram may be transferred to any other appropriation con-
23 tained in this Act solely for the purpose of implementing
24 a Mentor-Protégé Program developmental assistance
25 agreement pursuant to section 831 of the National De-

1 fense Authorization Act for Fiscal Year 1991 (Public Law
2 101–510; 10 U.S.C. 2302 note), as amended, under the
3 authority of this provision or any other transfer authority
4 contained in this Act.

5 SEC. 8017. None of the funds in this Act may be
6 available for the purchase by the Department of Defense
7 (and its departments and agencies) of welded shipboard
8 anchor and mooring chain 4 inches in diameter and under
9 unless the anchor and mooring chain are manufactured
10 in the United States from components which are substan-
11 tially manufactured in the United States: *Provided*, That
12 for the purpose of this section, the term “manufactured”
13 shall include cutting, heat treating, quality control, testing
14 of chain and welding (including the forging and shot blast-
15 ing process): *Provided further*, That for the purpose of this
16 section substantially all of the components of anchor and
17 mooring chain shall be considered to be produced or manu-
18 factured in the United States if the aggregate cost of the
19 components produced or manufactured in the United
20 States exceeds the aggregate cost of the components pro-
21 duced or manufactured outside the United States: *Pro-*
22 *vided further*, That when adequate domestic supplies are
23 not available to meet Department of Defense requirements
24 on a timely basis, the Secretary of the service responsible
25 for the procurement may waive this restriction on a case-

1 by-case basis by certifying in writing to the Committees
2 on Appropriations that such an acquisition must be made
3 in order to acquire capability for national security pur-
4 poses.

5 SEC. 8018. Of the amounts appropriated for “Work-
6 ing Capital Fund, Army”, \$140,000,000 shall be available
7 to maintain competitive rates at the arsenals.

8 SEC. 8019. None of the funds available to the De-
9 partment of Defense may be used to demilitarize or dis-
10 pose of M–1 Carbines, M–1 Garand rifles, M–14 rifles,
11 .22 caliber rifles, .30 caliber rifles, or M–1911 pistols, or
12 to demilitarize or destroy small arms ammunition or am-
13 munition components that are not otherwise prohibited
14 from commercial sale under Federal law, unless the small
15 arms ammunition or ammunition components are certified
16 by the Secretary of the Army or designee as unserviceable
17 or unsafe for further use.

18 SEC. 8020. No more than \$500,000 of the funds ap-
19 propriated or made available in this Act shall be used dur-
20 ing a single fiscal year for any single relocation of an orga-
21 nization, unit, activity or function of the Department of
22 Defense into or within the National Capital Region: *Pro-*
23 *vided*, That the Secretary of Defense may waive this re-
24 striction on a case-by-case basis by certifying in writing

1 to the congressional defense committees that such a relo-
2 cation is required in the best interest of the Government.

3 SEC. 8021. Of the funds made available in this Act,
4 \$15,000,000 shall be available for incentive payments au-
5 thorized by section 504 of the Indian Financing Act of
6 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor
7 or a subcontractor at any tier that makes a subcontract
8 award to any subcontractor or supplier as defined in sec-
9 tion 1544 of title 25, United States Code, or a small busi-
10 ness owned and controlled by an individual or individuals
11 defined under section 4221(9) of title 25, United States
12 Code, shall be considered a contractor for the purposes
13 of being allowed additional compensation under section
14 504 of the Indian Financing Act of 1974 (25 U.S.C.
15 1544) whenever the prime contract or subcontract amount
16 is over \$500,000 and involves the expenditure of funds
17 appropriated by an Act making appropriations for the De-
18 partment of Defense with respect to any fiscal year: *Pro-*
19 *vided further*, That notwithstanding section 1906 of title
20 41, United States Code, this section shall be applicable
21 to any Department of Defense acquisition of supplies or
22 services, including any contract and any subcontract at
23 any tier for acquisition of commercial items produced or
24 manufactured, in whole or in part, by any subcontractor
25 or supplier defined in section 1544 of title 25, United

1 States Code, or a small business owned and controlled by
2 an individual or individuals defined under section 4221(9)
3 of title 25, United States Code.

4 SEC. 8022. Funds appropriated by this Act for the
5 Defense Media Activity shall not be used for any national
6 or international political or psychological activities.

7 SEC. 8023. During the current fiscal year, the De-
8 partment of Defense is authorized to incur obligations of
9 not to exceed \$350,000,000 for purposes specified in sec-
10 tion 2350j(c) of title 10, United States Code, in anticipa-
11 tion of receipt of contributions, only from the Government
12 of Kuwait, under that section: *Provided*, That, upon re-
13 ceipt, such contributions from the Government of Kuwait
14 shall be credited to the appropriations or fund which in-
15 curred such obligations.

16 SEC. 8024. (a) Of the funds made available in this
17 Act, not less than \$40,021,000 shall be available for the
18 Civil Air Patrol Corporation, of which—

19 (1) \$28,000,000 shall be available from “Oper-
20 ation and Maintenance, Air Force” to support Civil
21 Air Patrol Corporation operation and maintenance,
22 readiness, counter-drug activities, and drug demand
23 reduction activities involving youth programs;

24 (2) \$10,337,000 shall be available from “Air-
25 craft Procurement, Air Force”; and

1 (3) \$1,684,000 shall be available from “Other
2 Procurement, Air Force” for vehicle procurement.

3 (b) The Secretary of the Air Force should waive reim-
4 bursement for any funds used by the Civil Air Patrol for
5 counter-drug activities in support of Federal, State, and
6 local government agencies.

7 SEC. 8025. (a) None of the funds appropriated in this
8 Act are available to establish a new Department of De-
9 fense (department) federally funded research and develop-
10 ment center (FFRDC), either as a new entity, or as a
11 separate entity administrated by an organization man-
12 aging another FFRDC, or as a nonprofit membership cor-
13 poration consisting of a consortium of other FFRDCs and
14 other nonprofit entities.

15 (b) No member of a Board of Directors, Trustees,
16 Overseers, Advisory Group, Special Issues Panel, Visiting
17 Committee, or any similar entity of a defense FFRDC,
18 and no paid consultant to any defense FFRDC, except
19 when acting in a technical advisory capacity, may be com-
20 pensated for his or her services as a member of such enti-
21 ty, or as a paid consultant by more than one FFRDC in
22 a fiscal year: *Provided*, That a member of any such entity
23 referred to previously in this subsection shall be allowed
24 travel expenses and per diem as authorized under the Fed-

1 eral Joint Travel Regulations, when engaged in the per-
2 formance of membership duties.

3 (c) Notwithstanding any other provision of law, none
4 of the funds available to the department from any source
5 during the current fiscal year may be used by a defense
6 FFRDC, through a fee or other payment mechanism, for
7 construction of new buildings not located on a military in-
8 stallation, for payment of cost sharing for projects funded
9 by Government grants, for absorption of contract over-
10 runs, or for certain charitable contributions, not to include
11 employee participation in community service and/or devel-
12 opment.

13 (d) Notwithstanding any other provision of law, of
14 the funds available to the department during fiscal year
15 2017, not more than 5,750 staff years of technical effort
16 (staff years) may be funded for defense FFRDCs: *Pro-*
17 *vided*, That, of the specific amount referred to previously
18 in this subsection, not more than 1,125 staff years may
19 be funded for the defense studies and analysis FFRDCs:
20 *Provided further*, That this subsection shall not apply to
21 staff years funded in the National Intelligence Program
22 (NIP) and the Military Intelligence Program (MIP).

23 (e) The Secretary of Defense shall, with the submis-
24 sion of the department's fiscal year 2018 budget request,
25 submit a report presenting the specific amounts of staff

1 years of technical effort to be allocated for each defense
2 FFRDC during that fiscal year and the associated budget
3 estimates.

4 (f) Notwithstanding any other provision of this Act,
5 the total amount appropriated in this Act for FFRDCs
6 is hereby reduced by \$60,000,000.

7 SEC. 8026. None of the funds appropriated or made
8 available in this Act shall be used to procure carbon, alloy,
9 or armor steel plate for use in any Government-owned fa-
10 cility or property under the control of the Department of
11 Defense which were not melted and rolled in the United
12 States or Canada: *Provided*, That these procurement re-
13 strictions shall apply to any and all Federal Supply Class
14 9515, American Society of Testing and Materials (ASTM)
15 or American Iron and Steel Institute (AISI) specifications
16 of carbon, alloy or armor steel plate: *Provided further*,
17 That the Secretary of the military department responsible
18 for the procurement may waive this restriction on a case-
19 by-case basis by certifying in writing to the Committees
20 on Appropriations of the House of Representatives and the
21 Senate that adequate domestic supplies are not available
22 to meet Department of Defense requirements on a timely
23 basis and that such an acquisition must be made in order
24 to acquire capability for national security purposes: *Pro-*
25 *vided further*, That these restrictions shall not apply to

1 contracts which are in being as of the date of the enact-
2 ment of this Act.

3 SEC. 8027. For the purposes of this Act, the term
4 “congressional defense committees” means the Armed
5 Services Committee of the House of Representatives, the
6 Armed Services Committee of the Senate, the Sub-
7 committee on Defense of the Committee on Appropriations
8 of the Senate, and the Subcommittee on Defense of the
9 Committee on Appropriations of the House of Representa-
10 tives.

11 SEC. 8028. During the current fiscal year, the De-
12 partment of Defense may acquire the modification, depot
13 maintenance and repair of aircraft, vehicles and vessels
14 as well as the production of components and other De-
15 fense-related articles, through competition between De-
16 partment of Defense depot maintenance activities and pri-
17 vate firms: *Provided*, That the Senior Acquisition Execu-
18 tive of the military department or Defense Agency con-
19 cerned, with power of delegation, shall certify that success-
20 ful bids include comparable estimates of all direct and in-
21 direct costs for both public and private bids: *Provided fur-*
22 *ther*, That Office of Management and Budget Circular A-
23 76 shall not apply to competitions conducted under this
24 section.

1 SEC. 8029. (a)(1) If the Secretary of Defense, after
2 consultation with the United States Trade Representative,
3 determines that a foreign country which is party to an
4 agreement described in paragraph (2) has violated the
5 terms of the agreement by discriminating against certain
6 types of products produced in the United States that are
7 covered by the agreement, the Secretary of Defense shall
8 rescind the Secretary's blanket waiver of the Buy Amer-
9 ican Act with respect to such types of products produced
10 in that foreign country.

11 (2) An agreement referred to in paragraph (1) is any
12 reciprocal defense procurement memorandum of under-
13 standing, between the United States and a foreign country
14 pursuant to which the Secretary of Defense has prospec-
15 tively waived the Buy American Act for certain products
16 in that country.

17 (b) The Secretary of Defense shall submit to the Con-
18 gress a report on the amount of Department of Defense
19 purchases from foreign entities in fiscal year 2017. Such
20 report shall separately indicate the dollar value of items
21 for which the Buy American Act was waived pursuant to
22 any agreement described in subsection (a)(2), the Trade
23 Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any
24 international agreement to which the United States is a
25 party.

1 (c) For purposes of this section, the term “Buy
2 American Act” means chapter 83 of title 41, United
3 States Code.

4 SEC. 8030. During the current fiscal year, amounts
5 contained in the Department of Defense Overseas Military
6 Facility Investment Recovery Account established by sec-
7 tion 2921(c)(1) of the National Defense Authorization Act
8 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall
9 be available until expended for the payments specified by
10 section 2921(c)(2) of that Act.

11 SEC. 8031. (a) Notwithstanding any other provision
12 of law, the Secretary of the Air Force may convey at no
13 cost to the Air Force, without consideration, to Indian
14 tribes located in the States of Nevada, Idaho, North Da-
15 kota, South Dakota, Montana, Oregon, Minnesota, and
16 Washington relocatable military housing units located at
17 Grand Forks Air Force Base, Malmstrom Air Force Base,
18 Mountain Home Air Force Base, Ellsworth Air Force
19 Base, and Minot Air Force Base that are excess to the
20 needs of the Air Force.

21 (b) The Secretary of the Air Force shall convey, at
22 no cost to the Air Force, military housing units under sub-
23 section (a) in accordance with the request for such units
24 that are submitted to the Secretary by the Operation
25 Walking Shield Program on behalf of Indian tribes located

1 in the States of Nevada, Idaho, North Dakota, South Da-
2 kota, Montana, Oregon, Minnesota, and Washington. Any
3 such conveyance shall be subject to the condition that the
4 housing units shall be removed within a reasonable period
5 of time, as determined by the Secretary.

6 (c) The Operation Walking Shield Program shall re-
7 solve any conflicts among requests of Indian tribes for
8 housing units under subsection (a) before submitting re-
9 quests to the Secretary of the Air Force under subsection
10 (b).

11 (d) In this section, the term “Indian tribe” means
12 any recognized Indian tribe included on the current list
13 published by the Secretary of the Interior under section
14 104 of the Federally Recognized Indian Tribe Act of 1994
15 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–
16 1).

17 SEC. 8032. During the current fiscal year, appropria-
18 tions which are available to the Department of Defense
19 for operation and maintenance may be used to purchase
20 items having an investment item unit cost of not more
21 than \$250,000.

22 SEC. 8033. None of the funds made available by this
23 Act may be used to—

24 (1) disestablish, or prepare to disestablish, a
25 Senior Reserve Officers’ Training Corps program in

1 accordance with Department of Defense Instruction
2 Number 1215.08, dated June 26, 2006; or

3 (2) close, downgrade from host to extension
4 center, or place on probation a Senior Reserve Offi-
5 cers' Training Corps program in accordance with the
6 information paper of the Department of the Army
7 titled "Army Senior Reserve Officers' Training
8 Corps (SROTC) Program Review and Criteria",
9 dated January 27, 2014.

10 SEC. 8034. The Secretary of Defense shall issue reg-
11 ulations to prohibit the sale of any tobacco or tobacco-
12 related products in military resale outlets in the United
13 States, its territories and possessions at a price below the
14 most competitive price in the local community: *Provided*,
15 That such regulations shall direct that the prices of to-
16 bacco or tobacco-related products in overseas military re-
17 tail outlets shall be within the range of prices established
18 for military retail system stores located in the United
19 States.

20 SEC. 8035. (a) During the current fiscal year, none
21 of the appropriations or funds available to the Department
22 of Defense Working Capital Funds shall be used for the
23 purchase of an investment item for the purpose of acquir-
24 ing a new inventory item for sale or anticipated sale dur-
25 ing the current fiscal year or a subsequent fiscal year to

1 customers of the Department of Defense Working Capital
2 Funds if such an item would not have been chargeable
3 to the Department of Defense Business Operations Fund
4 during fiscal year 1994 and if the purchase of such an
5 investment item would be chargeable during the current
6 fiscal year to appropriations made to the Department of
7 Defense for procurement.

8 (b) The fiscal year 2018 budget request for the De-
9 partment of Defense as well as all justification material
10 and other documentation supporting the fiscal year 2018
11 Department of Defense budget shall be prepared and sub-
12 mitted to the Congress on the basis that any equipment
13 which was classified as an end item and funded in a pro-
14 curement appropriation contained in this Act shall be
15 budgeted for in a proposed fiscal year 2018 procurement
16 appropriation and not in the supply management business
17 area or any other area or category of the Department of
18 Defense Working Capital Funds.

19 SEC. 8036. None of the funds appropriated by this
20 Act for programs of the Central Intelligence Agency shall
21 remain available for obligation beyond the current fiscal
22 year, except for funds appropriated for the Reserve for
23 Contingencies, which shall remain available until Sep-
24 tember 30, 2018: *Provided*, That funds appropriated,
25 transferred, or otherwise credited to the Central Intel-

1 lidence Agency Central Services Working Capital Fund
2 during this or any prior or subsequent fiscal year shall
3 remain available until expended: *Provided further*, That
4 any funds appropriated or transferred to the Central Intel-
5 lidence Agency for advanced research and development ac-
6 quisition, for agent operations, and for covert action pro-
7 grams authorized by the President under section 503 of
8 the National Security Act of 1947 (50 U.S.C. 3093) shall
9 remain available until September 30, 2018.

10 SEC. 8037. Notwithstanding any other provision of
11 law, funds made available in this Act and hereafter for
12 the Defense Intelligence Agency may be used for the de-
13 sign, development, and deployment of General Defense In-
14 telligence Program intelligence communications and intel-
15 lidence information systems for the Services, the Unified
16 and Specified Commands, and the component commands.

17 SEC. 8038. Of the funds appropriated to the Depart-
18 ment of Defense under the heading “Operation and Main-
19 tenance, Defense-Wide”, not less than \$12,000,000 shall
20 be made available only for the mitigation of environmental
21 impacts, including training and technical assistance to
22 tribes, related administrative support, the gathering of in-
23 formation, documenting of environmental damage, and de-
24 veloping a system for prioritization of mitigation and cost

1 to complete estimates for mitigation, on Indian lands re-
2 sulting from Department of Defense activities.

3 SEC. 8039. (a) None of the funds appropriated in this
4 Act may be expended by an entity of the Department of
5 Defense unless the entity, in expending the funds, com-
6 plies with the Buy American Act. For purposes of this
7 subsection, the term “Buy American Act” means chapter
8 83 of title 41, United States Code.

9 (b) If the Secretary of Defense determines that a per-
10 son has been convicted of intentionally affixing a label
11 bearing a “Made in America” inscription to any product
12 sold in or shipped to the United States that is not made
13 in America, the Secretary shall determine, in accordance
14 with section 2410f of title 10, United States Code, wheth-
15 er the person should be debarred from contracting with
16 the Department of Defense.

17 (c) In the case of any equipment or products pur-
18 chased with appropriations provided under this Act, it is
19 the sense of the Congress that any entity of the Depart-
20 ment of Defense, in expending the appropriation, purchase
21 only American-made equipment and products, provided
22 that American-made equipment and products are cost-
23 competitive, quality competitive, and available in a timely
24 fashion.

1 SEC. 8040. Notwithstanding any other provision of
2 law, none of the funds appropriated or otherwise made
3 available by this or any other Act may be used to consoli-
4 date or relocate any element of a United States Air Force
5 Rapid Engineer Deployable Heavy Operational Repair
6 Squadron Engineer (RED HORSE) outside of the United
7 States until the Secretary of the Air Force—

8 (1) completes an analysis and comparison of
9 the cost and infrastructure investment required to
10 consolidate or relocate a RED HORSE squadron
11 outside of the United States versus within the
12 United States;

13 (2) provides to the congressional defense com-
14 mittees a report detailing the findings of the cost
15 analysis; and

16 (3) certifies in writing to the congressional de-
17 fense committees that the preferred site for the con-
18 solidation or relocation yields the greatest savings
19 for the Air Force:

20 *Provided*, That the term “United States” in this section
21 does not include any territory or possession of the United
22 States.

23 SEC. 8041. (a) Except as provided in subsections (b)
24 and (c), none of the funds made available by this Act may
25 be used—

1 (1) to establish a field operating agency; or

2 (2) to pay the basic pay of a member of the
3 Armed Forces or civilian employee of the depart-
4 ment who is transferred or reassigned from a head-
5 quarters activity if the member or employee's place
6 of duty remains at the location of that headquarters.

7 (b) The Secretary of Defense or Secretary of a mili-
8 tary department may waive the limitations in subsection
9 (a), on a case-by-case basis, if the Secretary determines,
10 and certifies to the Committees on Appropriations of the
11 House of Representatives and the Senate that the grant-
12 ing of the waiver will reduce the personnel requirements
13 or the financial requirements of the department.

14 (c) This section does not apply to—

15 (1) field operating agencies funded within the
16 National Intelligence Program;

17 (2) an Army field operating agency established
18 to eliminate, mitigate, or counter the effects of im-
19 proved explosive devices, and, as determined by the
20 Secretary of the Army, other similar threats;

21 (3) an Army field operating agency established
22 to improve the effectiveness and efficiencies of bio-
23 metric activities and to integrate common biometric
24 technologies throughout the Department of Defense;
25 or

1 (4) an Air Force field operating agency estab-
2 lished to administer the Air Force Mortuary Affairs
3 Program and Mortuary Operations for the Depart-
4 ment of Defense and authorized Federal entities.

5 SEC. 8042. (a) None of the funds appropriated by
6 this Act shall be available to convert to contractor per-
7 formance an activity or function of the Department of De-
8 fense that, on or after the date of the enactment of this
9 Act, is performed by Department of Defense civilian em-
10 ployees unless—

11 (1) the conversion is based on the result of a
12 public-private competition that includes a most effi-
13 cient and cost effective organization plan developed
14 by such activity or function;

15 (2) the Competitive Sourcing Official deter-
16 mines that, over all performance periods stated in
17 the solicitation of offers for performance of the ac-
18 tivity or function, the cost of performance of the ac-
19 tivity or function by a contractor would be less costly
20 to the Department of Defense by an amount that
21 equals or exceeds the lesser of—

22 (A) 10 percent of the most efficient organi-
23 zation's personnel-related costs for performance
24 of that activity or function by Federal employ-
25 ees; or

1 (B) \$10,000,000; and

2 (3) the contractor does not receive an advan-
3 tage for a proposal that would reduce costs for the
4 Department of Defense by—

5 (A) not making an employer-sponsored
6 health insurance plan available to the workers
7 who are to be employed in the performance of
8 that activity or function under the contract; or

9 (B) offering to such workers an employ-
10 er-sponsored health benefits plan that requires the
11 employer to contribute less towards the pre-
12 mium or subscription share than the amount
13 that is paid by the Department of Defense for
14 health benefits for civilian employees under
15 chapter 89 of title 5, United States Code.

16 (b)(1) The Department of Defense, without regard
17 to subsection (a) of this section or subsection (a), (b), or
18 (c) of section 2461 of title 10, United States Code, and
19 notwithstanding any administrative regulation, require-
20 ment, or policy to the contrary shall have full authority
21 to enter into a contract for the performance of any com-
22 mercial or industrial type function of the Department of
23 Defense that—

24 (A) is included on the procurement list estab-
25 lished pursuant to section 2 of the Javits-Wagner-

1 O'Day Act (section 8503 of title 41, United States
2 Code);

3 (B) is planned to be converted to performance
4 by a qualified nonprofit agency for the blind or by
5 a qualified nonprofit agency for other severely handi-
6 capped individuals in accordance with that Act; or

7 (C) is planned to be converted to performance
8 by a qualified firm under at least 51 percent owner-
9 ship by an Indian tribe, as defined in section 4(e)
10 of the Indian Self-Determination and Education As-
11 sistance Act (25 U.S.C. 450b(e)), or a Native Ha-
12 waiian Organization, as defined in section 8(a)(15)
13 of the Small Business Act (15 U.S.C. 637(a)(15)).

14 (2) This section shall not apply to depot contracts
15 or contracts for depot maintenance as provided in sections
16 2469 and 2474 of title 10, United States Code.

17 (c) The conversion of any activity or function of the
18 Department of Defense under the authority provided by
19 this section shall be credited toward any competitive or
20 outsourcing goal, target, or measurement that may be es-
21 tablished by statute, regulation, or policy and is deemed
22 to be awarded under the authority of, and in compliance
23 with, subsection (h) of section 2304 of title 10, United
24 States Code, for the competition or outsourcing of com-
25 mercial activities.

1 (RESCISSIONS)

2 SEC. 8043. Of the funds appropriated in Department
3 of Defense Appropriations Acts, the following funds are
4 hereby rescinded from the following accounts and pro-
5 grams in the specified amounts: Provided, That no
6 amounts may be rescinded from amounts that were des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism or as an emergency re-
9 quirement pursuant to the Concurrent Resolution on the
10 Budget or the Balanced Budget and Emergency Deficit
11 Control Act of 1985, as amended:

12 "Aircraft Procurement, Army", 2015/2017,
13 \$15,000,000;

14 "Other Procurement, Army", 2015/2017,
15 \$23,045,000;

16 "Aircraft Procurement, Navy", 2015/2017,
17 \$88,000,000;

18 "Weapons Procurement, Navy", 2015/2017,
19 \$11,933,000;

20 "Procurement of Ammunition, Navy and Ma-
21 rine Corps", 2015/2017, \$43,600,000;

22 "Aircraft Procurement, Air Force", 2015/2017,
23 \$57,000,000;

24 "Other Procurement, Air Force", 2015/2017,
25 \$25,500,000;

1 “Aircraft Procurement, Army”, 2016/2018,
2 \$34,594,000;
3 “Procurement of Ammunition, Army”, 2016/
4 2018, \$5,000,000;
5 “Other Procurement, Army”, 2016/2018,
6 \$84,100,000;
7 “Aircraft Procurement, Navy”, 2016/2018,
8 \$6,755,000;
9 “Weapons Procurement, Navy”, 2016/2018,
10 \$5,307,000;
11 “Procurement of Ammunition, Navy and Ma-
12 rine Corps”, 2016/2018, \$6,968,000;
13 “Shipbuilding and Conversion, Navy”, 2016/
14 2020: DDG-51 Destroyer, \$50,000,000;
15 “Shipbuilding and Conversion, Navy”, 2016/
16 2020: LPD-17, \$14,906,000;
17 “Shipbuilding and Conversion, Navy”, 2016/
18 2020: LX (R), (AP), \$236,000,000;
19 “Other Procurement, Navy”, 2016/2018,
20 \$56,374,000;
21 “Aircraft Procurement, Air Force”, 2016/2018,
22 \$383,200,000;
23 “Missile Procurement, Air Force”, 2016/2018,
24 \$34,700,000;

1 “Space Procurement, Air Force”, 2016/2018,
2 \$100,000,000;

3 “Other Procurement, Air Force”, 2016/2018,
4 \$56,369,000;

5 “Procurement, Defense-Wide”, 2016/2018,
6 \$2,600,000;

7 “Research, Development, Test and Evaluation,
8 Army”, 2016/2017, \$33,402,000;

9 “Research, Development, Test and Evaluation,
10 Navy”, 2016/2017, \$31,219,000;

11 “Research, Development, Test and Evaluation,
12 Air Force”, 2016/2017, \$532,550,000; and

13 “Research, Development, Test and Evaluation,
14 Defense-Wide”, 2016/2017, \$64,500,000.

15 SEC. 8044. None of the funds available in this Act
16 may be used to reduce the authorized positions for mili-
17 tary technicians (dual status) of the Army National
18 Guard, Air National Guard, Army Reserve and Air Force
19 Reserve for the purpose of applying any administratively
20 imposed civilian personnel ceiling, freeze, or reduction on
21 military technicians (dual status), unless such reductions
22 are a direct result of a reduction in military force struc-
23 ture.

24 SEC. 8045. None of the funds appropriated or other-
25 wise made available in this Act may be obligated or ex-

1 pended for assistance to the Democratic People’s Republic
2 of Korea unless specifically appropriated for that purpose.

3 SEC. 8046. Funds appropriated in this Act for oper-
4 ation and maintenance of the Military Departments, Com-
5 batant Commands and Defense Agencies shall be available
6 for reimbursement of pay, allowances and other expenses
7 which would otherwise be incurred against appropriations
8 for the National Guard and Reserve when members of the
9 National Guard and Reserve provide intelligence or coun-
10 terintelligence support to Combatant Commands, Defense
11 Agencies and Joint Intelligence Activities, including the
12 activities and programs included within the National Intel-
13 ligence Program and the Military Intelligence Program:
14 *Provided*, That nothing in this section authorizes deviation
15 from established Reserve and National Guard personnel
16 and training procedures.

17 SEC. 8047. (a) None of the funds available to the
18 Department of Defense for any fiscal year for drug inter-
19 diction or counter-drug activities may be transferred to
20 any other department or agency of the United States ex-
21 cept as specifically provided in an appropriations law.

22 (b) None of the funds available to the Central Intel-
23 ligence Agency for any fiscal year for drug interdiction or
24 counter-drug activities may be transferred to any other de-

1 partment or agency of the United States except as specifi-
2 cally provided in an appropriations law.

3 SEC. 8048. None of the funds appropriated by this
4 Act may be used for the procurement of ball and roller
5 bearings other than those produced by a domestic source
6 and of domestic origin: *Provided*, That the Secretary of
7 the military department responsible for such procurement
8 may waive this restriction on a case-by-case basis by certi-
9 fying in writing to the Committees on Appropriations of
10 the House of Representatives and the Senate, that ade-
11 quate domestic supplies are not available to meet Depart-
12 ment of Defense requirements on a timely basis and that
13 such an acquisition must be made in order to acquire ca-
14 pability for national security purposes: *Provided further*,
15 That this restriction shall not apply to the purchase of
16 “commercial items”, as defined by section 103 of title 41,
17 United States Code, except that the restriction shall apply
18 to ball or roller bearings purchased as end items.

19 SEC. 8049. None of the funds made available by this
20 Act may be used to retire, divest, realign, or transfer RQ-
21 4B Global Hawk aircraft, or to disestablish or convert
22 units associated with such aircraft.

23 SEC. 8050. None of the funds made available by this
24 Act for Evolved Expendable Launch Vehicle service com-
25 petitive procurements may be used unless the competitive

1 procurements are open for award to all certified providers
2 of Evolved Expendable Launch Vehicle-class systems: *Pro-*
3 *vided*, That the award shall be made to the provider that
4 offers the best value to the government.

5 SEC. 8051. In addition to the amounts appropriated
6 or otherwise made available elsewhere in this Act,
7 \$44,000,000 is hereby appropriated to the Department of
8 Defense: *Provided*, That upon the determination of the
9 Secretary of Defense that it shall serve the national inter-
10 est, the Secretary shall make grants in the amounts speci-
11 fied as follows: \$20,000,000 to the United Service Organi-
12 zations and \$24,000,000 to the Red Cross.

13 SEC. 8052. None of the funds in this Act may be
14 used to purchase any supercomputer which is not manu-
15 factured in the United States, unless the Secretary of De-
16 fense certifies to the congressional defense committees
17 that such an acquisition must be made in order to acquire
18 capability for national security purposes that is not avail-
19 able from United States manufacturers.

20 SEC. 8053. Notwithstanding any other provision in
21 this Act, the Small Business Innovation Research program
22 and the Small Business Technology Transfer program set-
23 asides shall be taken proportionally from all programs,
24 projects, or activities to the extent they contribute to the
25 extramural budget.

1 SEC. 8054. None of the funds available to the De-
2 partment of Defense under this Act shall be obligated or
3 expended to pay a contractor under a contract with the
4 Department of Defense for costs of any amount paid by
5 the contractor to an employee when—

6 (1) such costs are for a bonus or otherwise in
7 excess of the normal salary paid by the contractor
8 to the employee; and

9 (2) such bonus is part of restructuring costs as-
10 sociated with a business combination.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 8055. During the current fiscal year, no more
13 than \$30,000,000 of appropriations made in this Act
14 under the heading “Operation and Maintenance, Defense-
15 Wide” may be transferred to appropriations available for
16 the pay of military personnel, to be merged with, and to
17 be available for the same time period as the appropriations
18 to which transferred, to be used in support of such per-
19 sonnel in connection with support and services for eligible
20 organizations and activities outside the Department of De-
21 fense pursuant to section 2012 of title 10, United States
22 Code.

23 SEC. 8056. During the current fiscal year, in the case
24 of an appropriation account of the Department of Defense
25 for which the period of availability for obligation has ex-

1 pired or which has closed under the provisions of section
2 1552 of title 31, United States Code, and which has a
3 negative unliquidated or unexpended balance, an obliga-
4 tion or an adjustment of an obligation may be charged
5 to any current appropriation account for the same purpose
6 as the expired or closed account if—

7 (1) the obligation would have been properly
8 chargeable (except as to amount) to the expired or
9 closed account before the end of the period of avail-
10 ability or closing of that account;

11 (2) the obligation is not otherwise properly
12 chargeable to any current appropriation account of
13 the Department of Defense; and

14 (3) in the case of an expired account, the obli-
15 gation is not chargeable to a current appropriation
16 of the Department of Defense under the provisions
17 of section 1405(b)(8) of the National Defense Au-
18 thorization Act for Fiscal Year 1991, Public Law
19 101–510, as amended (31 U.S.C. 1551 note): *Pro-*
20 *vided*, That in the case of an expired account, if sub-
21 sequent review or investigation discloses that there
22 was not in fact a negative unliquidated or unex-
23 pended balance in the account, any charge to a cur-
24 rent account under the authority of this section shall
25 be reversed and recorded against the expired ac-

1 count: *Provided further*, That the total amount
2 charged to a current appropriation under this sec-
3 tion may not exceed an amount equal to 1 percent
4 of the total appropriation for that account.

5 SEC. 8057. (a) Notwithstanding any other provision
6 of law, the Chief of the National Guard Bureau may per-
7 mit the use of equipment of the National Guard Distance
8 Learning Project by any person or entity on a space-avail-
9 able, reimbursable basis. The Chief of the National Guard
10 Bureau shall establish the amount of reimbursement for
11 such use on a case-by-case basis.

12 (b) Amounts collected under subsection (a) shall be
13 credited to funds available for the National Guard Dis-
14 tance Learning Project and be available to defray the costs
15 associated with the use of equipment of the project under
16 that subsection. Such funds shall be available for such
17 purposes without fiscal year limitation.

18 SEC. 8058. None of the funds available to the De-
19 partment of Defense may be obligated to modify command
20 and control relationships to give Fleet Forces Command
21 operational and administrative control of United States
22 Navy forces assigned to the Pacific fleet: *Provided*, That
23 the command and control relationships which existed on
24 October 1, 2004, shall remain in force until a written
25 modification has been proposed to the House and Senate

1 Appropriations Committees: *Provided further*, That the
2 proposed modification may be implemented 30 days after
3 the notification unless an objection is received from either
4 the House or Senate Appropriations Committees: *Provided*
5 *further*, That any proposed modification shall not preclude
6 the ability of the commander of United States Pacific
7 Command to meet operational requirements.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 8059. Of the funds appropriated in this Act
10 under the heading “Operation and Maintenance, Defense-
11 wide”, \$25,000,000 shall be for continued implementation
12 and expansion of the Sexual Assault Special Victims’
13 Counsel Program: *Provided*, That the funds are made
14 available for transfer to the Department of the Army, the
15 Department of the Navy, and the Department of the Air
16 Force: *Provided further*, That funds transferred shall be
17 merged with and available for the same purposes and for
18 the same time period as the appropriations to which the
19 funds are transferred: *Provided further*, That this transfer
20 authority is in addition to any other transfer authority
21 provided in this Act.

22 SEC. 8060. None of the funds appropriated in title
23 IV of this Act may be used to procure end-items for deliv-
24 ery to military forces for operational training, operational
25 use or inventory requirements: *Provided*, That this restric-

1 tion does not apply to end-items used in development,
2 prototyping, and test activities preceding and leading to
3 acceptance for operational use: *Provided further*, That this
4 restriction does not apply to programs funded within the
5 National Intelligence Program: *Provided further*, That the
6 Secretary of Defense may waive this restriction on a case-
7 by-case basis by certifying in writing to the Committees
8 on Appropriations of the House of Representatives and the
9 Senate that it is in the national security interest to do
10 so.

11 SEC. 8061. (a) The Secretary of Defense may, on a
12 case-by-case basis, waive with respect to a foreign country
13 each limitation on the procurement of defense items from
14 foreign sources provided in law if the Secretary determines
15 that the application of the limitation with respect to that
16 country would invalidate cooperative programs entered
17 into between the Department of Defense and the foreign
18 country, or would invalidate reciprocal trade agreements
19 for the procurement of defense items entered into under
20 section 2531 of title 10, United States Code, and the
21 country does not discriminate against the same or similar
22 defense items produced in the United States for that coun-
23 try.

24 (b) Subsection (a) applies with respect to—

1 (1) contracts and subcontracts entered into on
2 or after the date of the enactment of this Act; and

3 (2) options for the procurement of items that
4 are exercised after such date under contracts that
5 are entered into before such date if the option prices
6 are adjusted for any reason other than the applica-
7 tion of a waiver granted under subsection (a).

8 (c) Subsection (a) does not apply to a limitation re-
9 garding construction of public vessels, ball and roller bear-
10 ings, food, and clothing or textile materials as defined by
11 section XI (chapters 50–65) of the Harmonized Tariff
12 Schedule of the United States and products classified
13 under headings 4010, 4202, 4203, 6401 through 6406,
14 6505, 7019, 7218 through 7229, 7304.41 through
15 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,
16 8211, 8215, and 9404.

17 SEC. 8062. None of the funds appropriated or other-
18 wise made available by this or other Department of De-
19 fense Appropriations Acts may be obligated or expended
20 for the purpose of performing repairs or maintenance to
21 military family housing units of the Department of De-
22 fense, including areas in such military family housing
23 units that may be used for the purpose of conducting offi-
24 cial Department of Defense business.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8063. Of the amounts appropriated for “Oper-
3 ation and Maintenance, Navy”, up to \$1,000,000 shall be
4 available for transfer to the John C. Stennis Center for
5 Public Service Development Trust Fund established under
6 section 116 of the John C. Stennis Center for Public Serv-
7 ice Training and Development Act (2 U.S.C. 1105).

8 SEC. 8064. Notwithstanding any other provision of
9 law, funds appropriated in this Act under the heading
10 “Research, Development, Test and Evaluation, Defense-
11 Wide” for any new start advanced concept technology
12 demonstration project or joint capability demonstration
13 project may only be obligated 45 days after a report, in-
14 cluding a description of the project, the planned acquisi-
15 tion and transition strategy and its estimated annual and
16 total cost, has been provided in writing to the congress-
17 sional defense committees: *Provided*, That the Secretary
18 of Defense may waive this restriction on a case-by-case
19 basis by certifying to the congressional defense committees
20 that it is in the national interest to do so.

21 SEC. 8065. The Secretary of Defense shall continue
22 to provide a classified quarterly report to the House and
23 Senate Appropriations Committees, Subcommittees on
24 Defense on certain matters as directed in the classified
25 annex accompanying this Act.

1 SEC. 8066. Notwithstanding section 12310(b) of title
2 10, United States Code, a Reserve who is a member of
3 the National Guard serving on full-time National Guard
4 duty under section 502(f) of title 32, United States Code,
5 may perform duties in support of the ground-based ele-
6 ments of the National Ballistic Missile Defense System.

7 SEC. 8067. None of the funds provided in this Act
8 may be used to transfer to any nongovernmental entity
9 ammunition held by the Department of Defense that has
10 a center-fire cartridge and a United States military no-
11 menclature designation of “armor penetrator”, “armor
12 piercing (AP)”, “armor piercing incendiary (API)”, or
13 “armor-piercing incendiary tracer (API-T)”, except to an
14 entity performing demilitarization services for the Depart-
15 ment of Defense under a contract that requires the entity
16 to demonstrate to the satisfaction of the Department of
17 Defense that armor piercing projectiles are either: (1) ren-
18 dered incapable of reuse by the demilitarization process;
19 or (2) used to manufacture ammunition pursuant to a con-
20 tract with the Department of Defense or the manufacture
21 of ammunition for export pursuant to a License for Per-
22 manent Export of Unclassified Military Articles issued by
23 the Department of State.

24 SEC. 8068. Notwithstanding any other provision of
25 law, the Chief of the National Guard Bureau, or his des-

1 ignee, may waive payment of all or part of the consider-
2 ation that otherwise would be required under section 2667
3 of title 10, United States Code, in the case of a lease of
4 personal property for a period not in excess of 1 year to
5 any organization specified in section 508(d) of title 32,
6 United States Code, or any other youth, social, or fra-
7 ternal nonprofit organization as may be approved by the
8 Chief of the National Guard Bureau, or his designee, on
9 a case-by-case basis.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 8069. Of the amounts appropriated in this Act
12 under the heading “Operation and Maintenance, Army”,
13 \$75,950,170 shall remain available until expended: *Pro-*
14 *vided*, That, notwithstanding any other provision of law,
15 the Secretary of Defense is authorized to transfer such
16 funds to other activities of the Federal Government: *Pro-*
17 *vided further*, That the Secretary of Defense is authorized
18 to enter into and carry out contracts for the acquisition
19 of real property, construction, personal services, and oper-
20 ations related to projects carrying out the purposes of this
21 section: *Provided further*, That contracts entered into
22 under the authority of this section may provide for such
23 indemnification as the Secretary determines to be nec-
24 essary: *Provided further*, That projects authorized by this
25 section shall comply with applicable Federal, State, and

1 local law to the maximum extent consistent with the na-
2 tional security, as determined by the Secretary of Defense.

3 SEC. 8070. (a) None of the funds appropriated in this
4 or any other Act may be used to take any action to mod-
5 ify—

6 (1) the appropriations account structure for the
7 National Intelligence Program budget, including
8 through the creation of a new appropriation or new
9 appropriation account;

10 (2) how the National Intelligence Program
11 budget request is presented in the unclassified P-1,
12 R-1, and O-1 documents supporting the Depart-
13 ment of Defense budget request;

14 (3) the process by which the National Intel-
15 ligence Program appropriations are apportioned to
16 the executing agencies; or

17 (4) the process by which the National Intel-
18 ligence Program appropriations are allotted, obli-
19 gated and disbursed.

20 (b) Nothing in section (a) shall be construed to pro-
21 hibit the merger of programs or changes to the National
22 Intelligence Program budget at or below the Expenditure
23 Center level, provided such change is otherwise in accord-
24 ance with paragraphs (a)(1)–(3).

1 (c) The Director of National Intelligence and the Sec-
2 retary of Defense may jointly, only for the purposes of
3 achieving auditable financial statements and improving
4 fiscal reporting, study and develop detailed proposals for
5 alternative financial management processes. Such study
6 shall include a comprehensive counterintelligence risk as-
7 sessment to ensure that none of the alternative processes
8 will adversely affect counterintelligence.

9 (d) Upon development of the detailed proposals de-
10 fined under subsection (c), the Director of National Intel-
11 ligence and the Secretary of Defense shall—

12 (1) provide the proposed alternatives to all af-
13 fected agencies;

14 (2) receive certification from all affected agen-
15 cies attesting that the proposed alternatives will help
16 achieve auditability, improve fiscal reporting, and
17 will not adversely affect counterintelligence; and

18 (3) not later than 30 days after receiving all
19 necessary certifications under paragraph (2), present
20 the proposed alternatives and certifications to the
21 congressional defense and intelligence committees.

22 SEC. 8071. In addition to amounts provided else-
23 where in this Act, \$5,000,000 is hereby appropriated to
24 the Department of Defense, to remain available for obliga-
25 tion until expended: *Provided*, That notwithstanding any

1 other provision of law, that upon the determination of the
2 Secretary of Defense that it shall serve the national inter-
3 est, these funds shall be available only for a grant to the
4 Fisher House Foundation, Inc., only for the construction
5 and furnishing of additional Fisher Houses to meet the
6 needs of military family members when confronted with
7 the illness or hospitalization of an eligible military bene-
8 ficiary.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 8072. Of the amounts appropriated in this Act
11 under the headings “Procurement, Defense-Wide” and
12 “Research, Development, Test and Evaluation, Defense-
13 Wide”, \$600,735,000 shall be for the Israeli Cooperative
14 Programs: *Provided*, That of this amount, \$62,000,000
15 shall be for the Secretary of Defense to provide to the Gov-
16 ernment of Israel for the procurement of the Iron Dome
17 defense system to counter short-range rocket threats, sub-
18 ject to the U.S.-Israel Iron Dome Procurement Agree-
19 ment, as amended; \$266,511,000 shall be for the Short
20 Range Ballistic Missile Defense (SRBMD) program, in-
21 cluding cruise missile defense research and development
22 under the SRBMD program, of which \$150,000,000 shall
23 be for co-production activities of SRBMD missiles in the
24 United States and in Israel to meet Israel’s defense re-
25 quirements consistent with each nation’s laws, regulations,

1 and procedures, of which not more than \$90,000,000, sub-
2 ject to previously established transfer procedures, may be
3 obligated or expended until establishment of a U.S.-Israeli
4 co-production agreement for SRBMD; \$204,893,000 shall
5 be for an upper-tier component to the Israeli Missile De-
6 fense Architecture, of which \$120,000,000 shall be for co-
7 production activities of Arrow 3 Upper Tier missiles in
8 the United States and in Israel to meet Israel's defense
9 requirements consistent with each nation's laws, regula-
10 tions, and procedures, of which not more than
11 \$70,000,000 subject to previously established transfer
12 procedures, may be obligated or expended until establish-
13 ment of a U.S.-Israeli co-production agreement for Arrow
14 3 Upper Tier; and \$67,331,000 shall be for the Arrow
15 System Improvement Program including development of
16 a long range, ground and airborne, detection suite: *Pro-*
17 *vided further*, That the transfer authority provided under
18 this provision is in addition to any other transfer authority
19 contained in this Act.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8073. Of the amounts appropriated in this Act
22 under the heading "Shipbuilding and Conversion, Navy",
23 \$160,274,000 shall be available until September 30, 2017,
24 to fund prior year shipbuilding cost increases: *Provided*,
25 That upon enactment of this Act, the Secretary of the

1 Navy shall transfer funds to the following appropriations
2 in the amounts specified: *Provided further*, That the
3 amounts transferred shall be merged with and be available
4 for the same purposes as the appropriations to which
5 transferred to:

6 (1) Under the heading “Shipbuilding and Con-
7 version, Navy”, 2012/2017: LPD–17 Amphibious
8 Transport Dock Program \$45,060,000;

9 (2) Under the heading “Shipbuilding and Con-
10 version, Navy”, 2011/2017: DDG–51 Destroyer
11 \$15,959,000;

12 (3) Under the heading “Shipbuilding and Con-
13 version, Navy”, 2012/2017: Littoral Combat Ship
14 \$3,600,000;

15 (4) Under the heading “Shipbuilding and Con-
16 version, Navy”, 2013/2017: Littoral Combat Ship
17 \$82,400,000;

18 (5) Under the heading “Shipbuilding and Con-
19 version, Navy”, 2012/2017: Expeditionary Fast
20 Transport \$6,710,000; and

21 (6) Under the heading “Shipbuilding and Con-
22 version, Navy”, 2013/2017: Expeditionary Fast
23 Transport \$6,545,000.

24 SEC. 8074. Funds appropriated by this Act, or made
25 available by the transfer of funds in this Act, for intel-

1 ligenge activities are deemed to be specifically authorized
2 by the Congress for purposes of section 504 of the Na-
3 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
4 year 2017 until the enactment of the Intelligence Author-
5 ization Act for Fiscal Year 2017.

6 SEC. 8075. None of the funds provided in this Act
7 shall be available for obligation or expenditure through a
8 reprogramming of funds that creates or initiates a new
9 program, project, or activity unless such program, project,
10 or activity must be undertaken immediately in the interest
11 of national security and only after written prior notifica-
12 tion to the congressional defense committees.

13 SEC. 8076. The budget of the President for fiscal
14 year 2018 submitted to the Congress pursuant to section
15 1105 of title 31, United States Code, shall include sepa-
16 rate budget justification documents for costs of United
17 States Armed Forces' participation in contingency oper-
18 ations for the Military Personnel accounts, the Operation
19 and Maintenance accounts, the Procurement accounts,
20 and the Research, Development, Test and Evaluation ac-
21 counts: *Provided*, That these documents shall include a de-
22 scription of the funding requested for each contingency op-
23 eration, for each military service, to include all Active and
24 Reserve components, and for each appropriations account:
25 *Provided further*, That these documents shall include esti-

1 mated costs for each element of expense or object class,
2 a reconciliation of increases and decreases for each contin-
3 gency operation, and programmatic data including, but
4 not limited to, troop strength for each Active and Reserve
5 component, and estimates of the major weapons systems
6 deployed in support of each contingency: *Provided further*,
7 That these documents shall include budget exhibits OP-
8 5 and OP-32 (as defined in the Department of Defense
9 Financial Management Regulation) for all contingency op-
10 erations for the budget year and the two preceding fiscal
11 years.

12 SEC. 8077. None of the funds in this Act may be
13 used for research, development, test, evaluation, procure-
14 ment or deployment of nuclear armed interceptors of a
15 missile defense system.

16 SEC. 8078. Notwithstanding any other provision of
17 this Act, to reflect savings due to favorable foreign ex-
18 change rates, the total amount appropriated in this Act
19 is hereby reduced by \$157,000,000.

20 SEC. 8079. None of the funds appropriated or made
21 available in this Act shall be used to reduce or disestablish
22 the operation of the 53rd Weather Reconnaissance Squad-
23 ron of the Air Force Reserve, if such action would reduce
24 the WC-130 Weather Reconnaissance mission below the
25 levels funded in this Act: *Provided*, That the Air Force

1 shall allow the 53rd Weather Reconnaissance Squadron to
2 perform other missions in support of national defense re-
3 quirements during the non-hurricane season.

4 SEC. 8080. None of the funds provided in this Act
5 shall be available for integration of foreign intelligence in-
6 formation unless the information has been lawfully col-
7 lected and processed during the conduct of authorized for-
8 eign intelligence activities: *Provided*, That information
9 pertaining to United States persons shall only be handled
10 in accordance with protections provided in the Fourth
11 Amendment of the United States Constitution as imple-
12 mented through Executive Order No. 12333.

13 SEC. 8081. (a) None of the funds appropriated by
14 this Act may be used to transfer research and develop-
15 ment, acquisition, or other program authority relating to
16 current tactical unmanned aerial vehicles (TUAVs) from
17 the Army.

18 (b) The Army shall retain responsibility for and oper-
19 ational control of the MQ-1C Gray Eagle Unmanned Aer-
20 ial Vehicle (UAV) in order to support the Secretary of De-
21 fense in matters relating to the employment of unmanned
22 aerial vehicles.

23 SEC. 8082. Up to \$10,120,000 of the funds appro-
24 priated under the heading “Operation and Maintenance,
25 Navy” may be made available for the Asia Pacific Re-

1 gional Initiative Program for the purpose of enabling the
2 Pacific Command to execute Theater Security Cooperation
3 activities such as humanitarian assistance, and payment
4 of incremental and personnel costs of training and exer-
5 cising with foreign security forces: *Provided*, That funds
6 made available for this purpose may be used, notwith-
7 standing any other funding authorities for humanitarian
8 assistance, security assistance or combined exercise ex-
9 penses: *Provided further*, That funds may not be obligated
10 to provide assistance to any foreign country that is other-
11 wise prohibited from receiving such type of assistance
12 under any other provision of law.

13 SEC. 8083. None of the funds appropriated by this
14 Act for programs of the Office of the Director of National
15 Intelligence shall remain available for obligation beyond
16 the current fiscal year, except for funds appropriated for
17 research and technology, which shall remain available until
18 September 30, 2018.

19 SEC. 8084. For purposes of section 1553(b) of title
20 31, United States Code, any subdivision of appropriations
21 made in this Act under the heading “Shipbuilding and
22 Conversion, Navy” shall be considered to be for the same
23 purpose as any subdivision under the heading “Ship-
24 building and Conversion, Navy” appropriations in any

1 prior fiscal year, and the 1 percent limitation shall apply
2 to the total amount of the appropriation.

3 SEC. 8085. (a) Not later than 60 days after the date
4 of enactment of this Act, the Director of National Intel-
5 ligence shall submit a report to the congressional intel-
6 ligence committees to establish the baseline for application
7 of reprogramming and transfer authorities for fiscal year
8 2017: *Provided*, That the report shall include—

9 (1) a table for each appropriation with a sepa-
10 rate column to display the President's budget re-
11 quest, adjustments made by Congress, adjustments
12 due to enacted rescissions, if appropriate, and the
13 fiscal year enacted level;

14 (2) a delineation in the table for each appro-
15 priation by Expenditure Center and project; and

16 (3) an identification of items of special congres-
17 sional interest.

18 (b) None of the funds provided for the National Intel-
19 ligence Program in this Act shall be available for re-
20 programming or transfer until the report identified in sub-
21 section (a) is submitted to the congressional intelligence
22 committees, unless the Director of National Intelligence
23 certifies in writing to the congressional intelligence com-
24 mittees that such reprogramming or transfer is necessary
25 as an emergency requirement.

1 Year 2006 (Public Law 109–163; 119 Stat. 3456), or
2 peacekeeping operations for the countries designated an-
3 nually to be in violation of the standards of the Child Sol-
4 diers Prevention Act of 2008 (Public Law 110–457; 22
5 U.S.C. 2370e–1) may be used to support any military
6 training or operation that includes child soldiers, as de-
7 fined by the Child Soldiers Prevention Act of 2008, unless
8 such assistance is otherwise permitted under section 404
9 of the Child Soldiers Prevention Act of 2008.

10 SEC. 8089. Of the amounts appropriated for “Oper-
11 ation and Maintenance, Defense-Wide”, \$67,500,000, to
12 remain available until expended, shall be available, not-
13 withstanding any other provision of law, to the Secretary
14 of Defense acting through the Office of Economic Adjust-
15 ment of the Department of Defense to make grants, con-
16 clude cooperative agreements, and supplement other Fed-
17 eral funds to address the need for assistance to support
18 critical existing and enduring military installations and
19 missions on Guam, as well as any potential Department
20 of Defense growth, for purposes of addressing the need
21 for civilian water and wastewater improvements.

22 SEC. 8090. (a) None of the funds provided for the
23 National Intelligence Program in this or any prior appro-
24 priations Act shall be available for obligation or expendi-
25 ture through a reprogramming or transfer of funds in ac-

1 cordance with section 102A(d) of the National Security
2 Act of 1947 (50 U.S.C. 3024(d)) that—

3 (1) creates a new start effort;

4 (2) terminates a program with appropriated
5 funding of \$10,000,000 or more;

6 (3) transfers funding into or out of the Na-
7 tional Intelligence Program; or

8 (4) transfers funding between appropriations,
9 unless the congressional intelligence committees are
10 notified 30 days in advance of such reprogramming
11 of funds; this notification period may be reduced for
12 urgent national security requirements.

13 (b) None of the funds provided for the National Intel-
14 ligence Program in this or any prior appropriations Act
15 shall be available for obligation or expenditure through a
16 reprogramming or transfer of funds in accordance with
17 section 102A(d) of the National Security Act of 1947 (50
18 U.S.C. 3024(d)) that results in a cumulative increase or
19 decrease of the levels specified in the classified annex ac-
20 companying the Act unless the congressional intelligence
21 committees are notified 30 days in advance of such re-
22 programming of funds; this notification period may be re-
23 duced for urgent national security requirements.

24 SEC. 8091. The Director of National Intelligence
25 shall submit to Congress each year, at or about the time

1 that the President’s budget is submitted to Congress that
2 year under section 1105(a) of title 31, United States
3 Code, a future-years intelligence program (including asso-
4 ciated annexes) reflecting the estimated expenditures and
5 proposed appropriations included in that budget. Any such
6 future-years intelligence program shall cover the fiscal
7 year with respect to which the budget is submitted and
8 at least the four succeeding fiscal years.

9 SEC. 8092. For the purposes of this Act, the term
10 “congressional intelligence committees” means the Perma-
11 nent Select Committee on Intelligence of the House of
12 Representatives, the Select Committee on Intelligence of
13 the Senate, the Subcommittee on Defense of the Com-
14 mittee on Appropriations of the House of Representatives,
15 and the Subcommittee on Defense of the Committee on
16 Appropriations of the Senate.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 8093. During the current fiscal year, not to ex-
19 ceed \$11,000,000 from each of the appropriations made
20 in title II of this Act for “Operation and Maintenance,
21 Army”, “Operation and Maintenance, Navy”, and “Oper-
22 ation and Maintenance, Air Force” may be transferred by
23 the military department concerned to its central fund es-
24 tablished for Fisher Houses and Suites pursuant to sec-
25 tion 2493(d) of title 10, United States Code.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8094. Funds appropriated by this Act for oper-
3 ation and maintenance may be available for the purpose
4 of making remittances and transfer to the Defense Acqui-
5 sition Workforce Development Fund in accordance with
6 section 1705 of title 10, United States Code.

7 SEC. 8095. (a) Any agency receiving funds made
8 available in this Act, shall, subject to subsections (b) and
9 (c), post on the public Web site of that agency any report
10 required to be submitted by the Congress in this or any
11 other Act, upon the determination by the head of the agen-
12 cy that it shall serve the national interest.

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

14 (1) the public posting of the report com-
15 promises national security; or

16 (2) the report contains proprietary information.

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

21 SEC. 8096. (a) None of the funds appropriated or
22 otherwise made available by this Act may be expended for
23 any Federal contract for an amount in excess of
24 \$1,000,000, unless the contractor agrees not to—

1 (1) enter into any agreement with any of its
2 employees or independent contractors that requires,
3 as a condition of employment, that the employee or
4 independent contractor agree to resolve through ar-
5 bitration any claim under title VII of the Civil
6 Rights Act of 1964 or any tort related to or arising
7 out of sexual assault or harassment, including as-
8 sault and battery, intentional infliction of emotional
9 distress, false imprisonment, or negligent hiring, su-
10 pervision, or retention; or

11 (2) take any action to enforce any provision of
12 an existing agreement with an employee or inde-
13 pendent contractor that mandates that the employee
14 or independent contractor resolve through arbitra-
15 tion any claim under title VII of the Civil Rights Act
16 of 1964 or any tort related to or arising out of sex-
17 ual assault or harassment, including assault and
18 battery, intentional infliction of emotional distress,
19 false imprisonment, or negligent hiring, supervision,
20 or retention.

21 (b) None of the funds appropriated or otherwise
22 made available by this Act may be expended for any Fed-
23 eral contract unless the contractor certifies that it requires
24 each covered subcontractor to agree not to enter into, and
25 not to take any action to enforce any provision of, any

1 agreement as described in paragraphs (1) and (2) of sub-
2 section (a), with respect to any employee or independent
3 contractor performing work related to such subcontract.
4 For purposes of this subsection, a “covered subcon-
5 tractor” is an entity that has a subcontract in excess of
6 \$1,000,000 on a contract subject to subsection (a).

7 (c) The prohibitions in this section do not apply with
8 respect to a contractor’s or subcontractor’s agreements
9 with employees or independent contractors that may not
10 be enforced in a court of the United States.

11 (d) The Secretary of Defense may waive the applica-
12 tion of subsection (a) or (b) to a particular contractor or
13 subcontractor for the purposes of a particular contract or
14 subcontract if the Secretary or the Deputy Secretary per-
15 sonally determines that the waiver is necessary to avoid
16 harm to national security interests of the United States,
17 and that the term of the contract or subcontract is not
18 longer than necessary to avoid such harm. The determina-
19 tion shall set forth with specificity the grounds for the
20 waiver and for the contract or subcontract term selected,
21 and shall state any alternatives considered in lieu of a
22 waiver and the reasons each such alternative would not
23 avoid harm to national security interests of the United
24 States. The Secretary of Defense shall transmit to Con-
25 gress, and simultaneously make public, any determination

1 under this subsection not less than 15 business days be-
2 fore the contract or subcontract addressed in the deter-
3 mination may be awarded.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8097. From within the funds appropriated for
6 operation and maintenance for the Defense Health Pro-
7 gram in this Act, up to \$122,375,000, shall be available
8 for transfer to the Joint Department of Defense-Depart-
9 ment of Veterans Affairs Medical Facility Demonstration
10 Fund in accordance with the provisions of section 1704
11 of the National Defense Authorization Act for Fiscal Year
12 2010, Public Law 111-84: *Provided*, That for purposes
13 of section 1704(b), the facility operations funded are oper-
14 ations of the integrated Captain James A. Lovell Federal
15 Health Care Center, consisting of the North Chicago Vet-
16 erans Affairs Medical Center, the Navy Ambulatory Care
17 Center, and supporting facilities designated as a combined
18 Federal medical facility as described by section 706 of
19 Public Law 110-417: *Provided further*, That additional
20 funds may be transferred from funds appropriated for op-
21 eration and maintenance for the Defense Health Program
22 to the Joint Department of Defense-Department of Vet-
23 erans Affairs Medical Facility Demonstration Fund upon
24 written notification by the Secretary of Defense to the

1 Committees on Appropriations of the House of Represent-
2 atives and the Senate.

3 SEC. 8098. None of the funds appropriated or other-
4 wise made available by this Act may be used by the De-
5 partment of Defense or a component thereof in contraven-
6 tion of the provisions of section 130h of title 10, United
7 States Code.

8 SEC. 8099. Appropriations available to the Depart-
9 ment of Defense may be used for the purchase of heavy
10 and light armored vehicles for the physical security of per-
11 sonnel or for force protection purposes up to a limit of
12 \$450,000 per vehicle, notwithstanding price or other limi-
13 tations applicable to the purchase of passenger carrying
14 vehicles.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8100. Upon a determination by the Director of
17 National Intelligence that such action is necessary and in
18 the national interest, the Director may, with the approval
19 of the Office of Management and Budget, transfer not to
20 exceed \$1,500,000,000 of the funds made available in this
21 Act for the National Intelligence Program: *Provided*, That
22 such authority to transfer may not be used unless for
23 higher priority items, based on unforeseen intelligence re-
24 quirements, than those for which originally appropriated
25 and in no case where the item for which funds are re-

1 requested has been denied by the Congress: *Provided further*,
2 That a request for multiple reprogrammings of funds
3 using authority provided in this section shall be made
4 prior to June 30, 2017.

5 SEC. 8101. None of the funds appropriated or other-
6 wise made available in this or any other Act may be used
7 to transfer, release, or assist in the transfer or release to
8 or within the United States, its territories, or possessions
9 Khalid Sheikh Mohammed or any other detainee who—

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

12 (2) is or was held on or after June 24, 2009,
13 at United States Naval Station, Guantánamo Bay,
14 Cuba, by the Department of Defense.

15 SEC. 8102. (a) None of the funds appropriated or
16 otherwise made available in this or any other Act may be
17 used to construct, acquire, or modify any facility in the
18 United States, its territories, or possessions to house any
19 individual described in subsection (c) for the purposes of
20 detention or imprisonment in the custody or under the ef-
21 fective control of the Department of Defense.

22 (b) The prohibition in subsection (a) shall not apply
23 to any modification of facilities at United States Naval
24 Station, Guantánamo Bay, Cuba.

1 (c) An individual described in this subsection is any
2 individual who, as of June 24, 2009, is located at United
3 States Naval Station, Guantánamo Bay, Cuba, and who—

4 (1) is not a citizen of the United States or a
5 member of the Armed Forces of the United States;
6 and

7 (2) is—

8 (A) in the custody or under the effective
9 control of the Department of Defense; or

10 (B) otherwise under detention at United
11 States Naval Station, Guantánamo Bay, Cuba.

12 SEC. 8103. None of the funds appropriated or other-
13 wise made available in this Act may be used to transfer
14 any individual detained at United States Naval Station
15 Guantanamo Bay, Cuba, to the custody or control of the
16 individual's country of origin, any other foreign country,
17 or any other foreign entity except in accordance with sec-
18 tion 1034 of the National Defense Authorization Act for
19 Fiscal Year 2016 (Public Law 114–92) and section 1034
20 of the National Defense Authorization Act for Fiscal Year
21 2017 (Public Law 114–328).

22 SEC. 8104. None of the funds made available by this
23 Act may be used in contravention of the War Powers Res-
24 olution (50 U.S.C. 1541 et seq.).

1 SEC. 8105. (a) None of the funds appropriated or
2 otherwise made available by this or any other Act may
3 be used by the Secretary of Defense, or any other official
4 or officer of the Department of Defense, to enter into a
5 contract, memorandum of understanding, or cooperative
6 agreement with, or make a grant to, or provide a loan
7 or loan guarantee to Rosoboronexport or any subsidiary
8 of Rosoboronexport.

9 (b) The Secretary of Defense may waive the limita-
10 tion in subsection (a) if the Secretary, in consultation with
11 the Secretary of State and the Director of National Intel-
12 ligence, determines that it is in the vital national security
13 interest of the United States to do so, and certifies in writ-
14 ing to the congressional defense committees that, to the
15 best of the Secretary's knowledge:

16 (1) Rosoboronexport has ceased the transfer of
17 lethal military equipment to, and the maintenance of
18 existing lethal military equipment for, the Govern-
19 ment of the Syrian Arab Republic;

20 (2) The armed forces of the Russian Federation
21 have withdrawn from Crimea, other than armed
22 forces present on military bases subject to agree-
23 ments in force between the Government of the Rus-
24 sian Federation and the Government of Ukraine;
25 and

1 (3) Agents of the Russian Federation have
2 ceased taking active measures to destabilize the con-
3 trol of the Government of Ukraine over eastern
4 Ukraine.

5 (c) The Inspector General of the Department of De-
6 fense shall conduct a review of any action involving
7 Rosoboronexport with respect to a waiver issued by the
8 Secretary of Defense pursuant to subsection (b), and not
9 later than 90 days after the date on which such a waiver
10 is issued by the Secretary of Defense, the Inspector Gen-
11 eral shall submit to the congressional defense committees
12 a report containing the results of the review conducted
13 with respect to such waiver.

14 SEC. 8106. None of the funds made available in this
15 Act may be used for the purchase or manufacture of a
16 flag of the United States unless such flags are treated as
17 covered items under section 2533a(b) of title 10, United
18 States Code.

19 SEC. 8107. (a) Of the funds appropriated in this Act
20 for the Department of Defense, amounts may be made
21 available, under such regulations as the Secretary of De-
22 fense may prescribe, to local military commanders ap-
23 pointed by the Secretary, or by an officer or employee des-
24 ignated by the Secretary, to provide at their discretion ex
25 gratia payments in amounts consistent with subsection (d)

1 of this section for damage, personal injury, or death that
2 is incident to combat operations of the Armed Forces in
3 a foreign country.

4 (b) An ex gratia payment under this section may be
5 provided only if—

6 (1) the prospective foreign civilian recipient is
7 determined by the local military commander to be
8 friendly to the United States;

9 (2) a claim for damages would not be compen-
10 sable under chapter 163 of title 10, United States
11 Code (commonly known as the “Foreign Claims
12 Act”); and

13 (3) the property damage, personal injury, or
14 death was not caused by action by an enemy.

15 (c) NATURE OF PAYMENTS.—Any payments provided
16 under a program under subsection (a) shall not be consid-
17 ered an admission or acknowledgement of any legal obliga-
18 tion to compensate for any damage, personal injury, or
19 death.

20 (d) AMOUNT OF PAYMENTS.—If the Secretary of De-
21 fense determines a program under subsection (a) to be ap-
22 propriate in a particular setting, the amounts of pay-
23 ments, if any, to be provided to civilians determined to
24 have suffered harm incident to combat operations of the
25 Armed Forces under the program should be determined

1 pursuant to regulations prescribed by the Secretary and
2 based on an assessment, which should include such factors
3 as cultural appropriateness and prevailing economic condi-
4 tions.

5 (e) LEGAL ADVICE.—Local military commanders
6 shall receive legal advice before making ex gratia pay-
7 ments under this subsection. The legal advisor, under reg-
8 ulations of the Department of Defense, shall advise on
9 whether an ex gratia payment is proper under this section
10 and applicable Department of Defense regulations.

11 (f) WRITTEN RECORD.—A written record of any ex
12 gratia payment offered or denied shall be kept by the local
13 commander and on a timely basis submitted to the appro-
14 priate office in the Department of Defense as determined
15 by the Secretary of Defense.

16 (g) REPORT.—The Secretary of Defense shall report
17 to the congressional defense committees on an annual
18 basis the efficacy of the ex gratia payment program in-
19 cluding the number of types of cases considered, amounts
20 offered, the response from ex gratia payment recipients,
21 and any recommended modifications to the program.

22 SEC. 8108. None of the funds available in this Act
23 to the Department of Defense, other than appropriations
24 made for necessary or routine refurbishments, upgrades
25 or maintenance activities, shall be used to reduce or to

1 prepare to reduce the number of deployed and non-de-
2 ployed strategic delivery vehicles and launchers below the
3 levels set forth in the report submitted to Congress in ac-
4 cordance with section 1042 of the National Defense Au-
5 thorization Act for Fiscal Year 2012.

6 SEC. 8109. The Secretary of Defense shall post grant
7 awards on a public Web site in a searchable format.

8 SEC. 8110. None of the funds made available by this
9 Act may be used to fund the performance of a flight dem-
10 onstration team at a location outside of the United States:
11 *Provided*, That this prohibition applies only if a perform-
12 ance of a flight demonstration team at a location within
13 the United States was canceled during the current fiscal
14 year due to insufficient funding.

15 SEC. 8111. None of the funds made available by this
16 Act may be used by the National Security Agency to—

17 (1) conduct an acquisition pursuant to section
18 702 of the Foreign Intelligence Surveillance Act of
19 1978 for the purpose of targeting a United States
20 person; or

21 (2) acquire, monitor, or store the contents (as
22 such term is defined in section 2510(8) of title 18,
23 United States Code) of any electronic communica-
24 tion of a United States person from a provider of
25 electronic communication services to the public pur-

1 suant to section 501 of the Foreign Intelligence Sur-
2 veillance Act of 1978.

3 SEC. 8112. None of the funds made available by this
4 Act may be obligated or expended to implement the Arms
5 Trade Treaty until the Senate approves a resolution of
6 ratification for the Treaty.

7 SEC. 8113. None of the funds made available in this
8 or any other Act may be used to pay the salary of any
9 officer or employee of any agency funded by this Act who
10 approves or implements the transfer of administrative re-
11 sponsibilities or budgetary resources of any program,
12 project, or activity financed by this Act to the jurisdiction
13 of another Federal agency not financed by this Act with-
14 out the express authorization of Congress: *Provided*, That
15 this limitation shall not apply to transfers of funds ex-
16 pressly provided for in Defense Appropriations Acts, or
17 provisions of Acts providing supplemental appropriations
18 for the Department of Defense.

19 SEC. 8114. None of the funds made available in this
20 Act may be obligated for activities authorized under sec-
21 tion 1208 of the Ronald W. Reagan National Defense Au-
22 thorization Act for Fiscal Year 2005 (Public Law 112–
23 81; 125 Stat. 1621) to initiate support for, or expand sup-
24 port to, foreign forces, irregular forces, groups, or individ-
25 uals unless the congressional defense committees are noti-

1 fied in accordance with the direction contained in the clas-
2 sified annex accompanying this Act, not less than 15 days
3 before initiating such support: *Provided*, That none of the
4 funds made available in this Act may be used under sec-
5 tion 1208 for any activity that is not in support of an
6 ongoing military operation being conducted by United
7 States Special Operations Forces to combat terrorism:
8 *Provided further*, That the Secretary of Defense may waive
9 the prohibitions in this section if the Secretary determines
10 that such waiver is required by extraordinary cir-
11 cumstances and, by not later than 72 hours after making
12 such waiver, notifies the congressional defense committees
13 of such waiver.

14 SEC. 8115. None of the funds made available by this
15 Act may be used with respect to Iraq in contravention of
16 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-
17 cluding for the introduction of United States armed forces
18 into hostilities in Iraq, into situations in Iraq where immi-
19 nent involvement in hostilities is clearly indicated by the
20 circumstances, or into Iraqi territory, airspace, or waters
21 while equipped for combat, in contravention of the con-
22 gressional consultation and reporting requirements of sec-
23 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and
24 1543).

1 SEC. 8116. None of the funds made available by this
2 Act may be used to divest, retire, transfer, or place in stor-
3 age or on backup aircraft inventory status, or prepare to
4 divest, retire, transfer, or place in storage or on backup
5 aircraft inventory status, any A-10 aircraft, or to dis-
6 establish any units of the active or reserve component as-
7 sociated with such aircraft.

8 SEC. 8117. None of the funds provided in this Act
9 for the T-AO(X) program shall be used to award a new
10 contract that provides for the acquisition of the following
11 components unless those components are manufactured in
12 the United States: Auxiliary equipment (including pumps)
13 for shipboard services; propulsion equipment (including
14 engines, reduction gears, and propellers); shipboard
15 cranes; and spreaders for shipboard cranes.

16 SEC. 8118. The amount appropriated in title II of
17 this Act for “Operation and Maintenance, Army” is here-
18 by reduced by \$336,000,000 to reflect excess cash bal-
19 ances in Department of Defense Working Capital Funds.

20 SEC. 8119. Notwithstanding any other provision of
21 this Act, to reflect savings due to lower than anticipated
22 fuel costs, the total amount appropriated in title II of this
23 Act is hereby reduced by \$1,155,000,000.

1 SEC. 8120. None of the funds made available by this
2 Act may be used to divest or retire, or to prepare to divest
3 or retire, KC-10 aircraft.

4 SEC. 8121. None of the funds made available by this
5 Act may be used to divest, retire, transfer, or place in stor-
6 age or on backup aircraft inventory status, or prepare to
7 divest, retire, transfer, or place in storage or on backup
8 aircraft inventory status, any EC-130H aircraft.

9 SEC. 8122. None of the funds made available by this
10 Act may be used for Government Travel Charge Card ex-
11 penses by military or civilian personnel of the Department
12 of Defense for gaming, or for entertainment that includes
13 topless or nude entertainers or participants, as prohibited
14 by Department of Defense FMR, Volume 9, Chapter 3
15 and Department of Defense Instruction 1015.10 (enclo-
16 sure 3, 14a and 14b).

17 SEC. 8123. None of the funds made available by this
18 Act may be used to propose, plan for, or execute a new
19 or additional Base Realignment and Closure (BRAC)
20 round.

21 SEC. 8124. Of the amounts appropriated in this Act
22 for “Operation and Maintenance, Navy”, \$274,524,000,
23 to remain available until expended, may be used for any
24 purposes related to the National Defense Reserve Fleet
25 established under section 11 of the Merchant Ship Sales

1 Act of 1946 (50 U.S.C. 4405): *Provided*, That such
2 amounts are available for reimbursements to the Ready
3 Reserve Force, Maritime Administration account of the
4 United States Department of Transportation for pro-
5 grams, projects, activities, and expenses related to the Na-
6 tional Defense Reserve Fleet.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 8125. Of the amounts appropriated in this Act,
9 the Secretary of Defense may use up to \$20,000,000
10 under the heading “Operation and Maintenance, Defense-
11 Wide”, and up to \$75,000,000 under the heading “Re-
12 search, Development, Test and Evaluation, Defense-
13 Wide” to develop, replace, and sustain Federal Govern-
14 ment security and suitability background investigation in-
15 formation technology systems of the Office of Personnel
16 Management or other Federal agency responsible for con-
17 ducting such investigations: *Provided*, That the Secretary
18 may reprogram or transfer additional amounts into these
19 headings or into “Procurement, Defense-Wide” using es-
20 tablished reprogramming procedures applicable to con-
21 gressional special interest items: *Provided further*, That
22 such funds shall supplement, not supplant any other
23 amounts made available to other Federal agencies for such
24 purposes.

1 tion is subject to the same terms and conditions as the
2 authority provided in section 8005 of this Act.

3 SEC. 8129. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network is designed to block access
6 to pornography websites.

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

13 (RESCISSION)

14 SEC. 8130. (a) The Ship Modernization, Operations
15 and Sustainment Fund established by section 8103 of the
16 Department of Defense Appropriations Act, 2013 (division
17 C of Public Law 113–6; 127 Stat. 321) is hereby termi-
18 nated, effective as of the date of the enactment of this
19 Act.

20 (b) Any unobligated balances in the Ship Moderniza-
21 tion, Operations and Sustainment Fund as of the date of
22 the enactment of this Act are hereby rescinded.

23 SEC. 8131. None of the funds made available by this
24 Act may be used to provide arms, training, or other assist-
25 ance to the Azov Battalion.

1 SEC. 8132. Notwithstanding any other provision of
2 law, any transfer of funds appropriated or otherwise made
3 available by this Act to the Global Engagement Center
4 pursuant to section 1287 of the National Defense Author-
5 ization Act for Fiscal Year 2017 (Public Law 114–328)
6 shall be made in accordance with section 8005 or 9002
7 of this Act, as applicable.

8 SEC. 8133. No amounts credited or otherwise made
9 available in this or any other Act to the Department of
10 Defense Acquisition Workforce Development Fund may be
11 transferred to:

12 (1) the Rapid Prototyping Fund established
13 under section 804(d) of the National Defense Au-
14 thorization Act for Fiscal Year 2016 (10 U.S.C.
15 2302 note); or

16 (2) credited to a military-department specific
17 fund established under section 804(d)(2) of the Na-
18 tional Defense Authorization Act for Fiscal Year
19 2016 (as amended by section 897 of the National
20 Defense Authorization Act for Fiscal Year 2017).

21 SEC. 8134. No funds provided in this Act shall be
22 used to deny an Inspector General funded under this Act
23 timely access to any records, documents, or other mate-
24 rials available to the department or agency over which that
25 Inspector General has responsibilities under the Inspector

1 General Act of 1978, or to prevent or impede that Inspec-
2 tor General's access to such records, documents, or other
3 materials, under any provision of law, except a provision
4 of law that expressly refers to the Inspector General and
5 expressly limits the Inspector General's right of access. A
6 department or agency covered by this section shall provide
7 its Inspector General with access to all such records, docu-
8 ments, and other materials in a timely manner. Each In-
9 spector General shall ensure compliance with statutory
10 limitations on disclosure relevant to the information pro-
11 vided by the establishment over which that Inspector Gen-
12 eral has responsibilities under the Inspector General Act
13 of 1978. Each Inspector General covered by this section
14 shall report to the Committees on Appropriations of the
15 House of Representatives and the Senate within 5 cal-
16 endar days any failures to comply with this requirement.

1 TITLE IX
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3 WAR ON TERRORISM
4 MILITARY PERSONNEL
5 MILITARY PERSONNEL, ARMY

6 For an additional amount for “Military Personnel,
7 Army”, \$1,948,648,000: *Provided*, That such amount is
8 designated by the Congress for Overseas Contingency Op-
9 erations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 MILITARY PERSONNEL, NAVY

13 For an additional amount for “Military Personnel,
14 Navy”, \$327,427,000: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 MILITARY PERSONNEL, MARINE CORPS

20 For an additional amount for “Military Personnel,
21 Marine Corps”, \$179,733,000: *Provided*, That such
22 amount is designated by the Congress for Overseas Con-
23 tingency Operations/Global War on Terrorism pursuant to
24 section 251(b)(2)(A)(ii) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985.

1 MILITARY PERSONNEL, AIR FORCE

2 For an additional amount for “Military Personnel,
3 Air Force”, \$705,706,000: *Provided*, That such amount
4 is designated by the Congress for Overseas Contingency
5 Operations/Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985.

8 RESERVE PERSONNEL, ARMY

9 For an additional amount for “Reserve Personnel,
10 Army”, \$42,506,000: *Provided*, That such amount is des-
11 ignated by the Congress for Overseas Contingency Oper-
12 ations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 RESERVE PERSONNEL, NAVY

16 For an additional amount for “Reserve Personnel,
17 Navy”, \$11,929,000: *Provided*, That such amount is des-
18 ignated by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 RESERVE PERSONNEL, MARINE CORPS

23 For an additional amount for “Reserve Personnel,
24 Marine Corps”, \$3,764,000: *Provided*, That such amount
25 is designated by the Congress for Overseas Contingency

1 Operations/Global War on Terrorism pursuant to section
2 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 RESERVE PERSONNEL, AIR FORCE

5 For an additional amount for “Reserve Personnel,
6 Air Force”, \$20,535,000: *Provided*, That such amount is
7 designated by the Congress for Overseas Contingency Op-
8 erations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 NATIONAL GUARD PERSONNEL, ARMY

12 For an additional amount for “National Guard Per-
13 sonnel, Army”, \$196,472,000: *Provided*, That such
14 amount is designated by the Congress for Overseas Con-
15 tingency Operations/Global War on Terrorism pursuant to
16 section 251(b)(2)(A)(ii) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, AIR FORCE

19 For an additional amount for “National Guard Per-
20 sonnel, Air Force”, \$5,288,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE

2 OPERATION AND MAINTENANCE, ARMY

3 For an additional amount for “Operation and Main-
4 tenance, Army”, \$15,693,068,000: *Provided*, That such
5 amount is designated by the Congress for Overseas Con-
6 tingency Operations/Global War on Terrorism pursuant to
7 section 251(b)(2)(A)(ii) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 OPERATION AND MAINTENANCE, NAVY

10 For an additional amount for “Operation and Main-
11 tenance, Navy”, \$7,887,349,000: *Provided*, That such
12 amount is designated by the Congress for Overseas Con-
13 tingency Operations/Global War on Terrorism pursuant to
14 section 251(b)(2)(A)(ii) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, MARINE CORPS

17 For an additional amount for “Operation and Main-
18 tenance, Marine Corps”, \$1,607,259,000: *Provided*, That
19 such amount is designated by the Congress for Overseas
20 Contingency Operations/Global War on Terrorism pursu-
21 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
22 and Emergency Deficit Control Act of 1985.

23 OPERATION AND MAINTENANCE, AIR FORCE

24 For an additional amount for “Operation and Main-
25 tenance, Air Force”, \$10,556,598,000: *Provided*, That

1 such amount is designated by the Congress for Overseas
2 Contingency Operations/Global War on Terrorism pursu-
3 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
4 and Emergency Deficit Control Act of 1985.

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE

6 For an additional amount for “Operation and Main-
7 tenance, Defense-Wide”, \$6,476,649,000: *Provided*, That
8 of the funds provided under this heading, not to exceed
9 \$920,000,000, to remain available until September 30,
10 2018, shall be for payments to reimburse key cooperating
11 nations for logistical, military, and other support, includ-
12 ing access, provided to United States military and stability
13 operations in Afghanistan and to counter the Islamic
14 State of Iraq and the Levant: *Provided further*, That such
15 reimbursement payments may be made in such amounts
16 as the Secretary of Defense, with the concurrence of the
17 Secretary of State, and in consultation with the Director
18 of the Office of Management and Budget, may determine,
19 based on documentation determined by the Secretary of
20 Defense to adequately account for the support provided,
21 and such determination is final and conclusive upon the
22 accounting officers of the United States, and 15 days fol-
23 lowing notification to the appropriate congressional com-
24 mittees: *Provided further*, That these funds may be used
25 for the purpose of providing specialized training and pro-

1 curing supplies and specialized equipment and providing
2 such supplies and loaning such equipment on a non-reim-
3 bursable basis to coalition forces supporting United States
4 military and stability operations in Afghanistan and to
5 counter the Islamic State of Iraq and the Levant, and 15
6 days following notification to the appropriate congres-
7 sional committees: *Provided further*, That these funds may
8 be used to support the Government of Jordan, in such
9 amounts as the Secretary of Defense may determine, to
10 enhance the ability of the armed forces of Jordan to in-
11 crease or sustain security along its borders, upon 15 days
12 prior written notification to the congressional defense
13 committees outlining the amounts intended to be provided
14 and the nature of the expenses incurred: *Provided further*,
15 That of the funds provided under this heading, not to ex-
16 ceed \$750,000,000, to remain available until September
17 30, 2018, shall be available to provide support and assist-
18 ance to foreign security forces or other groups or individ-
19 uals to conduct, support or facilitate counterterrorism, cri-
20 sis response, or other Department of Defense security co-
21 operation programs: *Provided further*, That of the funds
22 provided under this heading, up to \$30,000,000 shall be
23 for Operation Observant Compass: *Provided further*, That
24 the Secretary of Defense shall provide quarterly reports
25 to the congressional defense committees on the use of

1 funds provided in this paragraph: *Provided further*, That
2 such amount is designated by the Congress for Overseas
3 Contingency Operations/Global War on Terrorism pursu-
4 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
5 and Emergency Deficit Control Act of 1985.

6 OPERATION AND MAINTENANCE, ARMY RESERVE

7 For an additional amount for “Operation and Main-
8 tenance, Army Reserve”, \$38,679,000: *Provided*, That
9 such amount is designated by the Congress for Overseas
10 Contingency Operations/Global War on Terrorism pursu-
11 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
12 and Emergency Deficit Control Act of 1985.

13 OPERATION AND MAINTENANCE, NAVY RESERVE

14 For an additional amount for “Operation and Main-
15 tenance, Navy Reserve”, \$26,265,000: *Provided*, That
16 such amount is designated by the Congress for Overseas
17 Contingency Operations/Global War on Terrorism pursu-
18 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
19 and Emergency Deficit Control Act of 1985.

20 OPERATION AND MAINTENANCE, MARINE CORPS

21 RESERVE

22 For an additional amount for “Operation and Main-
23 tenance, Marine Corps Reserve”, \$3,304,000: *Provided*,
24 That such amount is designated by the Congress for Over-
25 seas Contingency Operations/Global War on Terrorism

1 pursuant to section 251(b)(2)(A)(ii) of the Balanced
2 Budget and Emergency Deficit Control Act of 1985.

3 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

4 For an additional amount for “Operation and Main-
5 tenance, Air Force Reserve”, \$57,586,000: *Provided*, That
6 such amount is designated by the Congress for Overseas
7 Contingency Operations/Global War on Terrorism pursu-
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985.

10 OPERATION AND MAINTENANCE, ARMY NATIONAL

11 GUARD

12 For an additional amount for “Operation and Main-
13 tenance, Army National Guard”, \$127,035,000: *Provided*,
14 That such amount is designated by the Congress for Over-
15 seas Contingency Operations/Global War on Terrorism
16 pursuant to section 251(b)(2)(A)(ii) of the Balanced
17 Budget and Emergency Deficit Control Act of 1985.

18 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

19 For an additional amount for “Operation and Main-
20 tenance, Air National Guard”, \$20,000,000: *Provided*,
21 That such amount is designated by the Congress for Over-
22 seas Contingency Operations/Global War on Terrorism
23 pursuant to section 251(b)(2)(A)(ii) of the Balanced
24 Budget and Emergency Deficit Control Act of 1985.

1 AFGHANISTAN SECURITY FORCES FUND

2 For the “Afghanistan Security Forces Fund”,
3 \$4,262,715,000, to remain available until September 30,
4 2018: *Provided*, That such funds shall be available to the
5 Secretary of Defense, notwithstanding any other provision
6 of law, for the purpose of allowing the Commander, Com-
7 bined Security Transition Command—Afghanistan, or the
8 Secretary’s designee, to provide assistance, with the con-
9 currence of the Secretary of State, to the security forces
10 of Afghanistan, including the provision of equipment, sup-
11 plies, services, training, facility and infrastructure repair,
12 renovation, construction, and funding: *Provided further*,
13 That the Secretary of Defense may obligate and expend
14 funds made available to the Department of Defense in this
15 title for additional costs associated with existing projects
16 previously funded with amounts provided under the head-
17 ing “Afghanistan Infrastructure Fund” in prior Acts: *Pro-*
18 *vided further*, That such costs shall be limited to contract
19 changes resulting from inflation, market fluctuation, rate
20 adjustments, and other necessary contract actions to com-
21 plete existing projects, and associated supervision and ad-
22 ministration costs and costs for design during construc-
23 tion: *Provided further*, That the Secretary may not use
24 more than \$50,000,000 under the authority provided in
25 this section: *Provided further*, That the Secretary shall no-

1 tify in advance such contract changes and adjustments in
2 annual reports to the congressional defense committees:
3 *Provided further*, That the authority to provide assistance
4 under this heading is in addition to any other authority
5 to provide assistance to foreign nations: *Provided further*,
6 That contributions of funds for the purposes provided
7 herein from any person, foreign government, or inter-
8 national organization may be credited to this Fund, to re-
9 main available until expended, and used for such purposes:
10 *Provided further*, That the Secretary of Defense shall no-
11 tify the congressional defense committees in writing upon
12 the receipt and upon the obligation of any contribution,
13 delineating the sources and amounts of the funds received
14 and the specific use of such contributions: *Provided fur-*
15 *ther*, That the Secretary of Defense shall, not fewer than
16 15 days prior to obligating from this appropriation ac-
17 count, notify the congressional defense committees in writ-
18 ing of the details of any such obligation: *Provided further*,
19 That the Secretary of Defense shall notify the congres-
20 sional defense committees of any proposed new projects
21 or transfer of funds between budget sub-activity groups
22 in excess of \$20,000,000: *Provided further*, That the
23 United States may accept equipment procured using funds
24 provided under this heading in this or prior Acts that was
25 transferred to the security forces of Afghanistan and re-

1 turned by such forces to the United States: *Provided fur-*
2 *ther*, That equipment procured using funds provided under
3 this heading in this or prior Acts, and not yet transferred
4 to the security forces of Afghanistan or transferred to the
5 security forces of Afghanistan and returned by such forces
6 to the United States, may be treated as stocks of the De-
7 partment of Defense upon written notification to the con-
8 gressional defense committees: *Provided further*, That of
9 the funds provided under this heading, not less than
10 \$10,000,000 shall be for recruitment and retention of
11 women in the Afghanistan National Security Forces, and
12 the recruitment and training of female security personnel:
13 *Provided further*, That such amount is designated by the
14 Congress for Overseas Contingency Operations/Global
15 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
16 the Balanced Budget and Emergency Deficit Control Act
17 of 1985.

18 COUNTER-ISIL TRAIN AND EQUIP FUND

19 For the “Counter-Islamic State of Iraq and the Le-
20 vant Train and Equip Fund”, \$980,000,000, to remain
21 available until September 30, 2018: *Provided*, That such
22 funds shall be available to the Secretary of Defense in co-
23 ordination with the Secretary of State, to provide assist-
24 ance, including training; equipment; logistics support, sup-
25 plies, and services; stipends; infrastructure repair and ren-

1 ovation; and sustainment, to foreign security forces, irreg-
2 ular forces, groups, or individuals participating, or pre-
3 paring to participate in activities to counter the Islamic
4 State of Iraq and the Levant, and their affiliated or asso-
5 ciated groups: *Provided further*, That these funds may be
6 used, in such amounts as the Secretary of Defense may
7 determine, to enhance the border security of nations adja-
8 cent to conflict areas, including Jordan and Lebanon, re-
9 sulting from actions of the Islamic State of Iraq and the
10 Levant: *Provided further*, That amounts made available
11 under this heading shall be available to provide assistance
12 only for activities in a country designated by the Secretary
13 of Defense, in coordination with the Secretary of State,
14 as having a security mission to counter the Islamic State
15 of Iraq and the Levant, and following written notification
16 to the congressional defense committees of such designa-
17 tion: *Provided further*, That the Secretary of Defense shall
18 ensure that prior to providing assistance to elements of
19 any forces or individuals, such elements or individuals are
20 appropriately vetted, including at a minimum, assessing
21 such elements for associations with terrorist groups or
22 groups associated with the Government of Iran; and re-
23 ceiving commitments from such elements to promote re-
24 spect for human rights and the rule of law: *Provided fur-*
25 *ther*, That the Secretary of Defense shall, not fewer than

1 15 days prior to obligating from this appropriation ac-
2 count, notify the congressional defense committees in writ-
3 ing of the details of any such obligation: *Provided further*,
4 That the Secretary of Defense may accept and retain con-
5 tributions, including assistance in-kind, from foreign gov-
6 ernments, including the Government of Iraq and other en-
7 tities, to carry out assistance authorized under this head-
8 ing: *Provided further*, That contributions of funds for the
9 purposes provided herein from any foreign government or
10 other entity may be credited to this Fund, to remain avail-
11 able until expended, and used for such purposes: *Provided*
12 *further*, That the Secretary of Defense may waive a provi-
13 sion of law relating to the acquisition of items and support
14 services or sections 40 and 40A of the Arms Export Con-
15 trol Act (22 U.S.C. 2780 and 2785) if the Secretary deter-
16 mines that such provision of law would prohibit, restrict,
17 delay or otherwise limit the provision of such assistance
18 and a notice of and justification for such waiver is sub-
19 mitted to the congressional defense committees, the Com-
20 mittees on Appropriations and Foreign Relations of the
21 Senate and the Committees on Appropriations and For-
22 eign Affairs of the House of Representatives: *Provided fur-*
23 *ther*, That the United States may accept equipment pro-
24 cured using funds provided under this heading, or under
25 the heading, “Iraq Train and Equip Fund” in prior Acts,

1 that was transferred to security forces, irregular forces,
2 or groups participating, or preparing to participate in ac-
3 tivities to counter the Islamic State of Iraq and the Levant
4 and returned by such forces or groups to the United
5 States, may be treated as stocks of the Department of De-
6 fense upon written notification to the congressional de-
7 fense committees: *Provided further*, That equipment pro-
8 cured using funds provided under this heading, or under
9 the heading, “Iraq Train and Equip Fund” in prior Acts,
10 and not yet transferred to security forces, irregular forces,
11 or groups participating, or preparing to participate in ac-
12 tivities to counter the Islamic State of Iraq and the Levant
13 may be treated as stocks of the Department of Defense
14 when determined by the Secretary to no longer be required
15 for transfer to such forces or groups and upon written
16 notification to the congressional defense committees: *Pro-*
17 *vided further*, That the Secretary of Defense shall provide
18 quarterly reports to the congressional defense committees
19 on the use of funds provided under this heading, including,
20 but not limited to, the number of individuals trained, the
21 nature and scope of support and sustainment provided to
22 each group or individual, the area of operations for each
23 group, and the contributions of other countries, groups,
24 or individuals: *Provided further*, That such amount is des-
25 ignated by the Congress for Overseas Contingency Oper-

1 ations/Global War on Terrorism pursuant to section
2 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 PROCUREMENT

5 AIRCRAFT PROCUREMENT, ARMY

6 For an additional amount for “Aircraft Procurement,
7 Army”, \$313,171,000, to remain available until Sep-
8 tember 30, 2019: *Provided*, That such amount is des-
9 ignated by the Congress for Overseas Contingency Oper-
10 ations/Global War on Terrorism pursuant to section
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 MISSILE PROCUREMENT, ARMY

14 For an additional amount for “Missile Procurement,
15 Army”, \$405,317,000, to remain available until Sep-
16 tember 30, 2019: *Provided*, That such amount is des-
17 ignated by the Congress for Overseas Contingency Oper-
18 ations/Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

22 VEHICLES, ARMY

23 For an additional amount for “Procurement of Weap-
24 ons and Tracked Combat Vehicles, Army”, \$395,944,000,
25 to remain available until September 30, 2019: *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 PROCUREMENT OF AMMUNITION, ARMY

6 For an additional amount for “Procurement of Am-
7 muniton, Army”, \$290,670,000, to remain available until
8 September 30, 2019: *Provided*, That such amount is des-
9 ignated by the Congress for Overseas Contingency Oper-
10 ations/Global War on Terrorism pursuant to section
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 OTHER PROCUREMENT, ARMY

14 For an additional amount for “Other Procurement,
15 Army”, \$1,343,010,000, to remain available until Sep-
16 tember 30, 2019: *Provided*, That such amount is des-
17 ignated by the Congress for Overseas Contingency Oper-
18 ations/Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 AIRCRAFT PROCUREMENT, NAVY

22 For an additional amount for “Aircraft Procurement,
23 Navy”, \$367,930,000, to remain available until September
24 30, 2019: *Provided*, That such amount is designated by
25 the Congress for Overseas Contingency Operations/Global

1 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
2 the Balanced Budget and Emergency Deficit Control Act
3 of 1985.

4 WEAPONS PROCUREMENT, NAVY

5 For an additional amount for “Weapons Procure-
6 ment, Navy”, \$8,600,000, to remain available until Sep-
7 tember 30, 2019: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 PROCUREMENT OF AMMUNITION, NAVY AND MARINE

13 CORPS

14 For an additional amount for “Procurement of Am-
15 munition, Navy and Marine Corps”, \$65,380,000, to re-
16 main available until September 30, 2019: *Provided*, That
17 such amount is designated by the Congress for Overseas
18 Contingency Operations/Global War on Terrorism pursu-
19 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
20 and Emergency Deficit Control Act of 1985.

21 OTHER PROCUREMENT, NAVY

22 For an additional amount for “Other Procurement,
23 Navy”, \$99,786,000, to remain available until September
24 30, 2019: *Provided*, That such amount is designated by
25 the Congress for Overseas Contingency Operations/Global

1 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
2 the Balanced Budget and Emergency Deficit Control Act
3 of 1985.

4 PROCUREMENT, MARINE CORPS

5 For an additional amount for “Procurement, Marine
6 Corps”, \$118,939,000, to remain available until Sep-
7 tember 30, 2019: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 AIRCRAFT PROCUREMENT, AIR FORCE

13 For an additional amount for “Aircraft Procurement,
14 Air Force”, \$927,249,000, to remain available until Sep-
15 tember 30, 2019: *Provided*, That such amount is des-
16 ignated by the Congress for Overseas Contingency Oper-
17 ations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 MISSILE PROCUREMENT, AIR FORCE

21 For an additional amount for “Missile Procurement,
22 Air Force”, \$235,095,000, to remain available until Sep-
23 tember 30, 2019: *Provided*, That such amount is des-
24 ignated by the Congress for Overseas Contingency Oper-
25 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 PROCUREMENT OF AMMUNITION, AIR FORCE

4 For an additional amount for “Procurement of Am-
5 munition, Air Force”, \$273,345,000, to remain available
6 until September 30, 2019: *Provided*, That such amount
7 is designated by the Congress for Overseas Contingency
8 Operations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 OTHER PROCUREMENT, AIR FORCE

12 For an additional amount for “Other Procurement,
13 Air Force”, \$3,529,456,000, to remain available until
14 September 30, 2019: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 PROCUREMENT, DEFENSE-WIDE

20 For an additional amount for “Procurement, De-
21 fense-Wide”, \$244,184,000, to remain available until Sep-
22 tember 30, 2019: *Provided*, That such amount is des-
23 ignated by the Congress for Overseas Contingency Oper-
24 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

4 For procurement of rotary-wing aircraft; combat, tac-
5 tical and support vehicles; other weapons; and other pro-
6 curement items for the reserve components of the Armed
7 Forces, \$750,000,000, to remain available for obligation
8 until September 30, 2019: *Provided*, That the Chiefs of
9 National Guard and Reserve components shall, not later
10 than 30 days after enactment of this Act, individually sub-
11 mit to the congressional defense committees the mod-
12 ernization priority assessment for their respective Na-
13 tional Guard or Reserve component: *Provided further*,
14 That none of the funds made available by this paragraph
15 may be used to procure manned fixed wing aircraft, or
16 procure or modify missiles, munitions, or ammunition:
17 *Provided further*, That such amount is designated by the
18 Congress for Overseas Contingency Operations/Global
19 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
20 the Balanced Budget and Emergency Deficit Control Act
21 of 1985.

1 RESEARCH, DEVELOPMENT, TEST AND
2 EVALUATION

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 ARMY

5 For an additional amount for “Research, Develop-
6 ment, Test and Evaluation, Army”, \$100,522,000, to re-
7 main available until September 30, 2018: *Provided*, That
8 such amount is designated by the Congress for Overseas
9 Contingency Operations/Global War on Terrorism pursu-
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985.

12 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
13 NAVY

14 For an additional amount for “Research, Develop-
15 ment, Test and Evaluation, Navy”, \$78,323,000, to re-
16 main available until September 30, 2018: *Provided*, That
17 such amount is designated by the Congress for Overseas
18 Contingency Operations/Global War on Terrorism pursu-
19 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
20 and Emergency Deficit Control Act of 1985.

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
22 AIR FORCE

23 For an additional amount for “Research, Develop-
24 ment, Test and Evaluation, Air Force”, \$67,905,000, to
25 remain available until September 30, 2018: *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 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
6 DEFENSE-WIDE

7 For an additional amount for “Research, Develop-
8 ment, Test and Evaluation, Defense-Wide”,
9 \$159,919,000, to remain available until September 30,
10 2018: *Provided*, That such amount is designated by the
11 Congress for Overseas Contingency Operations/Global
12 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
13 the Balanced Budget and Emergency Deficit Control Act
14 of 1985.

15 REVOLVING AND MANAGEMENT FUNDS

16 DEFENSE WORKING CAPITAL FUNDS

17 For an additional amount for “Defense Working
18 Capital Funds”, \$140,633,000: *Provided*, That such
19 amount is designated by the Congress for Overseas Con-
20 tingency Operations/Global War on Terrorism pursuant to
21 section 251(b)(2)(A)(ii) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985.

1 OTHER DEPARTMENT OF DEFENSE PROGRAMS

2 DEFENSE HEALTH PROGRAM

3 For an additional amount for “Defense Health Pro-
4 gram”, \$331,764,000, which shall be for operation and
5 maintenance: *Provided*, That such amount is designated
6 by the Congress for Overseas Contingency Operations/
7 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 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,

11 DEFENSE

12 For an additional amount for “Drug Interdiction and
13 Counter-Drug Activities, Defense”, \$215,333,000: *Pro-*
14 *vided*, That such amount is designated by the Congress
15 for Overseas Contingency Operations/Global War on Ter-
16 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985.

18 JOINT IMPROVISED-THREAT DEFEAT FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 For the “Joint Improvised-Threat Defeat Fund”,
21 \$339,472,000, to remain available until September 30,
22 2019: *Provided*, That such funds shall be available to the
23 Secretary of Defense, notwithstanding any other provision
24 of law, for the purpose of allowing the Director of the
25 Joint Improvised-Threat Defeat Organization to inves-

1 tigate, develop and provide equipment, supplies, services,
2 training, facilities, personnel and funds to assist United
3 States forces in the defeat of improvised explosive devices:
4 *Provided further*, That the Secretary of Defense may
5 transfer funds provided herein to appropriations for mili-
6 tary personnel; operation and maintenance; procurement;
7 research, development, test and evaluation; and defense
8 working capital funds to accomplish the purpose provided
9 herein: *Provided further*, That this transfer authority is
10 in addition to any other transfer authority available to the
11 Department of Defense: *Provided further*, That the Sec-
12 retary of Defense shall, not fewer than 5 days prior to
13 making transfers from this appropriation, notify the con-
14 gressional defense committees in writing of the details of
15 any such transfer: *Provided further*, That such amount is
16 designated by the Congress for Overseas Contingency Op-
17 erations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 OFFICE OF THE INSPECTOR GENERAL

21 For an additional amount for the “Office of the In-
22 spector General”, \$22,062,000: *Provided*, That such
23 amount is designated by the Congress for Overseas Con-
24 tingency Operations/Global War on Terrorism pursuant to

1 section 251(b)(2)(A)(ii) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985.

3 GENERAL PROVISIONS—THIS TITLE

4 SEC. 9001. Notwithstanding any other provision of
5 law, funds made available in this title are in addition to
6 amounts appropriated or otherwise made available for the
7 Department of Defense for fiscal year 2017.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 9002. Upon the determination of the Secretary
10 of Defense that such action is necessary in the national
11 interest, the Secretary may, with the approval of the Of-
12 fice of Management and Budget, transfer up to
13 \$2,500,000,000 between the appropriations or funds made
14 available to the Department of Defense in this title: *Pro-*
15 *vided*, That the Secretary shall notify the Congress
16 promptly of each transfer made pursuant to the authority
17 in this section: *Provided further*, That the authority pro-
18 vided in this section is in addition to any other transfer
19 authority available to the Department of Defense and is
20 subject to the same terms and conditions as the authority
21 provided in section 8005 of this Act.

22 SEC. 9003. Supervision and administration costs and
23 costs for design during construction associated with a con-
24 struction project funded with appropriations available for
25 operation and maintenance or the “Afghanistan Security

1 Forces Fund” provided in this Act and executed in direct
2 support of overseas contingency operations in Afghani-
3 stan, may be obligated at the time a construction contract
4 is awarded: *Provided*, That, for the purpose of this section,
5 supervision and administration costs and costs for design
6 during construction include all in-house Government costs.

7 SEC. 9004. From funds made available in this title,
8 the Secretary of Defense may purchase for use by military
9 and civilian employees of the Department of Defense in
10 the United States Central Command area of responsi-
11 bility: (1) passenger motor vehicles up to a limit of
12 \$75,000 per vehicle; and (2) heavy and light armored vehi-
13 cles for the physical security of personnel or for force pro-
14 tection purposes up to a limit of \$450,000 per vehicle, not-
15 withstanding price or other limitations applicable to the
16 purchase of passenger carrying vehicles.

17 SEC. 9005. Not to exceed \$5,000,000 of the amounts
18 appropriated by this title under the heading “Operation
19 and Maintenance, Army” may be used, notwithstanding
20 any other provision of law, to fund the Commanders’
21 Emergency Response Program (CERP), for the purpose
22 of enabling military commanders in Afghanistan to re-
23 spond to urgent, small-scale, humanitarian relief and re-
24 construction requirements within their areas of responsi-
25 bility: *Provided*, That each project (including any ancillary

1 or related elements in connection with such project) exe-
2 cuted under this authority shall not exceed \$2,000,000:
3 *Provided further*, That not later than 45 days after the
4 end of each 6 months of the fiscal year, the Secretary of
5 Defense shall submit to the congressional defense commit-
6 tees a report regarding the source of funds and the alloca-
7 tion and use of funds during that 6-month period that
8 were made available pursuant to the authority provided
9 in this section or under any other provision of law for the
10 purposes described herein: *Provided further*, That, not
11 later than 30 days after the end of each fiscal year quar-
12 ter, the Army shall submit to the congressional defense
13 committees quarterly commitment, obligation, and expend-
14 iture data for the CERP in Afghanistan: *Provided further*,
15 That, not less than 15 days before making funds available
16 pursuant to the authority provided in this section or under
17 any other provision of law for the purposes described here-
18 in for a project with a total anticipated cost for completion
19 of \$500,000 or more, the Secretary shall submit to the
20 congressional defense committees a written notice con-
21 taining each of the following:

22 (1) The location, nature and purpose of the
23 proposed project, including how the project is in-
24 tended to advance the military campaign plan for
25 the country in which it is to be carried out.

1 (2) The budget, implementation timeline with
2 milestones, and completion date for the proposed
3 project, including any other CERP funding that has
4 been or is anticipated to be contributed to the com-
5 pletion of the project.

6 (3) A plan for the sustainment of the proposed
7 project, including the agreement with either the host
8 nation, a non-Department of Defense agency of the
9 United States Government or a third-party contrib-
10 utor to finance the sustainment of the activities and
11 maintenance of any equipment or facilities to be pro-
12 vided through the proposed project.

13 SEC. 9006. Funds available to the Department of De-
14 fense for operation and maintenance may be used, not-
15 withstanding any other provision of law, to provide sup-
16 plies, services, transportation, including airlift and sealift,
17 and other logistical support to allied forces participating
18 in a combined operation with the armed forces of the
19 United States and coalition forces supporting military and
20 stability operations in Afghanistan and to counter the Is-
21 lamic State of Iraq and the Levant: *Provided*, That the
22 Secretary of Defense shall provide quarterly reports to the
23 congressional defense committees regarding support pro-
24 vided under this section.

1 SEC. 9007. None of the funds appropriated or other-
2 wise made available by this or any other Act shall be obli-
3 gated or expended by the United States Government for
4 a purpose as follows:

5 (1) To establish any military installation or
6 base for the purpose of providing for the permanent
7 stationing of United States Armed Forces in Iraq.

8 (2) To exercise United States control over any
9 oil resource of Iraq.

10 (3) To establish any military installation or
11 base for the purpose of providing for the permanent
12 stationing of United States Armed Forces in Af-
13 ghanistan.

14 SEC. 9008. None of the funds made available in this
15 Act may be used in contravention of the following laws
16 enacted or regulations promulgated to implement the
17 United Nations Convention Against Torture and Other
18 Cruel, Inhuman or Degrading Treatment or Punishment
19 (done at New York on December 10, 1984):

20 (1) Section 2340A of title 18, United States
21 Code.

22 (2) Section 2242 of the Foreign Affairs Reform
23 and Restructuring Act of 1998 (division G of Public
24 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
25 note) and regulations prescribed thereto, including

1 regulations under part 208 of title 8, Code of Fed-
2 eral Regulations, and part 95 of title 22, Code of
3 Federal Regulations.

4 (3) Sections 1002 and 1003 of the Department
5 of Defense, Emergency Supplemental Appropriations
6 to Address Hurricanes in the Gulf of Mexico, and
7 Pandemic Influenza Act, 2006 (Public Law 109-
8 148).

9 SEC. 9009. None of the funds provided for the “Af-
10 ghanistan Security Forces Fund” (ASFF) may be obli-
11 gated prior to the approval of a financial and activity plan
12 by the Afghanistan Resources Oversight Council (AROC)
13 of the Department of Defense: *Provided*, That the AROC
14 must approve the requirement and acquisition plan for any
15 service requirements in excess of \$50,000,000 annually
16 and any non-standard equipment requirements in excess
17 of \$100,000,000 using ASFF: *Provided further*, That the
18 Department of Defense must certify to the congressional
19 defense committees that the AROC has convened and ap-
20 proved a process for ensuring compliance with the require-
21 ments in the preceding proviso and accompanying report
22 language for the ASFF.

23 SEC. 9010. Funds made available in this title to the
24 Department of Defense for operation and maintenance
25 may be used to purchase items having an investment unit

1 cost of not more than \$250,000: *Provided*, That, upon de-
2 termination by the Secretary of Defense that such action
3 is necessary to meet the operational requirements of a
4 Commander of a Combatant Command engaged in contin-
5 gency operations overseas, such funds may be used to pur-
6 chase items having an investment item unit cost of not
7 more than \$500,000.

8 SEC. 9011. From funds made available to the De-
9 partment of Defense in this title under the heading “Oper-
10 ation and Maintenance, Air Force”, up to \$60,000,000
11 may be used by the Secretary of Defense, notwithstanding
12 any other provision of law, to support United States Gov-
13 ernment transition activities in Iraq by funding the oper-
14 ations and activities of the Office of Security Cooperation
15 in Iraq and security assistance teams, including life sup-
16 port, transportation and personal security, and facilities
17 renovation and construction, and site closeout activities
18 prior to returning sites to the Government of Iraq: *Pro-*
19 *vided*, That to the extent authorized under the National
20 Defense Authorization Act for Fiscal Year 2017, the oper-
21 ations and activities that may be carried out by the Office
22 of Security Cooperation in Iraq may, with the concurrence
23 of the Secretary of State, include non-operational training
24 activities in support of Iraqi Minister of Defense and
25 Counter Terrorism Service personnel in an institutional

1 environment to address capability gaps, integrate proc-
2 esses relating to intelligence, air sovereignty, combined
3 arms, logistics and maintenance, and to manage and inte-
4 grate defense-related institutions: *Provided further*, That
5 not later than 30 days following the enactment of this Act,
6 the Secretary of Defense and the Secretary of State shall
7 submit to the congressional defense committees a plan for
8 transitioning any such training activities that they deter-
9 mine are needed after the end of fiscal year 2017, to exist-
10 ing or new contracts for the sale of defense articles or
11 defense services consistent with the provisions of the Arms
12 Export Control Act (22 U.S.C. 2751 et seq.): *Provided*
13 *further*, That, not less than 15 days before making funds
14 available pursuant to the authority provided in this sec-
15 tion, the Secretary of Defense shall submit to the congres-
16 sional defense committees a written notice containing a
17 detailed justification and timeline for the operations and
18 activities of the Office of Security Cooperation in Iraq at
19 each site where such operations and activities will be con-
20 ducted during fiscal year 2017: *Provided further*, That
21 amounts made available by this section are designated by
22 the Congress for Overseas Contingency Operations/Global
23 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
24 the Balanced Budget and Emergency Deficit Control Act
25 of 1985.

1 SEC. 9012. Up to \$500,000,000 of funds appro-
2 priated by this Act for the Defense Security Cooperation
3 Agency in “Operation and Maintenance, Defense-Wide”
4 may be used to provide assistance to the Government of
5 Jordan to support the armed forces of Jordan and to en-
6 hance security along its borders.

7 SEC. 9013. None of the funds made available by this
8 Act under the heading “Counter-ISIL Train and Equip
9 Fund” may be used to procure or transfer man-portable
10 air defense systems.

11 SEC. 9014. For the “Ukraine Security Assistance Ini-
12 tiative”, \$150,000,000 is hereby appropriated, to remain
13 available until September 30, 2017: *Provided*, That such
14 funds shall be available to the Secretary of Defense, in
15 coordination with the Secretary of State, to provide assist-
16 ance, including training; equipment; lethal weapons of a
17 defensive nature; logistics support, supplies and services;
18 sustainment; and intelligence support to the military and
19 national security forces of Ukraine, and for replacement
20 of any weapons or defensive articles provided to the Gov-
21 ernment of Ukraine from the inventory of the United
22 States: *Provided further*, That the Secretary of Defense
23 shall, not less than 15 days prior to obligating funds pro-
24 vided under this heading, notify the congressional defense
25 committees in writing of the details of any such obligation:

1 *Provided further*, That the United States may accept
2 equipment procured using funds provided under this head-
3 ing in this or prior Acts that was transferred to the secu-
4 rity forces of Ukraine and returned by such forces to the
5 United States: *Provided further*, That equipment procured
6 using funds provided under this heading in this or prior
7 Acts, and not yet transferred to the military or National
8 Security Forces of Ukraine or returned by such forces to
9 the United States, may be treated as stocks of the Depart-
10 ment of Defense upon written notification to the congress-
11 sional defense committees: *Provided further*, That amounts
12 made available by this section are designated by the Con-
13 gress for Overseas Contingency Operations/Global War on
14 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985.

16 SEC. 9015. Funds appropriated in this title shall be
17 available for replacement of funds for items provided to
18 the Government of Ukraine from the inventory of the
19 United States to the extent specifically provided for in sec-
20 tion 9014 of this Act.

21 SEC. 9016. None of the funds made available by this
22 Act under section 9014 for “Assistance and Sustainment
23 to the Military and National Security Forces of Ukraine”
24 may be used to procure or transfer man-portable air de-
25 fense systems.

1 SEC. 9017. (a) None of the funds appropriated or
2 otherwise made available by this Act under the heading
3 “Operation and Maintenance, Defense-Wide” for pay-
4 ments under section 1233 of Public Law 110–181 for re-
5 imbursement to the Government of Pakistan may be made
6 available unless the Secretary of Defense, in coordination
7 with the Secretary of State, certifies to the congressional
8 defense committees that the Government of Pakistan is—

9 (1) cooperating with the United States in
10 counterterrorism efforts against the Haqqani Net-
11 work, the Quetta Shura Taliban, Lashkar e-Tayyiba,
12 Jaish-e-Mohammed, Al Qaeda, and other domestic
13 and foreign terrorist organizations, including taking
14 steps to end support for such groups and prevent
15 them from basing and operating in Pakistan and
16 carrying out cross border attacks into neighboring
17 countries;

18 (2) not supporting terrorist activities against
19 United States or coalition forces in Afghanistan, and
20 Pakistan’s military and intelligence agencies are not
21 intervening extra-judicially into political and judicial
22 processes in Pakistan;

23 (3) dismantling improvised explosive device
24 (IED) networks and interdicting precursor chemicals
25 used in the manufacture of IEDs;

1 (4) preventing the proliferation of nuclear-re-
2 lated material and expertise;

3 (5) implementing policies to protect judicial
4 independence and due process of law;

5 (6) issuing visas in a timely manner for United
6 States visitors engaged in counterterrorism efforts
7 and assistance programs in Pakistan; and

8 (7) providing humanitarian organizations access
9 to detainees, internally displaced persons, and other
10 Pakistani civilians affected by the conflict.

11 (b) The Secretary of Defense, in coordination with
12 the Secretary of State, may waive the restriction in sub-
13 section (a) on a case-by-case basis by certifying in writing
14 to the congressional defense committees that it is in the
15 national security interest to do so: *Provided*, That if the
16 Secretary of Defense, in coordination with the Secretary
17 of State, exercises such waiver authority, the Secretaries
18 shall report to the congressional defense committees on
19 both the justification for the waiver and on the require-
20 ments of this section that the Government of Pakistan was
21 not able to meet: *Provided further*, That such report may
22 be submitted in classified form if necessary.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 9018. In addition to amounts otherwise made
25 available in this Act, \$500,000,000 is hereby appropriated

1 to the Department of Defense and made available for
2 transfer only to the operation and maintenance, military
3 personnel, and procurement accounts, to improve the intel-
4 ligence, surveillance, and reconnaissance capabilities of the
5 Department of Defense: *Provided*, That the transfer au-
6 thority provided in this section is in addition to any other
7 transfer authority provided elsewhere in this Act: *Provided*
8 *further*, That not later than 30 days prior to exercising
9 the transfer authority provided in this section, the Sec-
10 retary of Defense shall submit a report to the congres-
11 sional defense committees on the proposed uses of these
12 funds: *Provided further*, That the funds provided in this
13 section may not be transferred to any program, project,
14 or activity specifically limited or denied by this Act: *Pro-*
15 *vided further*, That amounts made available by this section
16 are designated by the Congress for Overseas Contingency
17 Operations/Global War on Terrorism pursuant to section
18 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985: *Provided further*, That the
20 authority to provide funding under this section shall termi-
21 nate on September 30, 2017.

22 SEC. 9019. None of the funds made available by this
23 Act may be used with respect to Syria in contravention
24 of the War Powers Resolution (50 U.S.C. 1541 et seq.),
25 including for the introduction of United States armed or

1 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985:

3 “Operation and Maintenance, Defense-Wide,
4 DSCA Coalition Support Fund”, 2016/2017,
5 \$300,000,000;

6 “Counterterrorism Partnerships Fund”, 2016/
7 2017, \$200,000,000;

8 “Afghanistan Security Forces Fund”, 2016/
9 2017, \$150,000,000; and

10 “Other Procurement, Air Force”, 2016/2018,
11 \$169,000,000.

12 (RESCISSION)

13 SEC. 9022. Of the funds appropriated in Department
14 of Defense Appropriations Acts, the following funds are
15 hereby rescinded from the following accounts and pro-
16 grams in the specified amounts: *Provided*, That amounts
17 rescinded pursuant to this section that were previously
18 designated by the Congress for contingency operations di-
19 rectly related to the global war on terrorism pursuant to
20 section 3(c)(2) of H. Res. 5 (112th Congress) and as an
21 emergency requirement pursuant to section 403(a) of S.
22 Con. Res. 13 (111th Congress) are designated by the Con-
23 gress for Overseas Contingency Operations/Global War on
24 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
25 anced Budget and Emergency Deficit Control Act of 1985:

1 “Operation and Maintenance, Defense-Wide:
2 Coalition Support Funds”, XXXX, \$11,524,000.

3 SEC. 9023. (a) The Mine Resistant Ambush Pro-
4 tected Vehicle Fund provided for by section 123 of Public
5 Law 110–92 (121 Stat. 992) is hereby terminated, effec-
6 tive as of the date of the enactment of this Act.

7 (b) Any unobligated balances in the Mine Resistant
8 Ambush Protected Vehicle Fund as of the date of the en-
9 actment of this Act shall, notwithstanding any provision
10 of subchapter IV of chapter 15 of title 31, United States
11 Code, or the procedures under such subchapter, be depos-
12 ited in the Treasury as miscellaneous receipts.

1 TITLE X
2 DEPARTMENT OF DEFENSE—ADDITIONAL
3 APPROPRIATIONS
4 MILITARY PERSONNEL
5 MILITARY PERSONNEL, AIR FORCE

6 For an additional amount for “Military Personnel,
7 Air Force”, \$131,375,000: *Provided*, That such amount
8 is designated by the Congress for Overseas Contingency
9 Operations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE
13 OPERATION AND MAINTENANCE, ARMY

14 For an additional amount for “Operation and Main-
15 tenance, Army”, \$986,754,000: *Provided*, That such
16 amount is designated by the Congress for Overseas Con-
17 tingency Operations/Global War on Terrorism pursuant to
18 section 251(b)(2)(A)(ii) of the Balanced Budget and
19 Emergency Deficit Control Act of 1985.

20 OPERATION AND MAINTENANCE, NAVY

21 For an additional amount for “Operation and Main-
22 tenance, Navy”, \$1,772,631,000: *Provided*, That such
23 amount is designated by the Congress for Overseas Con-
24 tingency Operations/Global War on Terrorism pursuant to

1 section 251(b)(2)(A)(ii) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985.

3 OPERATION AND MAINTENANCE, MARINE CORPS

4 For an additional amount for “Operation and Main-
5 tenance, Marine Corps”, \$255,250,000: *Provided*, That
6 such amount is designated by the Congress for Overseas
7 Contingency Operations/Global War on Terrorism pursu-
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985.

10 OPERATION AND MAINTENANCE, AIR FORCE

11 For an additional amount for “Operation and Main-
12 tenance, Air Force”, \$1,566,272,000: *Provided*, That such
13 amount is designated by the Congress for Overseas Con-
14 tingency Operations/Global War on Terrorism pursuant to
15 section 251(b)(2)(A)(ii) of the Balanced Budget and
16 Emergency Deficit Control Act of 1985.

17 OPERATION AND MAINTENANCE, DEFENSE-WIDE

18 For an additional amount for “Operation and Main-
19 tenance, Defense-Wide”, \$650,951,000: *Provided*, That
20 such amount is designated by the Congress for Overseas
21 Contingency Operations/Global War on Terrorism pursu-
22 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
23 and Emergency Deficit Control Act of 1985.

1 OPERATION AND MAINTENANCE, NAVY RESERVE

2 For an additional amount for “Operation and Main-
3 tenance, Navy Reserve”, \$3,208,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

9 For an additional amount for “Operation and Main-
10 tenance, Air Force Reserve”, \$115,099,000: *Provided*,
11 That such amount is designated by the Congress for Over-
12 seas Contingency Operations/Global War on Terrorism
13 pursuant to section 251(b)(2)(A)(ii) of the Balanced
14 Budget and Emergency Deficit Control Act of 1985.

15 OPERATION AND MAINTENANCE, ARMY NATIONAL

16 GUARD

17 For an additional amount for “Operation and Main-
18 tenance, Army National Guard”, \$87,868,000: *Provided*,
19 That such amount is designated by the Congress for Over-
20 seas Contingency Operations/Global War on Terrorism
21 pursuant to section 251(b)(2)(A)(ii) of the Balanced
22 Budget and Emergency Deficit Control Act of 1985.

23 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

24 For an additional amount for “Operation and Main-
25 tenance, Air National Guard”, \$23,000,000: *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 COUNTER-ISIL TRAIN AND EQUIP FUND

6 For an additional amount for the “Counter-Islamic
7 State of Iraq and the Levant Train and Equip Fund”,
8 \$626,400,000, to remain available until September 30,
9 2018: *Provided*, That such amounts shall not be obligated
10 or expended until 15 days after the President submits a
11 plan in accordance with section 10005 of this Act: *Pro-*
12 *vided further*, That such amount is designated by the Con-
13 gress for Overseas Contingency Operations/Global War on
14 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985.

16 COUNTER-ISIL OVERSEAS CONTINGENCY OPERATIONS

17 TRANSFER FUND

18 (INCLUDING TRANSFER OF FUNDS)

19 In addition to amounts provided elsewhere in this
20 Act, there is appropriated \$1,610,000,000, for the
21 “Counter-Islamic State of Iraq and the Levant Overseas
22 Contingency Operations Transfer Fund”, for expenses di-
23 rectly relating to overseas contingency operations by
24 United States military forces, to remain available until ex-
25 pended: *Provided*, That of the funds made available in this

1 section, the Secretary of Defense may transfer these funds
2 only to military personnel accounts, operation and mainte-
3 nance accounts, procurement accounts, and working cap-
4 ital fund accounts: *Provided further*, That such amounts
5 shall not be transferred until 15 days after the President
6 submits a plan in accordance with section 10005 of this
7 Act: *Provided further*, That the funds transferred shall be
8 merged with and shall be available for the same purposes
9 and for the same time period, as the appropriation to
10 which transferred: *Provided further*, That the Secretary
11 shall notify the congressional defense committees 15 days
12 prior to such transfer or any subsequent transfer: *Pro-*
13 *vided further*, That the transfer authority provided under
14 this heading is in addition to any other transfer authority
15 available to the Department of Defense: *Provided further*,
16 That such amount is designated by the Congress for Over-
17 seas Contingency Operations/Global War on Terrorism
18 pursuant to section 251(b)(2)(A)(ii) of the Balanced
19 Budget and Emergency Deficit Control Act of 1985.

20 PROCUREMENT

21 AIRCRAFT PROCUREMENT, ARMY

22 For an additional amount for “Aircraft Procurement,
23 Army”, \$316,784,000, to remain available until Sep-
24 tember 30, 2019: *Provided*, That such amount is des-
25 ignated by the Congress for Overseas Contingency Oper-

1 ations/Global War on Terrorism pursuant to section
2 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 MISSILE PROCUREMENT, ARMY

5 For an additional amount for “Missile Procurement,
6 Army”, \$579,754,000, to remain available until Sep-
7 tember 30, 2019: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 PROCUREMENT OF WEAPONS AND TRACKED COMBAT

13 VEHICLES, ARMY

14 For an additional amount for “Procurement of Weap-
15 ons and Tracked Combat Vehicles, Army”, \$61,218,000,
16 to remain available until September 30, 2019: *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 PROCUREMENT OF AMMUNITION, ARMY

22 For an additional amount for “Procurement of Am-
23 muniton, Army”, \$447,685,000, to remain available until
24 September 30, 2019: *Provided*, That such amount is des-
25 ignated by the Congress for Overseas Contingency Oper-

1 ations/Global War on Terrorism pursuant to section
2 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 OTHER PROCUREMENT, ARMY

5 For an additional amount for “Other Procurement,
6 Army”, \$412,109,000, to remain available until Sep-
7 tember 30, 2019: *Provided*, That such amount is des-
8 ignated by the Congress for Overseas Contingency Oper-
9 ations/Global War on Terrorism pursuant to section
10 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
11 Deficit Control Act of 1985.

12 AIRCRAFT PROCUREMENT, NAVY

13 For an additional amount for “Aircraft Procurement,
14 Navy”, \$314,257,000, to remain available until September
15 30, 2019: *Provided*, That such amount is designated by
16 the Congress for Overseas Contingency Operations/Global
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

20 WEAPONS PROCUREMENT, NAVY

21 For an additional amount for “Weapons Procure-
22 ment, Navy”, \$129,000,000, to remain available until
23 September 30, 2019: *Provided*, That such amount is des-
24 ignated by the Congress for Overseas Contingency Oper-
25 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
4 CORPS

5 For an additional amount for “Procurement of Am-
6 munition, Navy and Marine Corps”, \$103,100,000, to re-
7 main available until September 30, 2019: *Provided*, That
8 such amount is designated by the Congress for Overseas
9 Contingency Operations/Global War on Terrorism pursu-
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985.

12 OTHER PROCUREMENT, NAVY

13 For an additional amount for “Other Procurement,
14 Navy”, \$151,297,000, to remain available until September
15 30, 2019: *Provided*, That such amount is designated by
16 the Congress for Overseas Contingency Operations/Global
17 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
18 the Balanced Budget and Emergency Deficit Control Act
19 of 1985.

20 PROCUREMENT, MARINE CORPS

21 For an additional amount for “Procurement, Marine
22 Corps”, \$212,280,000, to remain available until Sep-
23 tember 30, 2019: *Provided*, That such amount is des-
24 ignated by the Congress for Overseas Contingency Oper-
25 ations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 AIRCRAFT PROCUREMENT, AIR FORCE

4 For an additional amount for “Aircraft Procurement,
5 Air Force”, \$856,820,000, to remain available until Sep-
6 tember 30, 2019: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 SPACE PROCUREMENT, AIR FORCE

12 For an additional amount for “Space Procurement,
13 Air Force”, \$19,900,000, to remain available until Sep-
14 tember 30, 2019: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 PROCUREMENT OF AMMUNITION, AIR FORCE

20 For an additional amount for “Procurement of Am-
21 muniton, Air Force”, \$70,000,000, to remain available
22 until September 30, 2019: *Provided*, That such amount
23 is designated by the Congress for Overseas Contingency
24 Operations/Global War on Terrorism pursuant to section

1 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 OTHER PROCUREMENT, AIR FORCE

4 For an additional amount for “Other Procurement,
5 Air Force”, \$1,335,381,000, to remain available until
6 September 30, 2019: *Provided*, That such amount is des-
7 ignated by the Congress for Overseas Contingency Oper-
8 ations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 PROCUREMENT, DEFENSE-WIDE

12 For an additional amount for “Procurement, De-
13 fense-Wide”, \$510,635,000, to remain available until Sep-
14 tember 30, 2019: *Provided*, That such amount is des-
15 ignated by the Congress for Overseas Contingency Oper-
16 ations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 RESEARCH, DEVELOPMENT, TEST AND
20 EVALUATION

21 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

22 ARMY

23 For an additional amount for “Research, Develop-
24 ment, Test and Evaluation, Army”, \$163,134,000, to re-
25 main available until September 30, 2018: *Provided*, That

1 such amount is designated by the Congress for Overseas
2 Contingency Operations/Global War on Terrorism pursu-
3 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
4 and Emergency Deficit Control Act of 1985.

5 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
6 NAVY

7 For an additional amount for “Research, Develop-
8 ment, Test and Evaluation, Navy”, \$248,214,000, to re-
9 main available until September 30, 2018: *Provided*, That
10 such amount is designated by the Congress for Overseas
11 Contingency Operations/Global War on Terrorism pursu-
12 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
13 and Emergency Deficit Control Act of 1985.

14 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
15 AIR FORCE

16 For an additional amount for “Research, Develop-
17 ment, Test and Evaluation, Air Force”, \$297,300,000, to
18 remain available until September 30, 2018: *Provided*,
19 That such amount is designated by the Congress for Over-
20 seas Contingency Operations/Global War on Terrorism
21 pursuant to section 251(b)(2)(A)(ii) of the Balanced
22 Budget and Emergency Deficit Control Act of 1985.

1 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
2 DEFENSE-WIDE

3 For an additional amount for “Research, Develop-
4 ment, Test and Evaluation, Defense-Wide”,
5 \$279,185,000, to remain available until September 30,
6 2018: *Provided*, That such amount is designated by the
7 Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985.

11 OPERATIONAL TEST AND EVALUATION, DEFENSE

12 For an additional amount for “Operational Test and
13 Evaluation, Defense”, \$2,725,000, to remain available
14 until September 30, 2018: *Provided*, That such amount
15 is designated by the Congress for Overseas Contingency
16 Operations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 REVOLVING AND MANAGEMENT FUNDS

20 DEFENSE WORKING CAPITAL FUNDS

21 For an additional amount for “Defense Working
22 Capital Funds”, \$285,681,000: *Provided*, That such
23 amount is designated by the Congress for Overseas Con-
24 tingency Operations/Global War on Terrorism pursuant to

1 section 251(b)(2)(A)(ii) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985.

3 OTHER DEPARTMENT OF DEFENSE PROGRAMS

4 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,
5 DEFENSE

6 For an additional amount for “Chemical Agents and
7 Munitions Destruction, Defense”, \$127,000,000, to re-
8 main available until September 30, 2018, shall be for re-
9 search, development, test and evaluation: *Provided*, That
10 such amount is designated by the Congress for Overseas
11 Contingency Operations/Global War on Terrorism pursu-
12 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
13 and Emergency Deficit Control Act of 1985.

14 GENERAL PROVISIONS—THIS TITLE

15 SEC. 10001. Notwithstanding any other provision of
16 law, funds made available in this title are in addition to
17 amounts appropriated or otherwise made available for the
18 Department of Defense for fiscal year 2017: *Provided*,
19 That except as otherwise explicitly provided for in this
20 title, such amounts shall be subject to the terms and con-
21 ditions set forth in titles VIII and IX of this division.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 10002. Upon the determination of the Secretary
24 of Defense that such action is necessary in the national
25 interest, the Secretary may, with the approval of the Of-

1 fice of Management and Budget, transfer up to
2 \$250,000,000 between the appropriations or funds made
3 available to the Department of Defense in this title: *Pro-*
4 *vided*, That the Secretary shall notify the Congress
5 promptly of each transfer made pursuant to the authority
6 in this section: *Provided further*, That the authority pro-
7 vided in this section is in addition to any other transfer
8 authority available to the Department of Defense and is
9 subject to the same terms and conditions as the authority
10 provided in section 8005 of the Department of Defense
11 Appropriations Act, 2017.

12 SEC. 10003. Funds appropriated by this title, or
13 made available by the transfer of funds in this title, for
14 intelligence or intelligence related activities are deemed to
15 be specifically authorized by the Congress for purposes of
16 section 504 of the National Security Act of 1947 (50
17 U.S.C. 414).

18 SEC. 10004. In addition to funds made available in
19 section 8124 of this division, \$7,000,000 of the amounts
20 appropriated in this Act for “Operation and Maintenance,
21 Navy”, may be used for any purposes related to the Na-
22 tional Defense Reserve Fleet established under section 11
23 of the Merchant Ship Sales Act of 1946 (50 U.S.C. 4405):
24 *Provided*, That such amounts are available for reimburse-
25 ments to the Ready Reserve Force, Maritime Administra-

1 tion account of the United States Department of Trans-
2 portation for programs, projects, activities, and expenses
3 related to the National Defense Reserve Fleet.

4 SEC. 10005. (a) Of the amounts appropriated in this
5 title, \$2,476,200,000 shall not be obligated or expended
6 until 15 days after the President provides the appropriate
7 committees a report on the United States strategy for the
8 defeat of the Islamic State of Iraq and al Sham.

9 (b) Such report, which may include a classified
10 annex, shall include, at a minimum, the following—

11 (1) a description of the objectives of the United
12 States to defeat the Islamic State of Iraq and al
13 Sham, including the desired end states in Iraq and
14 Syria to achieve such objectives;

15 (2) a description of the roles and responsibil-
16 ities of the Department of Defense in the strategy,
17 the regions covered by the strategy, and the specific
18 allies and coalition partners required to carry out
19 the strategy, including the expected lines of effort of
20 such coalition;

21 (3) a description of the roles and responsibil-
22 ities of the Department of State in the strategy, the
23 diplomatic and regional engagement necessary to
24 achieve the objectives of the strategy, to include

1 plans for stabilizing territory formerly held by the
2 Islamic State of Iraq and al Sham;

3 (4) an estimate of the resources required to un-
4 dertake the strategy, and a description of the plan
5 for the use of funds provided in this Act to imple-
6 ment the strategy;

7 (5) a description of the benchmarks to be used
8 to measure progress in achieving the objectives of
9 the strategy; and

10 (6) an assessment of how the actions of the
11 Government of Syria and other state and non-state
12 actors in the region impact the ability to achieve the
13 objectives of the strategy.

14 (c) Not more than 90 days after the initial report,
15 and every 90 days thereafter, the Secretary of Defense
16 and the Secretary of State shall submit to the appropriate
17 congressional committees an update on the progress to-
18 ward the benchmarks established in the initial report, and
19 if applicable, a description of any changes to the objectives
20 of the strategy.

21 (d) For purposes of this section, the term “appro-
22 priate congressional committees” means—

23 (1) the Committee on Armed Services, the
24 Committee on Foreign Affairs, the Permanent Select

1 Committee on Intelligence, and the Committee on
2 Appropriations of the House of Representatives; and
3 (2) the Committee on Armed Services, the
4 Committee on Foreign Affairs, the Select Committee
5 on Intelligence, and the Committee on Appropria-
6 tions of the Senate.

7 SEC. 10006. (a) Not later than 90 days after the date
8 of enactment of this Act, the President shall transmit a
9 report to the appropriate congressional committees de-
10 scribing a strategy for Syria.

11 (b) Such report, which may include a classified
12 annex, shall include, at a minimum, the following—

13 (1) a description of the United States political
14 and military objectives regarding the Government of
15 Syria;

16 (2) a description of United States and multilat-
17 eral efforts to address the needs of civilians affected
18 by the conflict in Syria, to include efforts to protect
19 the civilian population from the use of chemical
20 weapons and the deliberate targeting of civilians by
21 the Government of Syria;

22 (3) a description of the efforts of the United
23 States to engage regional and international partners
24 in support of such objectives; and

1 (4) a description of the efforts undertaken by
2 the relevant agencies to achieve such objectives.

3 (c) For purposes of this section, the term “appro-
4 priate congressional committees” means—

5 (1) the Committee on Armed Services, the
6 Committee on Foreign Affairs, and the Committee
7 on Appropriations of the House of Representatives;
8 and

9 (2) the Committee on Armed Services, the
10 Committee on Foreign Affairs, and the Committee
11 on Appropriations of the Senate.

12 This division may be cited as the “Department of De-
13 fense Appropriations Act, 2017”.

1 **DIVISION D—ENERGY AND WATER DEVEL-**
2 **OPMENT AND RELATED AGENCIES AP-**
3 **PROPRIATIONS ACT, 2017**

4 TITLE I

5 CORPS OF ENGINEERS—CIVIL

6 DEPARTMENT OF THE ARMY

7 CORPS OF ENGINEERS—CIVIL

8 The following appropriations shall be expended under
9 the direction of the Secretary of the Army and the super-
10 vision of the Chief of Engineers for authorized civil func-
11 tions of the Department of the Army pertaining to river
12 and harbor, flood and storm damage reduction, shore pro-
13 tection, aquatic ecosystem restoration, and related efforts.

14 INVESTIGATIONS

15 For expenses necessary where authorized by law for
16 the collection and study of basic information pertaining
17 to river and harbor, flood and storm damage reduction,
18 shore protection, aquatic ecosystem restoration, and re-
19 lated needs; for surveys and detailed studies, and plans
20 and specifications of proposed river and harbor, flood and
21 storm damage reduction, shore protection, and aquatic
22 ecosystem restoration projects, and related efforts prior to
23 construction; for restudy of authorized projects; and for
24 miscellaneous investigations, and, when authorized by law,
25 surveys and detailed studies, and plans and specifications

1 of projects prior to construction, \$121,000,000, to remain
2 available until expended: *Provided*, That the Secretary
3 may initiate up to, but not more than, six new study starts
4 during fiscal year 2017: *Provided further*, That the new
5 study starts will consist of five studies where the majority
6 of the benefits are derived from navigation transportation
7 savings or from flood and storm damage reduction and
8 one study where the majority of benefits are derived from
9 environmental restoration: *Provided further*, That the Sec-
10 retary shall not deviate from the new starts proposed in
11 the work plan, once the plan has been submitted to the
12 Committees on Appropriations of both Houses of Con-
13 gress.

14 CONSTRUCTION

15 For expenses necessary for the construction of river
16 and harbor, flood and storm damage reduction, shore pro-
17 tection, aquatic ecosystem restoration, and related
18 projects authorized by law; for conducting detailed studies,
19 and plans and specifications, of such projects (including
20 those involving participation by States, local governments,
21 or private groups) authorized or made eligible for selection
22 by law (but such detailed studies, and plans and specifica-
23 tions, shall not constitute a commitment of the Govern-
24 ment to construction); \$1,876,000,000, to remain avail-
25 able until expended; of which such sums as are necessary

1 to cover the Federal share of construction costs for facili-
2 ties under the Dredged Material Disposal Facilities pro-
3 gram shall be derived from the Harbor Maintenance Trust
4 Fund as authorized by Public Law 104–303; and of which
5 such sums as are necessary to cover one-half of the costs
6 of construction, replacement, rehabilitation, and expansion
7 of inland waterways projects shall be derived from the In-
8 land Waterways Trust Fund, except as otherwise specifi-
9 cally provided for in law: *Provided*, That the Secretary
10 may initiate up to, but not more than, six new construc-
11 tion starts during fiscal year 2017: *Provided further*, That
12 the new construction starts will consist of five projects
13 where the majority of the benefits are derived from naviga-
14 tion transportation savings or from flood and storm dam-
15 age reduction and one project where the majority of the
16 benefits are derived from environmental restoration: *Pro-*
17 *vided further*, That for new construction projects, project
18 cost sharing agreements shall be executed as soon as prac-
19 ticable but no later than September 30, 2017: *Provided*
20 *further*, That no allocation for a new start shall be consid-
21 ered final and no work allowance shall be made until the
22 Secretary provides to the Committees on Appropriations
23 of both Houses of Congress an out-year funding scenario
24 demonstrating the affordability of the selected new starts
25 and the impacts on other projects: *Provided further*, That

1 the Secretary may not deviate from the new starts pro-
2 posed in the work plan, once the plan has been submitted
3 to the Committees on Appropriations of both Houses of
4 Congress.

5 MISSISSIPPI RIVER AND TRIBUTARIES

6 For expenses necessary for flood damage reduction
7 projects and related efforts in the Mississippi River allu-
8 vial valley below Cape Girardeau, Missouri, as authorized
9 by law, \$362,000,000, to remain available until expended,
10 of which such sums as are necessary to cover the Federal
11 share of eligible operation and maintenance costs for in-
12 land harbors shall be derived from the Harbor Mainte-
13 nance Trust Fund.

14 OPERATION AND MAINTENANCE

15 For expenses necessary for the operation, mainte-
16 nance, and care of existing river and harbor, flood and
17 storm damage reduction, aquatic ecosystem restoration,
18 and related projects authorized by law; providing security
19 for infrastructure owned or operated by the Corps, includ-
20 ing administrative buildings and laboratories; maintaining
21 harbor channels provided by a State, municipality, or
22 other public agency that serve essential navigation needs
23 of general commerce, where authorized by law; surveying
24 and charting northern and northwestern lakes and con-
25 necting waters; clearing and straightening channels; and

1 removing obstructions to navigation, \$3,149,000,000, to
2 remain available until expended, of which such sums as
3 are necessary to cover the Federal share of eligible oper-
4 ation and maintenance costs for coastal harbors and chan-
5 nels, and for inland harbors shall be derived from the Har-
6 bor Maintenance Trust Fund; of which such sums as be-
7 come available from the special account for the Corps of
8 Engineers established by the Land and Water Conserva-
9 tion Fund Act of 1965 shall be derived from that account
10 for resource protection, research, interpretation, and
11 maintenance activities related to resource protection in the
12 areas at which outdoor recreation is available; and of
13 which such sums as become available from fees collected
14 under section 217 of Public Law 104–303 shall be used
15 to cover the cost of operation and maintenance of the
16 dredged material disposal facilities for which such fees
17 have been collected: *Provided*, That 1 percent of the total
18 amount of funds provided for each of the programs,
19 projects, or activities funded under this heading shall not
20 be allocated to a field operating activity prior to the begin-
21 ning of the fourth quarter of the fiscal year and shall be
22 available for use by the Chief of Engineers to fund such
23 emergency activities as the Chief of Engineers determines
24 to be necessary and appropriate, and that the Chief of En-
25 gineers shall allocate during the fourth quarter any re-

1 maining funds which have not been used for emergency
2 activities proportionally in accordance with the amounts
3 provided for the programs, projects, or activities.

4 REGULATORY PROGRAM

5 For expenses necessary for administration of laws
6 pertaining to regulation of navigable waters and wetlands,
7 \$200,000,000, to remain available until September 30,
8 2018.

9 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

10 For expenses necessary to clean up contamination
11 from sites in the United States resulting from work per-
12 formed as part of the Nation's early atomic energy pro-
13 gram, \$112,000,000, to remain available until expended.

14 FLOOD CONTROL AND COASTAL EMERGENCIES

15 For expenses necessary to prepare for flood, hurri-
16 cane, and other natural disasters and support emergency
17 operations, repairs, and other activities in response to
18 such disasters as authorized by law, \$32,000,000, to re-
19 main available until expended.

20 EXPENSES

21 For expenses necessary for the supervision and gen-
22 eral administration of the civil works program in the head-
23 quarters of the Corps of Engineers and the offices of the
24 Division Engineers; and for costs of management and op-
25 eration of the Humphreys Engineer Center Support Activ-

1 ity, the Institute for Water Resources, the United States
2 Army Engineer Research and Development Center, and
3 the United States Army Corps of Engineers Finance Cen-
4 ter allocable to the civil works program, \$181,000,000, to
5 remain available until September 30, 2018, of which not
6 to exceed \$5,000 may be used for official reception and
7 representation purposes and only during the current fiscal
8 year: *Provided*, That no part of any other appropriation
9 provided in this title shall be available to fund the civil
10 works activities of the Office of the Chief of Engineers
11 or the civil works executive direction and management ac-
12 tivities of the division offices: *Provided further*, That any
13 Flood Control and Coastal Emergencies appropriation
14 may be used to fund the supervision and general adminis-
15 tration of emergency operations, repairs, and other activi-
16 ties in response to any flood, hurricane, or other natural
17 disaster.

18 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY

19 FOR CIVIL WORKS

20 For the Office of the Assistant Secretary of the Army
21 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
22 \$4,764,000, to remain available until September 30, 2018:
23 *Provided*, That not more than 75 percent of such amount
24 may be obligated or expended until the Assistant Sec-
25 retary submits to the Committees on Appropriations of

1 both Houses of Congress a work plan that allocates at
2 least 95 percent of the additional funding provided under
3 each heading in this title (as designated under such head-
4 ing in the explanatory statement described in section 4
5 (in the matter preceding division A of this consolidated
6 Act)) to specific programs, projects, or activities.

7 GENERAL PROVISIONS—CORPS OF
8 ENGINEERS—CIVIL
9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 101. (a) None of the funds provided in title I
11 of this Act, or provided by previous appropriations Acts
12 to the agencies or entities funded in title I of this Act
13 that remain available for obligation or expenditure in fiscal
14 year 2017, shall be available for obligation or expenditure
15 through a reprogramming of funds that:

16 (1) creates or initiates a new program, project,
17 or activity;

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

19 (3) increases funds or personnel for any pro-
20 gram, project, or activity for which funds have been
21 denied or restricted by this Act, unless prior ap-
22 proval is received from the House and Senate Com-
23 mittees on Appropriations;

24 (4) proposes to use funds directed for a specific
25 activity for a different purpose, unless prior approval

1 is received from the House and Senate Committees
2 on Appropriations;

3 (5) augments or reduces existing programs,
4 projects, or activities in excess of the amounts con-
5 tained in paragraphs (6) through (10), unless prior
6 approval is received from the House and Senate
7 Committees on Appropriations;

8 (6) INVESTIGATIONS.—For a base level over
9 \$100,000, reprogramming of 25 percent of the base
10 amount up to a limit of \$150,000 per project, study
11 or activity is allowed: *Provided*, That for a base level
12 less than \$100,000, the reprogramming limit is
13 \$25,000: *Provided further*, That up to \$25,000 may
14 be reprogrammed into any continuing study or activ-
15 ity that did not receive an appropriation for existing
16 obligations and concomitant administrative expenses;

17 (7) CONSTRUCTION.—For a base level over
18 \$2,000,000, reprogramming of 15 percent of the
19 base amount up to a limit of \$3,000,000 per project,
20 study or activity is allowed: *Provided*, That for a
21 base level less than \$2,000,000, the reprogramming
22 limit is \$300,000: *Provided further*, That up to
23 \$3,000,000 may be reprogrammed for settled con-
24 tractor claims, changed conditions, or real estate de-
25 ficiency judgments: *Provided further*, That up to

1 \$300,000 may be reprogrammed into any continuing
2 study or activity that did not receive an appropria-
3 tion for existing obligations and concomitant admin-
4 istrative expenses;

5 (8) OPERATION AND MAINTENANCE.—Unlim-
6 ited reprogramming authority is granted for the
7 Corps to be able to respond to emergencies: *Pro-*
8 *vided*, That the Chief of Engineers shall notify the
9 House and Senate Committees on Appropriations of
10 these emergency actions as soon thereafter as prac-
11 ticable: *Provided further*, That for a base level over
12 \$1,000,000, reprogramming of 15 percent of the
13 base amount up to a limit of \$5,000,000 per project,
14 study, or activity is allowed: *Provided further*, That
15 for a base level less than \$1,000,000, the re-
16 programming limit is \$150,000: *Provided further*,
17 That \$150,000 may be reprogrammed into any con-
18 tinuing study or activity that did not receive an ap-
19 propriation;

20 (9) MISSISSIPPI RIVER AND TRIBUTARIES.—
21 The reprogramming guidelines in paragraphs (6),
22 (7), and (8) shall apply to the Investigations, Con-
23 struction, and Operation and Maintenance portions
24 of the Mississippi River and Tributaries Account, re-
25 spectively; and

1 (10) FORMERLY UTILIZED SITES REMEDIAL AC-
2 TION PROGRAM.—Reprogramming of up to 15 per-
3 cent of the base of the receiving project is permitted.

4 (b) DE MINIMUS REPROGRAMMINGS.—In no case
5 should a reprogramming for less than \$50,000 be sub-
6 mitted to the House and Senate Committees on Appro-
7 priations.

8 (c) CONTINUING AUTHORITIES PROGRAM.—Sub-
9 section (a)(1) shall not apply to any project or activity
10 funded under the continuing authorities program.

11 (d) Not later than 60 days after the date of enact-
12 ment of this Act, the Secretary shall submit a report to
13 the House and Senate Committees on Appropriations to
14 establish the baseline for application of reprogramming
15 and transfer authorities for the current fiscal year which
16 shall include:

17 (1) A table for each appropriation with a sepa-
18 rate column to display the President’s budget re-
19 quest, adjustments made by Congress, adjustments
20 due to enacted rescissions, if applicable, and the fis-
21 cal year enacted level; and

22 (2) A delineation in the table for each appro-
23 priation both by object class and program, project
24 and activity as detailed in the budget appendix for
25 the respective appropriations; and

1 (3) An identification of items of special congres-
2 sional interest.

3 SEC. 102. The Secretary shall allocate funds made
4 available in this Act solely in accordance with the provi-
5 sions of this Act and the explanatory statement described
6 in section 4 (in the matter preceding division A of this
7 consolidated Act), including the determination and des-
8 ignation of new starts.

9 SEC. 103. None of the funds made available in this
10 title may be used to award or modify any contract that
11 commits funds beyond the amounts appropriated for that
12 program, project, or activity that remain unobligated, ex-
13 cept that such amounts may include any funds that have
14 been made available through reprogramming pursuant to
15 section 101.

16 SEC. 104. The Secretary of the Army may transfer
17 to the Fish and Wildlife Service, and the Fish and Wildlife
18 Service may accept and expend, up to \$5,400,000 of funds
19 provided in this title under the heading “Operation and
20 Maintenance” to mitigate for fisheries lost due to Corps
21 of Engineers projects.

22 SEC. 105. None of the funds in this Act shall be used
23 for an open lake placement alternative for dredged mate-
24 rial, after evaluating the least costly, environmentally ac-
25 ceptable manner for the disposal or management of

1 dredged material originating from Lake Erie or tributaries
2 thereto, unless it is approved under a State water quality
3 certification pursuant to section 401 of the Federal Water
4 Pollution Control Act (33 U.S.C. 1341); *Provided further*,
5 That until an open lake placement alternative for dredged
6 material is approved under a State water quality certifi-
7 cation, the Corps of Engineers shall continue upland
8 placement of such dredged material consistent with the re-
9 quirements of section 101 of the Water Resources Devel-
10 opment Act of 1986 (33 U.S.C. 2211).

11 SEC. 106. None of the funds made available in this
12 title may be used for any acquisition that is not consistent
13 with 48 CFR 225.7007.

14 SEC. 107. None of the funds made available by this
15 Act may be used to carry out any water supply reallocation
16 study under the Wolf Creek Dam, Lake Cumberland, Ken-
17 tucky, project authorized under the Act of July 24, 1946
18 (60 Stat. 636, ch. 595).

19 SEC. 108. None of the funds made available in this
20 or any other Act making appropriations for Energy and
21 Water Development for any fiscal year may be used by
22 the Corps of Engineers during the fiscal year ending Sep-
23 tember 30, 2017, to develop, adopt, implement, admin-
24 ister, or enforce any change to the regulations in effect
25 on October 1, 2012, pertaining to the definitions of the

1 terms “fill material” or “discharge of fill material” for the
2 purposes of the Federal Water Pollution Control Act (33
3 U.S.C. 1251 et seq.).

4 SEC. 109. None of the funds made available by this
5 Act may be used to require a permit for the discharge
6 of dredged or fill material under the Federal Water Pollu-
7 tion Control Act (33 U.S.C. 1251 et seq.) for the activities
8 identified in subparagraphs (A) and (C) of section
9 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

10

TITLE II

11

DEPARTMENT OF THE INTERIOR

12

CENTRAL UTAH PROJECT

13

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

14

15 For carrying out activities authorized by the Central
16 Utah Project Completion Act, \$10,500,000, to remain
17 available until expended, of which \$1,300,000 shall be de-
18 posited into the Utah Reclamation Mitigation and Con-
19 servation Account for use by the Utah Reclamation Miti-
20 gation and Conservation Commission: *Provided*, That of
21 the amount provided under this heading, \$1,350,000 shall
22 be available until September 30, 2018, for expenses nec-
23 essary in carrying out related responsibilities of the Sec-
24 retary of the Interior: *Provided further*, That for fiscal
25 year 2017, of the amount made available to the Commis-
sion under this Act or any other Act, the Commission may

1 use an amount not to exceed \$1,500,000 for administra-
2 tive expenses.

3 BUREAU OF RECLAMATION

4 The following appropriations shall be expended to
5 execute authorized functions of the Bureau of Reclama-
6 tion:

7 WATER AND RELATED RESOURCES

8 (INCLUDING TRANSFERS OF FUNDS)

9 For management, development, and restoration of
10 water and related natural resources and for related activi-
11 ties, including the operation, maintenance, and rehabilita-
12 tion of reclamation and other facilities, participation in
13 fulfilling related Federal responsibilities to Native Ameri-
14 cans, and related grants to, and cooperative and other
15 agreements with, State and local governments, federally
16 recognized Indian tribes, and others, \$1,155,894,000, to
17 remain available until expended, of which \$22,000 shall
18 be available for transfer to the Upper Colorado River
19 Basin Fund and \$5,551,000 shall be available for transfer
20 to the Lower Colorado River Basin Development Fund;
21 of which such amounts as may be necessary may be ad-
22 vanced to the Colorado River Dam Fund: *Provided*, That
23 such transfers may be increased or decreased within the
24 overall appropriation under this heading: *Provided further*,
25 That of the total appropriated, the amount for program

1 activities that can be financed by the Reclamation Fund
2 or the Bureau of Reclamation special fee account estab-
3 lished by 16 U.S.C. 6806 shall be derived from that Fund
4 or account: *Provided further*, That funds contributed
5 under 43 U.S.C. 395 are available until expended for the
6 purposes for which the funds were contributed: *Provided*
7 *further*, That funds advanced under 43 U.S.C. 397a shall
8 be credited to this account and are available until ex-
9 pended for the same purposes as the sums appropriated
10 under this heading: *Provided further*, That of the amounts
11 provided herein, funds may be used for high-priority
12 projects which shall be carried out by the Youth Conserva-
13 tion Corps, as authorized by 16 U.S.C. 1706.

14 CENTRAL VALLEY PROJECT RESTORATION FUND

15 For carrying out the programs, projects, plans, habi-
16 tat restoration, improvement, and acquisition provisions of
17 the Central Valley Project Improvement Act, \$55,606,000,
18 to be derived from such sums as may be collected in the
19 Central Valley Project Restoration Fund pursuant to sec-
20 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
21 102-575, to remain available until expended: *Provided*,
22 That the Bureau of Reclamation is directed to assess and
23 collect the full amount of the additional mitigation and
24 restoration payments authorized by section 3407(d) of
25 Public Law 102-575: *Provided further*, That none of the

1 funds made available under this heading may be used for
2 the acquisition or leasing of water for in-stream purposes
3 if the water is already committed to in-stream purposes
4 by a court adopted decree or order.

5 CALIFORNIA BAY-DELTA RESTORATION
6 (INCLUDING TRANSFERS OF FUNDS)

7 For carrying out activities authorized by the Water
8 Supply, Reliability, and Environmental Improvement Act,
9 consistent with plans to be approved by the Secretary of
10 the Interior, \$36,000,000, to remain available until ex-
11 pended, of which such amounts as may be necessary to
12 carry out such activities may be transferred to appropriate
13 accounts of other participating Federal agencies to carry
14 out authorized purposes: *Provided*, That funds appro-
15 priated herein may be used for the Federal share of the
16 costs of CALFED Program management: *Provided fur-*
17 *ther*, That CALFED implementation shall be carried out
18 in a balanced manner with clear performance measures
19 demonstrating concurrent progress in achieving the goals
20 and objectives of the Program.

21 POLICY AND ADMINISTRATION

22 For expenses necessary for policy, administration,
23 and related functions in the Office of the Commissioner,
24 the Denver office, and offices in the five regions of the
25 Bureau of Reclamation, to remain available until Sep-

1 tember 30, 2018, \$59,000,000, to be derived from the
2 Reclamation Fund and be nonreimbursable as provided in
3 43 U.S.C. 377: *Provided*, That no part of any other appro-
4 priation in this Act shall be available for activities or func-
5 tions budgeted as policy and administration expenses.

6 ADMINISTRATIVE PROVISION

7 Appropriations for the Bureau of Reclamation shall
8 be available for purchase of not to exceed five passenger
9 motor vehicles, which are for replacement only.

10 GENERAL PROVISIONS—DEPARTMENT OF THE
11 INTERIOR

12 SEC. 201. (a) None of the funds provided in title II
13 of this Act for Water and Related Resources, or provided
14 by previous or subsequent appropriations Acts to the agen-
15 cies or entities funded in title II of this Act for Water
16 and Related Resources that remain available for obligation
17 or expenditure in fiscal year 2017, shall be available for
18 obligation or expenditure through a reprogramming of
19 funds that—

20 (1) initiates or creates a new program, project,
21 or activity;

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

23 (3) increases funds for any program, project, or
24 activity for which funds have been denied or re-
25 stricted by this Act, unless prior approval is received

1 from the Committees on Appropriations of the
2 House of Representatives and the Senate;

3 (4) restarts or resumes any program, project or
4 activity for which funds are not provided in this Act,
5 unless prior approval is received from the Commit-
6 tees on Appropriations of the House of Representa-
7 tives and the Senate;

8 (5) transfers funds in excess of the following
9 limits, unless prior approval is received from the
10 Committees on Appropriations of the House of Rep-
11 resentatives and the Senate:

12 (A) 15 percent for any program, project or
13 activity for which \$2,000,000 or more is avail-
14 able at the beginning of the fiscal year; or

15 (B) \$400,000 for any program, project or
16 activity for which less than \$2,000,000 is avail-
17 able at the beginning of the fiscal year;

18 (6) transfers more than \$500,000 from either
19 the Facilities Operation, Maintenance, and Rehabili-
20 tation category or the Resources Management and
21 Development category to any program, project, or
22 activity in the other category, unless prior approval
23 is received from the Committees on Appropriations
24 of the House of Representatives and the Senate; or

1 (7) transfers, where necessary to discharge legal
2 obligations of the Bureau of Reclamation, more than
3 \$5,000,000 to provide adequate funds for settled
4 contractor claims, increased contractor earnings due
5 to accelerated rates of operations, and real estate de-
6 ficiency judgments, unless prior approval is received
7 from the Committees on Appropriations of the
8 House of Representatives and the Senate.

9 (b) Subsection (a)(5) shall not apply to any transfer
10 of funds within the Facilities Operation, Maintenance, and
11 Rehabilitation category.

12 (c) For purposes of this section, the term transfer
13 means any movement of funds into or out of a program,
14 project, or activity.

15 (d) The Bureau of Reclamation shall submit reports
16 on a quarterly basis to the Committees on Appropriations
17 of the House of Representatives and the Senate detailing
18 all the funds reprogrammed between programs, projects,
19 activities, or categories of funding. The first quarterly re-
20 port shall be submitted not later than 60 days after the
21 date of enactment of this Act.

22 SEC. 202. (a) None of the funds appropriated or oth-
23 erwise made available by this Act may be used to deter-
24 mine the final point of discharge for the interceptor drain
25 for the San Luis Unit until development by the Secretary

1 of the Interior and the State of California of a plan, which
2 shall conform to the water quality standards of the State
3 of California as approved by the Administrator of the En-
4 vironmental Protection Agency, to minimize any detri-
5 mental effect of the San Luis drainage waters.

6 (b) The costs of the Kesterson Reservoir Cleanup
7 Program and the costs of the San Joaquin Valley Drain-
8 age Program shall be classified by the Secretary of the
9 Interior as reimbursable or nonreimbursable and collected
10 until fully repaid pursuant to the “Cleanup Program—
11 Alternative Repayment Plan” and the “SJVDP—Alter-
12 native Repayment Plan” described in the report entitled
13 “Repayment Report, Kesterson Reservoir Cleanup Pro-
14 gram and San Joaquin Valley Drainage Program, Feb-
15 ruary 1995”, prepared by the Department of the Interior,
16 Bureau of Reclamation. Any future obligations of funds
17 by the United States relating to, or providing for, drainage
18 service or drainage studies for the San Luis Unit shall
19 be fully reimbursable by San Luis Unit beneficiaries of
20 such service or studies pursuant to Federal reclamation
21 law.

22 SEC. 203. Section 205(2) of division D of Public Law
23 114–113 is amended by striking “2016” and inserting
24 “2017”.

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TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$2,090,200,000, to remain available until expended: *Provided*, That of such amount, \$153,500,000 shall be available until September 30, 2018, for program direction.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$230,000,000, to remain available until expended:

1 *Provided*, That of such amount, \$28,500,000 shall be
2 available until September 30, 2018, for program direction.

3
4 NUCLEAR ENERGY

5 For Department of Energy expenses including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment, and other expenses necessary for nuclear
8 energy activities in carrying out the purposes of the De-
9 partment of Energy Organization Act (42 U.S.C. 7101 et
10 seq.), including the acquisition or condemnation of any
11 real property or any facility or for plant or facility acquisi-
12 tion, construction, or expansion and the purchase of no
13 more than three emergency service vehicles for replace-
14 ment only, \$1,016,616,000, to remain available until ex-
15 pended: *Provided*, That of such amount, \$80,000,000 shall
16 be available until September 30, 2018, for program direc-
17 tion.

18 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

19 For Department of Energy expenses necessary in car-
20 rying out fossil energy research and development activi-
21 ties, under the authority of the Department of Energy Or-
22 ganization Act (42 U.S.C. 7101 et seq.), including the ac-
23 quisition of interest, including defeasible and equitable in-
24 terests in any real property or any facility or for plant
25 or facility acquisition or expansion, and for conducting in-
26 quires, technological investigations and research con-

1 cerning the extraction, processing, use, and disposal of
2 mineral substances without objectionable social and envi-
3 ronmental costs (30 U.S.C. 3, 1602, and 1603),
4 \$618,000,000, to remain available until expended: *Pro-*
5 *vided*, That of such amount \$60,000,000 shall be available
6 until September 30, 2018, for program direction: *Provided*
7 *further*, That in addition, \$50,000,000, to remain available
8 until expended, shall be for the transformational coal tech-
9 nologies pilot program described in the explanatory state-
10 ment described in section 4 (in the matter preceding divi-
11 sion A of this consolidated Act).

12 NAVAL PETROLEUM AND OIL SHALE RESERVES

13 For Department of Energy expenses necessary to
14 carry out naval petroleum and oil shale reserve activities,
15 \$14,950,000, to remain available until expended: *Pro-*
16 *vided*, That notwithstanding any other provision of law,
17 unobligated funds remaining from prior years shall be
18 available for all naval petroleum and oil shale reserve ac-
19 tivities.

20 STRATEGIC PETROLEUM RESERVE

21 For Department of Energy expenses necessary for
22 Strategic Petroleum Reserve facility development and op-
23 erations and program management activities pursuant to
24 the Energy Policy and Conservation Act (42 U.S.C. 6201
25 et seq.), \$223,000,000, to remain available until expended:

1 *Provided*, That the proceeds from the drawdown and sale
2 under section 159 of the Continuing Appropriations Act,
3 2017 (division C of Public Law 114–223), as amended
4 by the Further Continuing and Security Assistance Appro-
5 priations Act, 2017 (Public Law 114–254), which have
6 been or will be deposited into the “Energy Security and
7 Infrastructure Modernization Fund” during fiscal year
8 2017 shall be made available and shall remain available
9 until expended for necessary expenses in carrying out the
10 Life Extension II project for the Strategic Petroleum Re-
11 serve.

12 NORTHEAST HOME HEATING OIL RESERVE

13 For Department of Energy expenses necessary for
14 Northeast Home Heating Oil Reserve storage, operation,
15 and management activities pursuant to the Energy Policy
16 and Conservation Act (42 U.S.C. 6201 et seq.),
17 \$6,500,000, to remain available until expended.

18 ENERGY INFORMATION ADMINISTRATION

19 For Department of Energy expenses necessary in car-
20 rying out the activities of the Energy Information Admin-
21 istration, \$122,000,000, to remain available until ex-
22 pended.

23 NON-DEFENSE ENVIRONMENTAL CLEANUP

24 For Department of Energy expenses, including the
25 purchase, construction, and acquisition of plant and cap-

1 ital equipment and other expenses necessary for non-de-
2 fense environmental cleanup activities in carrying out the
3 purposes of the Department of Energy Organization Act
4 (42 U.S.C. 7101 et seq.), including the acquisition or con-
5 demnation of any real property or any facility or for plant
6 or facility acquisition, construction, or expansion,
7 \$247,000,000, to remain available until expended.

8 URANIUM ENRICHMENT DECONTAMINATION AND
9 DECOMMISSIONING FUND

10 For Department of Energy expenses necessary in car-
11 rying out uranium enrichment facility decontamination
12 and decommissioning, remedial actions, and other activi-
13 ties of title II of the Atomic Energy Act of 1954, and
14 title X, subtitle A, of the Energy Policy Act of 1992,
15 \$768,000,000, to be derived from the Uranium Enrich-
16 ment Decontamination and Decommissioning Fund, to re-
17 main available until expended, of which \$30,000,000 shall
18 be available in accordance with title X, subtitle A, of the
19 Energy Policy Act of 1992.

20 SCIENCE

21 For Department of Energy expenses including the
22 purchase, construction, and acquisition of plant and cap-
23 ital equipment, and other expenses necessary for science
24 activities in carrying out the purposes of the Department
25 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-

1 cluding the acquisition or condemnation of any real prop-
2 erty or facility or for plant or facility acquisition, construc-
3 tion, or expansion, and purchase of not more than 17 pas-
4 senger motor vehicles for replacement only, including one
5 ambulance and one bus, \$5,392,000,000, to remain avail-
6 able until expended: *Provided*, That of such amount,
7 \$182,000,000 shall be available until September 30, 2018,
8 for program direction: *Provided further*, That of such
9 amount, \$50,000,000 shall be available for the ongoing
10 in-kind contributions provided by facilities located in the
11 United States to the ITER project and related support
12 activities carried out by such facilities for the ITER
13 project and, subject to the notification requirement in sec-
14 tion 301(e) of this Act, up to an additional \$50,000,000
15 of such amount may be made available for in-kind con-
16 tributions and related support activities of ITER.

17 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

18 For Department of Energy expenses necessary in car-
19 rying out the activities authorized by section 5012 of the
20 America COMPETES Act (Public Law 110–69),
21 \$306,000,000, to remain available until expended: *Pro-*
22 *vided*, That of such amount, \$29,250,000 shall be avail-
23 able until September 30, 2018, for program direction.

1 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
2 PROGRAM

3 Such sums as are derived from amounts received
4 from borrowers pursuant to section 1702(b) of the Energy
5 Policy Act of 2005 under this heading in prior Acts, shall
6 be collected in accordance with section 502(7) of the Con-
7 gressional Budget Act of 1974: *Provided*, That for nec-
8 essary administrative expenses to carry out this Loan
9 Guarantee program, \$37,000,000 is appropriated from
10 fees collected in prior years pursuant to section 1702(h)
11 of the Energy Policy Act of 2005 which are not otherwise
12 appropriated, to remain available until September 30,
13 2018: *Provided further*, That if the amount in the previous
14 proviso is not available from such fees, an amount for such
15 purposes is also appropriated from the general fund so as
16 to result in a total amount appropriated for such purpose
17 of no more than \$37,000,000: *Provided further*, That fees
18 collected pursuant to such section 1702(h) for fiscal year
19 2017 shall be credited as offsetting collections under this
20 heading and shall not be available until appropriated: *Pro-*
21 *vided further*, That the Department of Energy shall not
22 subordinate any loan obligation to other financing in viola-
23 tion of section 1702 of the Energy Policy Act of 2005 or
24 subordinate any Guaranteed Obligation to any loan or

1 other debt obligations in violation of section 609.10 of title
2 10, Code of Federal Regulations.

3 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING
4 LOAN PROGRAM

5 For Department of Energy administrative expenses
6 necessary in carrying out the Advanced Technology Vehi-
7 cles Manufacturing Loan Program, \$5,000,000, to remain
8 available until September 30, 2018.

9 TRIBAL ENERGY LOAN GUARANTEE PROGRAM
10 (INCLUDING RESCISSION OF FUNDS)

11 For the cost of loan guarantees provided under sec-
12 tion 2602(c) of the Energy Policy Act of 1992 (25 U.S.C.
13 3502(c)), \$8,500,000, to remain available until expended:
14 *Provided*, That the cost of those loan guarantees (includ-
15 ing the costs of modifying loans, as applicable) shall be
16 determined in accordance with section 502 of the Congres-
17 sional Budget Act of 1974 (2 U.S.C. 661a): *Provided fur-*
18 *ther*, That, for necessary administrative expenses to carry
19 out that program, \$500,000 is appropriated, to remain
20 available until expended: *Provided further*, That, of the
21 subsidy amounts provided by section 1425 of the Depart-
22 ment of Defense and Full-Year Continuing Appropriations
23 Act, 2011 (Public Law 112–10; 125 Stat. 126), for the
24 cost of loan guarantees for renewable energy or efficient
25 end-use energy technologies under section 1703 of the En-

1 ergy Policy Act of 2005 (42 U.S.C. 16513), \$9,000,000
2 is hereby rescinded.

3 DEPARTMENTAL ADMINISTRATION

4 For salaries and expenses of the Department of En-
5 ergy necessary for departmental administration in car-
6 rying out the purposes of the Department of Energy Orga-
7 nization Act (42 U.S.C. 7101 et seq.), \$246,000,000, to
8 remain available until September 30, 2018, including the
9 hire of passenger motor vehicles and official reception and
10 representation expenses not to exceed \$30,000, plus such
11 additional amounts as necessary to cover increases in the
12 estimated amount of cost of work for others notwith-
13 standing the provisions of the Anti-Deficiency Act (31
14 U.S.C. 1511 et seq.): *Provided*, That such increases in
15 cost of work are offset by revenue increases of the same
16 or greater amount: *Provided further*, That moneys received
17 by the Department for miscellaneous revenues estimated
18 to total \$103,000,000 in fiscal year 2017 may be retained
19 and used for operating expenses within this account, as
20 authorized by section 201 of Public Law 95–238, notwith-
21 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
22 *ther*, That the sum herein appropriated shall be reduced
23 as collections are received during the fiscal year so as to
24 result in a final fiscal year 2017 appropriation from the
25 general fund estimated at not more than \$143,000,000:

1 *Provided further*, That the amount made available in the
2 explanatory statement described in section 4 (in the mat-
3 ter preceding division A of this consolidated Act) for the
4 Office of Indian Energy Policy and Program shall remain
5 available until September 30, 2022.

6 OFFICE OF THE INSPECTOR GENERAL

7 For expenses necessary for the Office of the Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, \$44,424,000, to remain available
10 until September 30, 2018.

11 ATOMIC ENERGY DEFENSE ACTIVITIES

12 NATIONAL NUCLEAR SECURITY

13 ADMINISTRATION

14 WEAPONS ACTIVITIES

15 (INCLUDING RESCISSIONS OF FUNDS)

16 For Department of Energy expenses, including the
17 purchase, construction, and acquisition of plant and cap-
18 ital equipment and other incidental expenses necessary for
19 atomic energy defense weapons activities in carrying out
20 the purposes of the Department of Energy Organization
21 Act (42 U.S.C. 7101 et seq.), including the acquisition or
22 condemnation of any real property or any facility or for
23 plant or facility acquisition, construction, or expansion,
24 \$9,318,093,000, to remain available until expended: *Pro-*
25 *vided*, That of such amount, \$97,118,000 shall be avail-

1 able until September 30, 2018, for program direction: *Pro-*
2 *vided further*, That of the unobligated balances from prior
3 year appropriations available under this heading,
4 \$8,400,000 is hereby rescinded: *Provided further*, That of
5 the unobligated balances from prior year appropriations
6 available under this heading that were apportioned in Cat-
7 egory C (defined in section 120 of Office of Management
8 and Budget Circular No. A-11), \$64,126,000 is hereby
9 rescinded: *Provided further*, That no amounts may be re-
10 scinded from amounts that were designated by the Con-
11 gress as an emergency requirement pursuant to a concur-
12 rent resolution on the budget or the Balanced Budget and
13 Emergency Deficit Control Act of 1985.

14 DEFENSE NUCLEAR NONPROLIFERATION

15 (INCLUDING RESCISSION OF FUNDS)

16 For Department of Energy expenses, including the
17 purchase, construction, and acquisition of plant and cap-
18 ital equipment and other incidental expenses necessary for
19 defense nuclear nonproliferation activities, in carrying out
20 the purposes of the Department of Energy Organization
21 Act (42 U.S.C. 7101 et seq.), including the acquisition or
22 condemnation of any real property or any facility or for
23 plant or facility acquisition, construction, or expansion,
24 \$1,902,000,000, to remain available until expended: *Pro-*
25 *vided*, That of the unobligated balances from prior year

1 appropriations available under this heading that were ap-
2 portioned in Category C (defined in section 120 of Office
3 of Management and Budget Circular No. A-11),
4 \$19,128,000 is hereby rescinded: *Provided further*, That
5 no amounts may be rescinded from amounts that were
6 designated by the Congress as an emergency requirement
7 pursuant to a concurrent resolution on the budget or the
8 Balanced Budget and Emergency Deficit Control Act of
9 1985.

10

NAVAL REACTORS

11

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

12

For Department of Energy expenses necessary for
13 naval reactors activities to carry out the Department of
14 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
15 ing the acquisition (by purchase, condemnation, construc-
16 tion, or otherwise) of real property, plant, and capital
17 equipment, facilities, and facility expansion,
18 \$1,420,120,000, to remain available until expended, of
19 which, \$75,100,000 shall be transferred to “Department
20 of Energy—Energy Programs—Nuclear Energy”, for the
21 Advanced Test Reactor: *Provided*, That of the amount
22 provided under this heading, \$44,100,000 shall be avail-
23 able until September 30, 2018, for program direction: *Pro-*
24 *vided further*, That of the unobligated balances from prior
25 year appropriations available under this heading that were

1 apportioned in Category C (defined in section 120 of Of-
2 fice of Management and Budget Circular No. A-11),
3 \$307,000 is hereby rescinded: *Provided further*, That no
4 amounts may be rescinded from amounts that were des-
5 ignated by the Congress as an emergency requirement
6 pursuant to a concurrent resolution on the budget or the
7 Balanced Budget and Emergency Deficit Control Act of
8 1985.

9 FEDERAL SALARIES AND EXPENSES

10 For expenses necessary for Federal Salaries and Ex-
11 penses in the National Nuclear Security Administration,
12 \$390,000,000, to remain available until September 30,
13 2018, including official reception and representation ex-
14 penses not to exceed \$12,000.

15 ENVIRONMENTAL AND OTHER DEFENSE

16 ACTIVITIES

17 DEFENSE ENVIRONMENTAL CLEANUP

18 For Department of Energy expenses, including the
19 purchase, construction, and acquisition of plant and cap-
20 ital equipment and other expenses necessary for atomic
21 energy defense environmental cleanup activities in car-
22 rying out the purposes of the Department of Energy Orga-
23 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
24 sition or condemnation of any real property or any facility
25 or for plant or facility acquisition, construction, or expan-

1 sion, and the purchase of not to exceed one fire apparatus
2 pumper truck, one aerial lift truck, one refuse truck, and
3 one semi-truck for replacement only, \$5,405,000,000, to
4 remain available until expended: *Provided*, That of such
5 amount, \$290,050,000 shall be available until September
6 30, 2018, for program direction: *Provided further*, That
7 of the amount provided under this heading, \$26,800,000
8 shall be available for the purpose of a payment by the Sec-
9 retary of Energy to the State of New Mexico for road im-
10 provements in accordance with section 15(b) of the Waste
11 Isolation Pilot Plant Land Withdrawal Act (Public Law
12 102–579): *Provided further*, That the amount made avail-
13 able by the previous proviso shall be separate from any
14 appropriations of funds for the Waste Isolation Pilot
15 Plant.

16 DEFENSE URANIUM ENRICHMENT DECONTAMINATION
17 AND DECOMMISSIONING
18 (INCLUDING TRANSFER OF FUNDS)

19 For an additional amount for atomic energy defense
20 environmental cleanup activities for Department of En-
21 ergy contributions for uranium enrichment decontamina-
22 tion and decommissioning activities, \$563,000,000, to be
23 deposited into the Defense Environmental Cleanup ac-
24 count which shall be transferred to the “Uranium Enrich-
25 ment Decontamination and Decommissioning Fund”.

1 OTHER DEFENSE ACTIVITIES

2 For Department of Energy expenses, including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment and other expenses, necessary for atomic
5 energy defense, other defense activities, and classified ac-
6 tivities, in carrying out the purposes of the Department
7 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
8 cluding the acquisition or condemnation of any real prop-
9 erty or any facility or for plant or facility acquisition, con-
10 struction, or expansion, \$784,000,000, to remain available
11 until expended: *Provided*, That of such amount,
12 \$254,230,000 shall be available until September 30, 2018,
13 for program direction.

14 POWER MARKETING ADMINISTRATIONS

15 BONNEVILLE POWER ADMINISTRATION FUND

16 Expenditures from the Bonneville Power Administra-
17 tion Fund, established pursuant to Public Law 93-454,
18 are approved for official reception and representation ex-
19 penses in an amount not to exceed \$5,000: *Provided*, That
20 during fiscal year 2017, no new direct loan obligations
21 may be made.

22 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
23 ADMINISTRATION

24 For expenses necessary for operation and mainte-
25 nance of power transmission facilities and for marketing

1 electric power and energy, including transmission wheeling
2 and ancillary services, pursuant to section 5 of the Flood
3 Control Act of 1944 (16 U.S.C. 825s), as applied to the
4 southeastern power area, \$1,000,000, including official re-
5 ception and representation expenses in an amount not to
6 exceed \$1,500, to remain available until expended: *Pro-*
7 *vided*, That notwithstanding 31 U.S.C. 3302 and section
8 5 of the Flood Control Act of 1944, up to \$1,000,000 col-
9 lected by the Southeastern Power Administration from the
10 sale of power and related services shall be credited to this
11 account as discretionary offsetting collections, to remain
12 available until expended for the sole purpose of funding
13 the annual expenses of the Southeastern Power Adminis-
14 tration: *Provided further*, That the sum herein appro-
15 priated for annual expenses shall be reduced as collections
16 are received during the fiscal year so as to result in a final
17 fiscal year 2017 appropriation estimated at not more than
18 \$0: *Provided further*, That notwithstanding 31 U.S.C.
19 3302, up to \$60,760,000 collected by the Southeastern
20 Power Administration pursuant to the Flood Control Act
21 of 1944 to recover purchase power and wheeling expenses
22 shall be credited to this account as offsetting collections,
23 to remain available until expended for the sole purpose
24 of making purchase power and wheeling expenditures:
25 *Provided further*, That for purposes of this appropriation,

1 annual expenses means expenditures that are generally re-
2 covered in the same year that they are incurred (excluding
3 purchase power and wheeling expenses).

4 OPERATION AND MAINTENANCE, SOUTHWESTERN
5 POWER ADMINISTRATION

6 For expenses necessary for operation and mainte-
7 nance of power transmission facilities and for marketing
8 electric power and energy, for construction and acquisition
9 of transmission lines, substations and appurtenant facili-
10 ties, and for administrative expenses, including official re-
11 ception and representation expenses in an amount not to
12 exceed \$1,500 in carrying out section 5 of the Flood Con-
13 trol Act of 1944 (16 U.S.C. 825s), as applied to the
14 Southwestern Power Administration, \$45,643,000, to re-
15 main available until expended: *Provided*, That notwith-
16 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
17 trol Act of 1944 (16 U.S.C. 825s), up to \$34,586,000 col-
18 lected by the Southwestern Power Administration from
19 the sale of power and related services shall be credited to
20 this account as discretionary offsetting collections, to re-
21 main available until expended, for the sole purpose of
22 funding the annual expenses of the Southwestern Power
23 Administration: *Provided further*, That the sum herein ap-
24 propriated for annual expenses shall be reduced as collec-
25 tions are received during the fiscal year so as to result

1 in a final fiscal year 2017 appropriation estimated at not
2 more than \$11,057,000: *Provided further*, That notwith-
3 standing 31 U.S.C. 3302, up to \$73,000,000 collected by
4 the Southwestern Power Administration pursuant to the
5 Flood Control Act of 1944 to recover purchase power and
6 wheeling expenses shall be credited to this account as off-
7 setting collections, to remain available until expended for
8 the sole purpose of making purchase power and wheeling
9 expenditures: *Provided further*, That for purposes of this
10 appropriation, annual expenses means expenditures that
11 are generally recovered in the same year that they are in-
12 curred (excluding purchase power and wheeling expenses).

13 CONSTRUCTION, REHABILITATION, OPERATION AND
14 MAINTENANCE, WESTERN AREA POWER ADMINIS-
15 TRATION

16 For carrying out the functions authorized by title III,
17 section 302(a)(1)(E) of the Act of August 4, 1977 (42
18 U.S.C. 7152), and other related activities including con-
19 servation and renewable resources programs as author-
20 ized, \$273,144,000, including official reception and rep-
21 resentation expenses in an amount not to exceed \$1,500,
22 to remain available until expended, of which \$265,742,000
23 shall be derived from the Department of the Interior Rec-
24 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
25 3302, section 5 of the Flood Control Act of 1944 (16

1 U.S.C. 825s), and section 1 of the Interior Department
2 Appropriation Act, 1939 (43 U.S.C. 392a), up to
3 \$177,563,000 collected by the Western Area Power Ad-
4 ministration from the sale of power and related services
5 shall be credited to this account as discretionary offsetting
6 collections, to remain available until expended, for the sole
7 purpose of funding the annual expenses of the Western
8 Area Power Administration: *Provided further*, That the
9 sum herein appropriated for annual expenses shall be re-
10 duced as collections are received during the fiscal year so
11 as to result in a final fiscal year 2017 appropriation esti-
12 mated at not more than \$95,581,000, of which
13 \$88,179,000 is derived from the Reclamation Fund: *Pro-*
14 *vided further*, That notwithstanding 31 U.S.C. 3302, up
15 to \$367,009,000 collected by the Western Area Power Ad-
16 ministration pursuant to the Flood Control Act of 1944
17 and the Reclamation Project Act of 1939 to recover pur-
18 chase power and wheeling expenses shall be credited to
19 this account as offsetting collections, to remain available
20 until expended for the sole purpose of making purchase
21 power and wheeling expenditures: *Provided further*, That
22 for purposes of this appropriation, annual expenses means
23 expenditures that are generally recovered in the same year
24 that they are incurred (excluding purchase power and
25 wheeling expenses).

1 FALCON AND AMISTAD OPERATING AND MAINTENANCE
2 FUND

3 For operation, maintenance, and emergency costs for
4 the hydroelectric facilities at the Falcon and Amistad
5 Dams, \$4,070,000, to remain available until expended,
6 and to be derived from the Falcon and Amistad Operating
7 and Maintenance Fund of the Western Area Power Ad-
8 ministration, as provided in section 2 of the Act of June
9 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
10 the provisions of that Act and of 31 U.S.C. 3302, up to
11 \$3,838,000 collected by the Western Area Power Adminis-
12 tration from the sale of power and related services from
13 the Falcon and Amistad Dams shall be credited to this
14 account as discretionary offsetting collections, to remain
15 available until expended for the sole purpose of funding
16 the annual expenses of the hydroelectric facilities of these
17 Dams and associated Western Area Power Administration
18 activities: *Provided further*, That the sum herein appro-
19 priated for annual expenses shall be reduced as collections
20 are received during the fiscal year so as to result in a final
21 fiscal year 2017 appropriation estimated at not more than
22 \$232,000: *Provided further*, That for purposes of this ap-
23 propriation, annual expenses means expenditures that are
24 generally recovered in the same year that they are in-
25 curred: *Provided further*, That for fiscal year 2017, the

1 Administrator of the Western Area Power Administration
2 may accept up to \$323,000 in funds contributed by United
3 States power customers of the Falcon and Amistad Dams
4 for deposit into the Falcon and Amistad Operating and
5 Maintenance Fund, and such funds shall be available for
6 the purpose for which contributed in like manner as if said
7 sums had been specifically appropriated for such purpose:
8 *Provided further*, That any such funds shall be available
9 without further appropriation and without fiscal year limi-
10 tation for use by the Commissioner of the United States
11 Section of the International Boundary and Water Com-
12 mission for the sole purpose of operating, maintaining, re-
13 pairing, rehabilitating, replacing, or upgrading the hydro-
14 electric facilities at these Dams in accordance with agree-
15 ments reached between the Administrator, Commissioner,
16 and the power customers.

17 FEDERAL ENERGY REGULATORY COMMISSION

18 SALARIES AND EXPENSES

19 For expenses necessary for the Federal Energy Regu-
20 latory Commission to carry out the provisions of the De-
21 partment of Energy Organization Act (42 U.S.C. 7101 et
22 seq.), including services as authorized by 5 U.S.C. 3109,
23 official reception and representation expenses not to ex-
24 ceed \$3,000, and the hire of passenger motor vehicles,
25 \$346,800,000, to remain available until expended: *Pro-*

1 *vided*, That notwithstanding any other provision of law,
2 not to exceed \$346,800,000 of revenues from fees and an-
3 nual charges, and other services and collections in fiscal
4 year 2017 shall be retained and used for expenses nec-
5 essary in this account, and shall remain available until ex-
6 pended: *Provided further*, That the sum herein appro-
7 priated from the general fund shall be reduced as revenues
8 are received during fiscal year 2017 so as to result in a
9 final fiscal year 2017 appropriation from the general fund
10 estimated at not more than \$0.

11 GENERAL PROVISIONS—DEPARTMENT OF

12 ENERGY

13 (INCLUDING TRANSFER AND RESCISSIONS OF FUNDS)

14 SEC. 301. (a) No appropriation, funds, or authority
15 made available by this title for the Department of Energy
16 shall be used to initiate or resume any program, project,
17 or activity or to prepare or initiate Requests For Proposals
18 or similar arrangements (including Requests for
19 Quotations, Requests for Information, and Funding Op-
20 portunity Announcements) for a program, project, or ac-
21 tivity if the program, project, or activity has not been
22 funded by Congress.

23 (b)(1) Unless the Secretary of Energy notifies the
24 Committees on Appropriations of both Houses of Congress

1 at least 3 full business days in advance, none of the funds
2 made available in this title may be used to—

3 (A) make a grant allocation or discretionary
4 grant award totaling \$1,000,000 or more;

5 (B) make a discretionary contract award or
6 Other Transaction Agreement totaling \$1,000,000
7 or more, including a contract covered by the Federal
8 Acquisition Regulation;

9 (C) issue a letter of intent to make an alloca-
10 tion, award, or Agreement in excess of the limits in
11 subparagraph (A) or (B); or

12 (D) announce publicly the intention to make an
13 allocation, award, or Agreement in excess of the lim-
14 its in subparagraph (A) or (B).

15 (2) The Secretary of Energy shall submit to the Com-
16 mittees on Appropriations of both Houses of Congress
17 within 15 days of the conclusion of each quarter a report
18 detailing each grant allocation or discretionary grant
19 award totaling less than \$1,000,000 provided during the
20 previous quarter.

21 (3) The notification required by paragraph (1) and
22 the report required by paragraph (2) shall include the re-
23 cipient of the award, the amount of the award, the fiscal
24 year for which the funds for the award were appropriated,
25 the account and program, project, or activity from which

1 the funds are being drawn, the title of the award, and
2 a brief description of the activity for which the award is
3 made.

4 (c) The Department of Energy may not, with respect
5 to any program, project, or activity that uses budget au-
6 thority made available in this title under the heading “De-
7 partment of Energy—Energy Programs”, enter into a
8 multiyear contract, award a multiyear grant, or enter into
9 a multiyear cooperative agreement unless—

10 (1) the contract, grant, or cooperative agree-
11 ment is funded for the full period of performance as
12 anticipated at the time of award; or

13 (2) the contract, grant, or cooperative agree-
14 ment includes a clause conditioning the Federal Gov-
15 ernment’s obligation on the availability of future
16 year budget authority and the Secretary notifies the
17 Committees on Appropriations of both Houses of
18 Congress at least 3 days in advance.

19 (d) Except as provided in subsections (e), (f), and (g),
20 the amounts made available by this title shall be expended
21 as authorized by law for the programs, projects, and ac-
22 tivities specified in the “Final Bill” column in the “De-
23 partment of Energy” table included under the heading
24 “Title III—Department of Energy” in the explanatory

1 statement described in section 4 (in the matter preceding
2 division A of this consolidated Act).

3 (e) The amounts made available by this title may be
4 reprogrammed for any program, project, or activity, and
5 the Department shall notify the Committees on Appropria-
6 tions of both Houses of Congress at least 30 days prior
7 to the use of any proposed reprogramming that would
8 cause any program, project, or activity funding level to
9 increase or decrease by more than \$5,000,000 or 10 per-
10 cent, whichever is less, during the time period covered by
11 this Act.

12 (f) None of the funds provided in this title shall be
13 available for obligation or expenditure through a re-
14 programming of funds that—

15 (1) creates, initiates, or eliminates a program,
16 project, or activity;

17 (2) increases funds or personnel for any pro-
18 gram, project, or activity for which funds are denied
19 or restricted by this Act; or

20 (3) reduces funds that are directed to be used
21 for a specific program, project, or activity by this
22 Act.

23 (g)(1) The Secretary of Energy may waive any re-
24 quirement or restriction in this section that applies to the
25 use of funds made available for the Department of Energy

1 if compliance with such requirement or restriction would
2 pose a substantial risk to human health, the environment,
3 welfare, or national security.

4 (2) The Secretary of Energy shall notify the Commit-
5 tees on Appropriations of both Houses of Congress of any
6 waiver under paragraph (1) as soon as practicable, but
7 not later than 3 days after the date of the activity to which
8 a requirement or restriction would otherwise have applied.
9 Such notice shall include an explanation of the substantial
10 risk under paragraph (1) that permitted such waiver.

11 (h) The unexpended balances of prior appropriations
12 provided for activities in this Act may be available to the
13 same appropriation accounts for such activities established
14 pursuant to this title. Available balances may be merged
15 with funds in the applicable established accounts and
16 thereafter may be accounted for as one fund for the same
17 time period as originally enacted.

18 SEC. 302. Funds appropriated by this or any other
19 Act, or made available by the transfer of funds in this
20 Act, for intelligence activities are deemed to be specifically
21 authorized by the Congress for purposes of section 504
22 of the National Security Act of 1947 (50 U.S.C. 3094)
23 during fiscal year 2017 until the enactment of the Intel-
24 ligence Authorization Act for fiscal year 2017.

1 SEC. 303. None of the funds made available in this
2 title shall be used for the construction of facilities classi-
3 fied as high-hazard nuclear facilities under 10 CFR Part
4 830 unless independent oversight is conducted by the Of-
5 fice of Enterprise Assessments to ensure the project is in
6 compliance with nuclear safety requirements.

7 SEC. 304. None of the funds made available in this
8 title may be used to approve critical decision-2 or critical
9 decision-3 under Department of Energy Order 413.3B, or
10 any successive departmental guidance, for construction
11 projects where the total project cost exceeds
12 \$100,000,000, until a separate independent cost estimate
13 has been developed for the project for that critical deci-
14 sion.

15 SEC. 305. (a) None of the funds made available in
16 this or any prior Act under the heading “Defense Nuclear
17 Nonproliferation” may be made available to enter into new
18 contracts with, or new agreements for Federal assistance
19 to, the Russian Federation.

20 (b) The Secretary of Energy may waive the prohibi-
21 tion in subsection (a) if the Secretary determines that
22 such activity is in the national security interests of the
23 United States. This waiver authority may not be dele-
24 gated.

1 (c) A waiver under subsection (b) shall not be effec-
2 tive until 15 days after the date on which the Secretary
3 submits to the Committees on Appropriations of both
4 Houses of Congress, in classified form if necessary, a re-
5 port on the justification for the waiver.

6 SEC. 306. (a) NEW REGIONAL RESERVES.—The Sec-
7 retary of Energy may not establish any new regional pe-
8 troleum product reserve unless funding for the proposed
9 regional petroleum product reserve is explicitly requested
10 in advance in an annual budget submission and approved
11 by the Congress in an appropriations Act.

12 (b) The budget request or notification shall include—

- 13 (1) the justification for the new reserve;
- 14 (2) a cost estimate for the establishment, oper-
15 ation, and maintenance of the reserve, including
16 funding sources;
- 17 (3) a detailed plan for operation of the reserve,
18 including the conditions upon which the products
19 may be released;
- 20 (4) the location of the reserve; and
- 21 (5) the estimate of the total inventory of the re-
22 serve.

23 SEC. 307. (a) Of the unobligated balances available
24 from amounts appropriated in the accounts and from the
25 fiscal years specified in the “Final Bill” column in the

1 “Department of Energy—Sec. 307.” table included under
2 the heading “Title III—Department of Energy” in the ex-
3 planatory statement described in section 4 (in the matter
4 preceding division A of this consolidated Act),
5 \$94,803,000 is hereby rescinded.

6 (b) No amounts may be rescinded under subsection
7 (a) from amounts that were designated by the Congress
8 as an emergency requirement pursuant to a concurrent
9 resolution on the budget or the Balanced Budget and
10 Emergency Deficit Control Act of 1985.

11 SEC. 308. (a) From unobligated balances available
12 from amounts appropriated in prior fiscal years for “De-
13 partment of Energy—Energy Programs—Fossil Energy
14 Research and Development”, \$240,000,000 is hereby re-
15 scinded.

16 (b) No amounts may be rescinded by this section
17 from amounts that were designated by the Congress as
18 an emergency requirement pursuant to a concurrent reso-
19 lution on the budget or the Balanced Budget and Emer-
20 gency Deficit Control Act of 1985.

21 SEC. 309. Not to exceed \$2,000,000, in aggregate,
22 of the amounts made available by this title may be made
23 available for project engineering and design of the Consoli-
24 dated Emergency Operations Center.

1 TITLE IV
2 INDEPENDENT AGENCIES
3 APPALACHIAN REGIONAL COMMISSION

4 For expenses necessary to carry out the programs au-
5 thorized by the Appalachian Regional Development Act of
6 1965, and for expenses necessary for the Federal Co-
7 Chairman and the Alternate on the Appalachian Regional
8 Commission, for payment of the Federal share of the ad-
9 ministrative expenses of the Commission, including serv-
10 ices as authorized by 5 U.S.C. 3109, and hire of passenger
11 motor vehicles, \$152,000,000, to remain available until ex-
12 pended.

13 DEFENSE NUCLEAR FACILITIES SAFETY BOARD
14 SALARIES AND EXPENSES

15 For expenses necessary for the Defense Nuclear Fa-
16 cilities Safety Board in carrying out activities authorized
17 by the Atomic Energy Act of 1954, as amended by Public
18 Law 100-456, section 1441, \$30,872,000, to remain
19 available until September 30, 2018.

20 DELTA REGIONAL AUTHORITY
21 SALARIES AND EXPENSES

22 For expenses necessary for the Delta Regional Au-
23 thority and to carry out its activities, as authorized by
24 the Delta Regional Authority Act of 2000, notwith-
25 standing sections 382C(b)(2), 382F(d), 382M, and 382N

1 of said Act, \$25,000,000, to remain available until ex-
2 pended.

3 DENALI COMMISSION

4 For expenses necessary for the Denali Commission
5 including the purchase, construction, and acquisition of
6 plant and capital equipment as necessary and other ex-
7 penses, \$15,000,000, to remain available until expended,
8 notwithstanding the limitations contained in section
9 306(g) of the Denali Commission Act of 1998: *Provided*,
10 That funds shall be available for construction projects in
11 an amount not to exceed 80 percent of total project cost
12 for distressed communities, as defined by section 307 of
13 the Denali Commission Act of 1998 (division C, title III,
14 Public Law 105–277), as amended by section 701 of ap-
15 pendix D, title VII, Public Law 106–113 (113 Stat.
16 1501A–280), and an amount not to exceed 50 percent for
17 non-distressed communities: *Provided further*, That, not-
18 withstanding any other provision of law regarding pay-
19 ment of a non-Federal share in connection with a grant-
20 in-aid program, amounts under this heading shall be avail-
21 able for the payment of such a non-Federal share for pro-
22 grams undertaken to carry out the purposes of the Com-
23 mission.

1 NORTHERN BORDER REGIONAL COMMISSION

2 For expenses necessary for the Northern Border Re-
3 gional Commission in carrying out activities authorized by
4 subtitle V of title 40, United States Code, \$10,000,000,
5 to remain available until expended: *Provided*, That such
6 amounts shall be available for administrative expenses,
7 notwithstanding section 15751(b) of title 40, United
8 States Code.

9 SOUTHEAST CRESCENT REGIONAL COMMISSION

10 For expenses necessary for the Southeast Crescent
11 Regional Commission in carrying out activities authorized
12 by subtitle V of title 40, United States Code, \$250,000,
13 to remain available until expended.

14 NUCLEAR REGULATORY COMMISSION

15 SALARIES AND EXPENSES

16 For expenses necessary for the Commission in car-
17 rying out the purposes of the Energy Reorganization Act
18 of 1974 and the Atomic Energy Act of 1954,
19 \$905,000,000, including official representation expenses
20 not to exceed \$25,000, to remain available until expended:
21 *Provided*, That of the amount appropriated herein, not
22 more than \$7,500,000 may be made available for salaries,
23 travel, and other support costs for the Office of the Com-
24 mission, to remain available until September 30, 2018, of
25 which, notwithstanding section 201(a)(2)(c) of the Energy

1 Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)),
2 the use and expenditure shall only be approved by a major-
3 ity vote of the Commission: *Provided further*, That reve-
4 nues from licensing fees, inspection services, and other
5 services and collections estimated at \$794,580,000 in fis-
6 cal year 2017 shall be retained and used for necessary
7 salaries and expenses in this account, notwithstanding 31
8 U.S.C. 3302, and shall remain available until expended:
9 *Provided further*, That of the amounts appropriated under
10 this heading, not less than \$5,000,000 shall be for activi-
11 ties related to the development of regulatory infrastruc-
12 ture for advanced nuclear reactor technologies, and
13 \$5,000,000 of that amount shall not be available from fee
14 revenues, notwithstanding 42 U.S.C. 2214: *Provided fur-*
15 *ther*, That the sum herein appropriated shall be reduced
16 by the amount of revenues received during fiscal year
17 2017 so as to result in a final fiscal year 2017 appropria-
18 tion estimated at not more than \$110,420,000: *Provided*
19 *further*, That of the amounts appropriated under this
20 heading, \$10,000,000 shall be for university research and
21 development in areas relevant to the Commission's mis-
22 sion, and \$5,000,000 shall be for a Nuclear Science and
23 Engineering Grant Program that will support multiyear
24 projects that do not align with programmatic missions but

1 are critical to maintaining the discipline of nuclear science
2 and engineering.

3 OFFICE OF INSPECTOR GENERAL

4 For expenses necessary for the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, \$12,129,000, to remain available
7 until September 30, 2018: *Provided*, That revenues from
8 licensing fees, inspection services, and other services and
9 collections estimated at \$10,044,000 in fiscal year 2017
10 shall be retained and be available until September 30,
11 2018, for necessary salaries and expenses in this account,
12 notwithstanding section 3302 of title 31, United States
13 Code: *Provided further*, That the sum herein appropriated
14 shall be reduced by the amount of revenues received dur-
15 ing fiscal year 2017 so as to result in a final fiscal year
16 2017 appropriation estimated at not more than
17 \$2,085,000: *Provided further*, That of the amounts appro-
18 priated under this heading, \$969,000 shall be for Inspec-
19 tor General services for the Defense Nuclear Facilities
20 Safety Board, which shall not be available from fee reve-
21 nues.

22 NUCLEAR WASTE TECHNICAL REVIEW BOARD

23 SALARIES AND EXPENSES

24 For expenses necessary for the Nuclear Waste Tech-
25 nical Review Board, as authorized by Public Law 100-

1 gress of any waiver under paragraph (1) as soon as prac-
2 ticable, but not later than 3 days after the date of the
3 activity to which a requirement or restriction would other-
4 wise have applied. Such notice shall include an explanation
5 of the substantial risk under paragraph (1) that permitted
6 such waiver and shall provide a detailed report to the
7 Committees of such waiver and changes to funding levels
8 to programs, projects, or activities.

9 (c) Except as provided in subsections (a), (b), and
10 (d), the amounts made available by this title for “Nuclear
11 Regulatory Commission—Salaries and Expenses” shall be
12 expended as directed in the explanatory statement de-
13 scribed in section 4 (in the matter preceding division A
14 of this consolidated Act).

15 (d) None of the funds provided for the Nuclear Regu-
16 latory Commission shall be available for obligation or ex-
17 penditure through a reprogramming of funds that in-
18 creases funds or personnel for any program, project, or
19 activity for which funds are denied or restricted by this
20 Act.

21 (e) The Commission shall provide a monthly report
22 to the Committees on Appropriations of both Houses of
23 Congress, which includes the following for each program,
24 project, or activity, including any prior year appropria-
25 tions—

- 1 (1) total budget authority;
- 2 (2) total unobligated balances; and
- 3 (3) total unliquidated obligations.

4 TITLE V

5 GENERAL PROVISIONS

6 SEC. 501. None of the funds appropriated by this Act
7 may be used in any way, directly or indirectly, to influence
8 congressional action on any legislation or appropriation
9 matters pending before Congress, other than to commu-
10 nicate to Members of Congress as described in 18 U.S.C.
11 1913.

12 SEC. 502. (a) None of the funds made available in
13 title III of this Act may be transferred to any department,
14 agency, or instrumentality of the United States Govern-
15 ment, except pursuant to a transfer made by or transfer
16 authority provided in this Act or any other appropriations
17 Act for any fiscal year, transfer authority referenced in
18 the explanatory statement described in section 4 (in the
19 matter preceding division A of this consolidated Act), or
20 any authority whereby a department, agency, or instru-
21 mentality of the United States Government may provide
22 goods or services to another department, agency, or in-
23 strumentality.

24 (b) None of the funds made available for any depart-
25 ment, agency, or instrumentality of the United States

1 Government may be transferred to accounts funded in title
2 III of this Act, except pursuant to a transfer made by or
3 transfer authority provided in this Act or any other appro-
4 priations Act for any fiscal year, transfer authority ref-
5 erenced in the explanatory statement described in section
6 4 (in the matter preceding division A of this consolidated
7 Act), or any authority whereby a department, agency, or
8 instrumentality of the United States Government may
9 provide goods or services to another department, agency,
10 or instrumentality.

11 (c) The head of any relevant department or agency
12 funded in this Act utilizing any transfer authority shall
13 submit to the Committees on Appropriations of both
14 Houses of Congress a semiannual report detailing the
15 transfer authorities, except for any authority whereby a
16 department, agency, or instrumentality of the United
17 States Government may provide goods or services to an-
18 other department, agency, or instrumentality, used in the
19 previous 6 months and in the year-to-date. This report
20 shall include the amounts transferred and the purposes
21 for which they were transferred, and shall not replace or
22 modify existing notification requirements for each author-
23 ity.

24 SEC. 503. None of the funds made available by this
25 Act may be used in contravention of Executive Order No.

1 12898 of February 11, 1994 (Federal Actions to Address
2 Environmental Justice in Minority Populations and Low-
3 Income Populations).

4 SEC. 504. (a) None of the funds made available in
5 this Act may be used to maintain or establish a computer
6 network unless such network blocks the viewing,
7 downloading, and exchanging of pornography.

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

12 This division may be cited as the “Energy and Water
13 Development and Related Agencies Appropriations Act,
14 2017”.

1 **DIVISION E—FINANCIAL SERVICES AND**
2 **GENERAL GOVERNMENT APPROPRIA-**
3 **TIONS ACT, 2017**

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, \$224,376,000: *Provided*, That of the amount appro-
20 priated under this heading—

21 (1) not to exceed \$350,000 is for official recep-
22 tion and representation expenses;

23 (2) not to exceed \$258,000 is for unforeseen
24 emergencies of a confidential nature to be allocated
25 and expended under the direction of the Secretary of

1 the Treasury and to be accounted for solely on the
2 Secretary's certificate; and

3 (3) not to exceed \$24,000,000 shall remain
4 available until September 30, 2018, for—

5 (A) the Treasury-wide Financial Statement
6 Audit and Internal Control Program;

7 (B) information technology modernization
8 requirements;

9 (C) the audit, oversight, and administra-
10 tion of the Gulf Coast Restoration Trust Fund;

11 (D) the development and implementation
12 of programs within the Office of Critical Infra-
13 structure Protection and Compliance Policy, in-
14 cluding entering into cooperative agreements;
15 and

16 (E) international operations.

17 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

18 SALARIES AND EXPENSES

19 For the necessary expenses of the Office of Terrorism
20 and Financial Intelligence to safeguard the financial sys-
21 tem against illicit use and to combat rogue nations, ter-
22 rorist facilitators, weapons of mass destruction
23 proliferators, money launderers, drug kingpins, and other
24 national security threats, \$123,000,000: *Provided*, That of
25 the amount appropriated under this heading: (1) up to

1 \$28,000,000 may be transferred to the Departmental Of-
2 fices Salaries and Expenses appropriation and shall be
3 available for administrative support to the Office of Ter-
4 rorism and Financial Intelligence; and (2) \$5,000,000, to
5 remain available until September 30, 2018.

6 CYBERSECURITY ENHANCMENT ACCOUNT

7 For salaries and expenses for enhanced cybersecurity
8 for systems operated by the Department of the Treasury,
9 \$47,743,000, to remain available until September 30,
10 2019: *Provided*, That such funds shall supplement and not
11 supplant any other amounts made available to the Treas-
12 ury offices and bureaus for cybersecurity: *Provided fur-*
13 *ther*, That the Chief Information Officer of the individual
14 offices and bureaus shall submit a spend plan for each
15 investment to the Treasury Chief Information Officer for
16 approval: *Provided further*, That the submitted spend plan
17 shall be reviewed and approved by the Treasury Chief In-
18 formation Officer prior to the obligation of funds under
19 this heading: *Provided further*, That of the total amount
20 made available under this heading \$1,000,000 shall be
21 available for administrative expenses for the Treasury
22 Chief Information Officer to provide oversight of the in-
23 vestments made under this heading: *Provided further*,
24 That such funds shall supplement and not supplant any

1 other amounts made available to the Treasury Chief Infor-
2 mation Officer.

3 DEPARTMENT-WIDE SYSTEMS AND CAPITAL
4 INVESTMENTS PROGRAMS
5 (INCLUDING TRANSFER OF FUNDS)

6 For development and acquisition of automatic data
7 processing equipment, software, and services and for re-
8 pairs and renovations to buildings owned by the Depart-
9 ment of the Treasury, \$3,000,000, to remain available
10 until September 30, 2019: *Provided*, That these funds
11 shall be transferred to accounts and in amounts as nec-
12 essary to satisfy the requirements of the Department's of-
13 fices, bureaus, and other organizations: *Provided further*,
14 That this transfer authority shall be in addition to any
15 other transfer authority provided in this Act: *Provided fur-*
16 *ther*, That none of the funds appropriated under this head-
17 ing shall be used to support or supplement "Internal Rev-
18 enue Service, Operations Support" or "Internal Revenue
19 Service, Business Systems Modernization".

20 OFFICE OF INSPECTOR GENERAL
21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, \$37,044,000, including hire of pas-
25 senger motor vehicles; of which not to exceed \$100,000

1 shall be available for unforeseen emergencies of a con-
2 fidential nature, to be allocated and expended under the
3 direction of the Inspector General of the Treasury; of
4 which up to \$2,800,000 to remain available until Sep-
5 tember 30, 2018, shall be for audits and investigations
6 conducted pursuant to section 1608 of the Resources and
7 Ecosystems Sustainability, Tourist Opportunities, and Re-
8 vived Economies of the Gulf Coast States Act of 2012 (33
9 U.S.C. 1321 note); and of which not to exceed \$1,000
10 shall be available for official reception and representation
11 expenses.

12 TREASURY INSPECTOR GENERAL FOR TAX

13 ADMINISTRATION

14 SALARIES AND EXPENSES

15 For necessary expenses of the Treasury Inspector
16 General for Tax Administration in carrying out the In-
17 spector General Act of 1978, as amended, including pur-
18 chase and hire of passenger motor vehicles (31 U.S.C.
19 1343(b)); and services authorized by 5 U.S.C. 3109, at
20 such rates as may be determined by the Inspector General
21 for Tax Administration; \$169,634,000, of which
22 \$5,000,000 shall remain available until September 30,
23 2018; of which not to exceed \$6,000,000 shall be available
24 for official travel expenses; of which not to exceed
25 \$500,000 shall be available for unforeseen emergencies of

1 a confidential nature, to be allocated and expended under
2 the direction of the Inspector General for Tax Administra-
3 tion; and of which not to exceed \$1,500 shall be available
4 for official reception and representation expenses.

5 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED

6 ASSET RELIEF PROGRAM

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of the Special
9 Inspector General in carrying out the provisions of the
10 Emergency Economic Stabilization Act of 2008 (Public
11 Law 110–343), \$41,160,000.

12 FINANCIAL CRIMES ENFORCEMENT NETWORK

13 SALARIES AND EXPENSES

14 For necessary expenses of the Financial Crimes En-
15 forcement Network, including hire of passenger motor ve-
16 hicles; travel and training expenses of non-Federal and
17 foreign government personnel to attend meetings and
18 training concerned with domestic and foreign financial in-
19 telligence activities, law enforcement, and financial regula-
20 tion; services authorized by 5 U.S.C. 3109; not to exceed
21 \$10,000 for official reception and representation expenses;
22 and for assistance to Federal law enforcement agencies,
23 with or without reimbursement, \$115,003,000, of which
24 not to exceed \$34,335,000 shall remain available until
25 September 30, 2019.

1 TREASURY FORFEITURE FUND

2 (RESCISSION)

3 Of the unobligated balances available under this
4 heading, \$1,115,000,000 are hereby rescinded not later
5 than September 30, 2017, of which \$314,000,000 are per-
6 manently rescinded.

7 BUREAU OF THE FISCAL SERVICE

8 SALARIES AND EXPENSES

9 For necessary expenses of operations of the Bureau
10 of the Fiscal Service, \$353,057,000; of which not to ex-
11 ceed \$4,210,000, to remain available until September 30,
12 2019, 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, \$111,439,000; of which not to
25 exceed \$6,000 for official reception and representation ex-

1 penses; not to exceed \$50,000 for cooperative research and
2 development programs for laboratory services; and provi-
3 sion of laboratory assistance to State and local agencies
4 with or without reimbursement: *Provided*, That of the
5 amount appropriated under this heading, \$5,000,000 shall
6 be for the costs of accelerating the processing of formula
7 and label applications: *Provided further*, That of the
8 amount appropriated under this heading, \$5,000,000, to
9 remain available until September 30, 2018, shall be for
10 the costs associated with enforcement of the trade practice
11 provisions of the Federal Alcohol Administration Act (27
12 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 2017 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, \$248,000,000. Of the amount ap-
9 propriated under this heading—

10 (1) not less than \$161,500,000, 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 2018, 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 \$2,882,500 may be used for the cost of direct loans,
20 and of which up to \$3,000,000, notwithstanding
21 subsection (d) of section 108 of Public Law 103–325
22 (12 U.S.C. 4707(d)), may be available to provide fi-
23 nancial assistance, technical assistance, training, and
24 outreach to community development financial insti-
25 tutions to expand investments that benefit individ-

1 uals with disabilities: *Provided*, That the cost of di-
2 rect and guaranteed loans, including the cost of
3 modifying such loans, shall be as defined in section
4 502 of the Congressional Budget Act of 1974: *Pro-*
5 *vided further*, That these funds are available to sub-
6 sidize gross obligations for the principal amount of
7 direct loans not to exceed \$25,000,000;

8 (2) not less than \$15,500,000, notwithstanding
9 section 108(e) of Public Law 103–325 (12 U.S.C.
10 4707(e)), is available until September 30, 2018, for
11 financial assistance, technical assistance, training
12 and outreach programs designed to benefit Native
13 American, Native Hawaiian, and Alaska Native com-
14 munities and provided primarily through qualified
15 community development lender organizations with
16 experience and expertise in community development
17 banking and lending in Indian country, Native
18 American organizations, tribes and tribal organiza-
19 tions, and other suitable providers;

20 (3) not less than \$23,000,000 is available until
21 September 30, 2018, for the Bank Enterprise Award
22 program;

23 (4) not less than \$22,000,000, notwithstanding
24 subsections (d) and (e) of section 108 of Public Law
25 103–325 (12 U.S.C. 4707(d) and (e)), is available

1 until September 30, 2018, for a Healthy Food Fi-
2 nancing Initiative to provide financial assistance,
3 technical assistance, training, and outreach to com-
4 munity development financial institutions for the
5 purpose of offering affordable financing and tech-
6 nical assistance to expand the availability of healthy
7 food options in distressed communities;

8 (5) up to \$26,000,000 is available until Sep-
9 tember 30, 2017, for administrative expenses, in-
10 cluding administration of CDFI fund programs and
11 the New Markets Tax Credit Program, of which not
12 less than \$1,000,000 is for development of tools to
13 better assess and inform CDFI investment perform-
14 ance, and up to \$300,000 is for administrative ex-
15 penses to carry out the direct loan program; and

16 (6) during fiscal year 2017, none of the funds
17 available under this heading are available for the
18 cost, as defined in section 502 of the Congressional
19 Budget Act of 1974, of commitments to guarantee
20 bonds and notes under section 114A of the Riegle
21 Community Development and Regulatory Improve-
22 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,
23 That commitments to guarantee bonds and notes
24 under such section 114A shall not exceed
25 \$500,000,000: *Provided further*, That such section

1 114A shall remain in effect until September 30,
2 2017: *Provided further*, That of the funds awarded
3 under this heading, not less than 10 percent shall be
4 used for awards that support investments that serve
5 populations living in persistent poverty counties:
6 *Provided further*, That for purposes of this section,
7 the term “persistent poverty counties” means any
8 county that has had 20 percent or more of its popu-
9 lation living in poverty over the past 30 years, as
10 measured by the 1990 and 2000 decennial censuses
11 and the most recent series of 5-year data available
12 from the American Community Survey from the
13 Census Bureau.

14 INTERNAL REVENUE SERVICE

15 TAXPAYER SERVICES

16 For necessary expenses of the Internal Revenue Serv-
17 ice to provide taxpayer services, including pre-filing assist-
18 ance and education, filing and account services, taxpayer
19 advocacy services, and other services as authorized by 5
20 U.S.C. 3109, at such rates as may be determined by the
21 Commissioner, \$2,156,554,000, of which not less than
22 \$8,890,000 shall be for the Tax Counseling for the Elderly
23 Program, of which not less than \$12,000,000 shall be
24 available for low-income taxpayer clinic grants, and of
25 which not less than \$15,000,000, to remain available until

1 September 30, 2018, shall be available for a Community
2 Volunteer Income Tax Assistance matching grants pro-
3 gram for tax return preparation assistance, of which not
4 less than \$206,000,000 shall be available for operating ex-
5 penses of the Taxpayer Advocate Service: *Provided*, That
6 of the amounts made available for the Taxpayer Advocate
7 Service, not less than \$5,000,000 shall be for identity
8 theft casework.

9
10 ENFORCEMENT

11 For necessary expenses for tax enforcement activities
12 of the Internal Revenue Service to determine and collect
13 owed taxes, to provide legal and litigation support, to con-
14 duct criminal investigations, to enforce criminal statutes
15 related to violations of internal revenue laws and other fi-
16 nancial crimes, to purchase and hire passenger motor vehi-
17 cles (31 U.S.C. 1343(b)), and to provide other services
18 as authorized by 5 U.S.C. 3109, at such rates as may be
19 determined by the Commissioner, \$4,860,000,000, of
20 which not to exceed \$50,000,000 shall remain available
21 until September 30, 2018, and of which not less than
22 \$60,257,000 shall be for the Interagency Crime and Drug
23 Enforcement program.

24
25 OPERATIONS SUPPORT

26 For necessary expenses of the Internal Revenue Serv-
27 ice to support taxpayer services and enforcement pro-

1 grams, including rent payments; facilities services; print-
2 ing; postage; physical security; headquarters and other
3 IRS-wide administration activities; research and statistics
4 of income; telecommunications; information technology de-
5 velopment, enhancement, operations, maintenance, and se-
6 curity; the hire of passenger motor vehicles (31 U.S.C.
7 1343(b)); the operations of the Internal Revenue Service
8 Oversight Board; and other services as authorized by 5
9 U.S.C. 3109, at such rates as may be determined by the
10 Commissioner; \$3,638,446,000, of which not to exceed
11 \$50,000,000 shall remain available until September 30,
12 2018; of which not to exceed \$10,000,000 shall remain
13 available until expended for acquisition of equipment and
14 construction, repair and renovation of facilities; of which
15 not to exceed \$1,000,000 shall remain available until Sep-
16 tember 30, 2019, for research; of which not to exceed
17 \$20,000 shall be for official reception and representation
18 expenses: *Provided*, That not later than 30 days after the
19 end of each quarter, the Internal Revenue Service shall
20 submit a report to the Committees on Appropriations of
21 the House of Representatives and the Senate and the
22 Comptroller General of the United States detailing the
23 cost and schedule performance for its major information
24 technology investments, including the purpose and life-
25 cycle stages of the investments; the reasons for any cost

1 and schedule variances; the risks of such investments and
2 strategies the Internal Revenue Service is using to miti-
3 gate such risks; and the expected developmental mile-
4 stones to be achieved and costs to be incurred in the next
5 quarter: *Provided further*, That the Internal Revenue Serv-
6 ice shall include, in its budget justification for fiscal year
7 2018, a summary of cost and schedule performance infor-
8 mation for its major information technology systems.

9 BUSINESS SYSTEMS MODERNIZATION

10 For necessary expenses of the Internal Revenue Serv-
11 ice's business systems modernization program,
12 \$290,000,000, to remain available until September 30,
13 2019, for the capital asset acquisition of information tech-
14 nology systems, including management and related con-
15 tractual costs of said acquisitions, including related Inter-
16 nal Revenue Service labor costs, and contractual costs as-
17 sociated with operations authorized by 5 U.S.C. 3109:
18 *Provided*, That not later than 30 days after the end of
19 each quarter, the Internal Revenue Service shall submit
20 a report to the Committees on Appropriations of the
21 House of Representatives and the Senate and the Comp-
22 troller General of the United States detailing the cost and
23 schedule performance for CADE 2 and Modernized e-File
24 information technology investments, including the pur-
25 poses and life-cycle stages of the investments; the reasons

1 for any cost and schedule variances; the risks of such in-
2 vestments and the strategies the Internal Revenue Service
3 is using to mitigate such risks; and the expected develop-
4 mental milestones to be achieved and costs to be incurred
5 in the next quarter.

6 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

7 SERVICE

8 (INCLUDING TRANSFERS OF FUNDS)

9 SEC. 101. Not to exceed 5 percent of any appropria-
10 tion made available in this Act to the Internal Revenue
11 Service may be transferred to any other Internal Revenue
12 Service appropriation upon the advance approval of the
13 Committees on Appropriations.

14 SEC. 102. The Internal Revenue Service shall main-
15 tain an employee training program, which shall include the
16 following topics: taxpayers' rights, dealing courteously
17 with taxpayers, cross-cultural relations, ethics, and the im-
18 partial application of tax law.

19 SEC. 103. The Internal Revenue Service shall insti-
20 tute and enforce policies and procedures that will safe-
21 guard the confidentiality of taxpayer information and pro-
22 tect taxpayers against identity theft.

23 SEC. 104. Funds made available by this or any other
24 Act to the Internal Revenue Service shall be available for
25 improved facilities and increased staffing to provide suffi-

1 cient and effective 1–800 help line service for taxpayers.
2 The Commissioner shall continue to make improvements
3 to the Internal Revenue Service 1–800 help line service
4 a priority and allocate resources necessary to enhance the
5 response time to taxpayer communications, particularly
6 with regard to victims of tax-related crimes.

7 SEC. 105. None of the funds made available to the
8 Internal Revenue Service by this Act may be used to make
9 a video unless the Service-Wide Video Editorial Board de-
10 termines in advance that making the video is appropriate,
11 taking into account the cost, topic, tone, and purpose of
12 the video.

13 SEC. 106. The Internal Revenue Service shall issue
14 a notice of confirmation of any address change relating
15 to an employer making employment tax payments, and
16 such notice shall be sent to both the employer’s former
17 and new address and an officer or employee of the Internal
18 Revenue Service shall give special consideration to an
19 offer-in-compromise from a taxpayer who has been the vic-
20 tim of fraud by a third party payroll tax preparer.

21 SEC. 107. None of the funds made available under
22 this Act may be used by the Internal Revenue Service to
23 target citizens of the United States for exercising any
24 right guaranteed under the First Amendment to the Con-
25 stitution of the United States.

1 SEC. 108. None of the funds made available in this
2 Act may be used by the Internal Revenue Service to target
3 groups for regulatory scrutiny based on their ideological
4 beliefs.

5 SEC. 109. None of funds made available by this Act
6 to the Internal Revenue Service shall be obligated or ex-
7 pended on conferences that do not adhere to the proce-
8 dures, verification processes, documentation requirements,
9 and policies issued by the Chief Financial Officer, Human
10 Capital Office, and Agency-Wide Shared Services as a re-
11 sult of the recommendations in the report published on
12 May 31, 2013, by the Treasury Inspector General for Tax
13 Administration entitled “Review of the August 2010 Small
14 Business/Self-Employed Division’s Conference in Ana-
15 heim, California” (Reference Number 2013–10–037).

16 SEC. 110. None of the funds made available in this
17 Act to the Internal Revenue Service may be obligated or
18 expended—

19 (1) to make a payment to any employee under
20 a bonus, award, or recognition program; or

21 (2) under any hiring or personnel selection
22 process with respect to re-hiring a former employee,
23 unless such program or process takes into account
24 the conduct and Federal tax compliance of such em-
25 ployee or former employee.

1 SEC. 111. None of the funds made available by this
2 Act may be used in contravention of section 6103 of the
3 Internal Revenue Code of 1986 (relating to confidentiality
4 and disclosure of returns and return information).

5 SEC. 112. Except to the extent provided in section
6 6014, 6020, or 6201(d) of the Internal Revenue Code of
7 1986, no funds in this or any other Act shall be available
8 to the Secretary of the Treasury to provide to any person
9 a proposed final return or statement for use by such per-
10 son to satisfy a filing or reporting requirement under such
11 Code.

12 SEC. 113. In addition to the amounts otherwise made
13 available in this Act for the Internal Revenue Service,
14 \$290,000,000, to be available until September 30, 2018,
15 shall be transferred by the Commissioner to the “Tax-
16 payer Services”, “Enforcement”, or “Operations Support”
17 accounts of the Internal Revenue Service for an additional
18 amount to be used solely for measurable improvements in
19 the customer service representative level of service rate,
20 to improve the identification and prevention of refund
21 fraud and identity theft, and to enhance cybersecurity to
22 safeguard taxpayer data: *Provided*, That such funds shall
23 supplement, not supplant any other amounts made avail-
24 able by the Internal Revenue Service for such purpose:
25 *Provided further*, That such funds shall not be available

1 until the Commissioner submits to the Committees on Ap-
2 propriations of the House of Representatives and the Sen-
3 ate a spending plan for such funds: *Provided further*, That
4 such funds shall not be used to support any provision of
5 Public Law 111–148, Public Law 111–152, or any amend-
6 ment made by either such Public Law.

7 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
8 TREASURY
9 (INCLUDING TRANSFERS OF FUNDS)

10 SEC. 114. Appropriations to the Department of the
11 Treasury in this Act shall be available for uniforms or al-
12 lowances therefor, as authorized by law (5 U.S.C. 5901),
13 including maintenance, repairs, and cleaning; purchase of
14 insurance for official motor vehicles operated in foreign
15 countries; purchase of motor vehicles without regard to the
16 general purchase price limitations for vehicles purchased
17 and used overseas for the current fiscal year; entering into
18 contracts with the Department of State for the furnishing
19 of health and medical services to employees and their de-
20 pendants serving in foreign countries; and services author-
21 ized by 5 U.S.C. 3109.

22 SEC. 115. Not to exceed 2 percent of any appropria-
23 tions in this title made available under the headings “De-
24 partmental Offices—Salaries and Expenses”, “Office of
25 Inspector General”, “Special Inspector General for the

1 Troubled Asset Relief Program”, “Financial Crimes En-
2 forcement Network”, “Bureau of the Fiscal Service”, and
3 “Alcohol and Tobacco Tax and Trade Bureau” may be
4 transferred between such appropriations upon the advance
5 approval of the Committees on Appropriations of the
6 House of Representatives and the Senate: *Provided*, That
7 no transfer under this section may increase or decrease
8 any such appropriation by more than 2 percent.

9 SEC. 116. Not to exceed 2 percent of any appropria-
10 tion made available in this Act to the Internal Revenue
11 Service may be transferred to the Treasury Inspector Gen-
12 eral for Tax Administration’s appropriation upon the ad-
13 vance approval of the Committees on Appropriations of
14 the House of Representatives and the Senate: *Provided*,
15 That no transfer may increase or decrease any such appro-
16 priation by more than 2 percent.

17 SEC. 117. None of the funds appropriated in this Act
18 or otherwise available to the Department of the Treasury
19 or the Bureau of Engraving and Printing may be used
20 to redesign the \$1 Federal Reserve note.

21 SEC. 118. The Secretary of the Treasury may trans-
22 fer funds from the “Bureau of the Fiscal Service-Salaries
23 and Expenses” to the Debt Collection Fund as necessary
24 to cover the costs of debt collection: *Provided*, That such
25 amounts shall be reimbursed to such salaries and expenses

1 account from debt collections received in the Debt Collec-
2 tion Fund.

3 SEC. 119. None of the funds appropriated or other-
4 wise made available by this or any other Act may be used
5 by the United States Mint to construct or operate any mu-
6 seum without the explicit approval of the Committees on
7 Appropriations of the House of Representatives and the
8 Senate, the House Committee on Financial Services, and
9 the Senate Committee on Banking, Housing, and Urban
10 Affairs.

11 SEC. 120. None of the funds appropriated or other-
12 wise made available by this or any other Act or source
13 to the Department of the Treasury, the Bureau of Engrav-
14 ing and Printing, and the United States Mint, individually
15 or collectively, may be used to consolidate any or all func-
16 tions of the Bureau of Engraving and Printing and the
17 United States Mint without the explicit approval of the
18 House Committee on Financial Services; the Senate Com-
19 mittee on Banking, Housing, and Urban Affairs; and the
20 Committees on Appropriations of the House of Represent-
21 atives and the Senate.

22 SEC. 121. Funds appropriated by this Act, or made
23 available by the transfer of funds in this Act, for the De-
24 partment of the Treasury's intelligence or intelligence re-
25 lated activities are deemed to be specifically authorized by

1 the Congress for purposes of section 504 of the National
2 Security Act of 1947 (50 U.S.C. 414) during fiscal year
3 2017 until the enactment of the Intelligence Authorization
4 Act for Fiscal Year 2017.

5 SEC. 122. Not to exceed \$5,000 shall be made avail-
6 able from the Bureau of Engraving and Printing's Indus-
7 trial Revolving Fund for necessary official reception and
8 representation expenses.

9 SEC. 123. The Secretary of the Treasury shall submit
10 a Capital Investment Plan to the Committees on Appro-
11 priations of the Senate and the House of Representatives
12 not later than 30 days following the submission of the an-
13 nual budget submitted by the President: *Provided*, That
14 such Capital Investment Plan shall include capital invest-
15 ment spending from all accounts within the Department
16 of the Treasury, including but not limited to the Depart-
17 ment-wide Systems and Capital Investment Programs ac-
18 count, Treasury Franchise Fund account, and the Treas-
19 ury Forfeiture Fund account: *Provided further*, That such
20 Capital Investment Plan shall include expenditures occur-
21 ring in previous fiscal years for each capital investment
22 project that has not been fully completed.

23 SEC. 124. Within 45 days after the date of enactment
24 of this Act, the Secretary of the Treasury shall submit
25 an itemized report to the Committees on Appropriations

1 of the House of Representatives and the Senate on the
2 amount of total funds charged to each office by the Fran-
3 chise Fund including the amount charged for each service
4 provided by the Franchise Fund to each office, a detailed
5 description of the services, a detailed explanation of how
6 each charge for each service is calculated, and a descrip-
7 tion of the role customers have in governing in the Fran-
8 chise Fund.

9 SEC. 125. The Secretary of the Treasury, in consulta-
10 tion with the appropriate agencies, departments, bureaus,
11 and commissions that have expertise in terrorism and
12 complex financial instruments, shall provide a report to
13 the Committees on Appropriations of the House of Rep-
14 resentatives and Senate, the Committee on Financial Serv-
15 ices of the House of Representatives, and the Committee
16 on Banking, Housing, and Urban Affairs of the Senate
17 not later than 90 days after the date of enactment of this
18 Act on economic warfare and financial terrorism.

19 SEC. 126. During fiscal year 2017—

20 (1) none of the funds made available in this or
21 any other Act may be used by the Department of
22 the Treasury, including the Internal Revenue Serv-
23 ice, to issue, revise, or finalize any regulation, rev-
24 enue ruling, or other guidance not limited to a par-
25 ticular taxpayer relating to the standard which is

1 used to determine whether an organization is oper-
2 ated exclusively for the promotion of social welfare
3 for purposes of section 501(c)(4) of the Internal
4 Revenue Code of 1986 (including the proposed regu-
5 lations published at 78 Fed. Reg. 71535 (November
6 29, 2013)); and

7 (2) the standard and definitions as in effect on
8 January 1, 2010, which are used to make such de-
9 terminations shall apply after the date of the enact-
10 ment of this Act for purposes of determining status
11 under section 501(c)(4) of such Code of organiza-
12 tions created on, before, or after such date.

13 SEC. 127. (a) Not later than 60 days after the end
14 of each quarter, the Office of Financial Stability and the
15 Office of Financial Research shall submit reports on their
16 activities to the Committees on Appropriations of the
17 House of Representatives and the Senate, the Committee
18 on Financial Services of the House of Representatives and
19 the Senate Committee on Banking, Housing, and Urban
20 Affairs.

21 (b) The reports required under subsection (a) shall
22 include—

23 (1) the obligations made during the previous
24 quarter by object class, office, and activity;

1 (2) the estimated obligations for the remainder
2 of the fiscal year by object class, office, and activity;

3 (3) the number of full-time equivalents within
4 each office during the previous quarter;

5 (4) the estimated number of full-time equiva-
6 lents within each office for the remainder of the fis-
7 cal year; and

8 (5) actions taken to achieve the goals, objec-
9 tives, and performance measures of each office.

10 (c) At the request of any such Committees specified
11 in subsection (a), the Office of Financial Stability and the
12 Office of Financial Research shall make officials available
13 to testify on the contents of the reports required under
14 subsection (a).

15 This title may be cited as the “Department of the
16 Treasury Appropriations Act, 2017”.

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, \$55,214,000.

19 EXECUTIVE RESIDENCE AT THE WHITE HOUSE
20 OPERATING EXPENSES

21 For necessary expenses of the Executive Residence
22 at the White House, \$12,723,000, 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.), \$4,201,000.

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 \$96,116,000, of which not to exceed \$12,760,000 shall re-
7 main available until expended for continued modernization
8 of information resources within the Executive Office of the
9 President: *Provided*, That in addition, \$4,925,000, shall
10 remain available until September 30, 2018, for additional
11 security improvements.

12 PRESIDENTIAL TRANSITION ADMINISTRATIVE SUPPORT

13 (INCLUDING TRANSFER OF FUNDS)

14 For expenses of the Office of Administration to carry
15 out the Presidential Transition Act of 1963, as amended,
16 and similar expenses, in addition to amounts otherwise ap-
17 propriated by law, \$7,582,000: *Provided*, That such funds
18 may be transferred to other accounts that provide funding
19 for offices within the Executive Office of the President and
20 the Office of the Vice President in this Act or any other
21 Act, to carry out such purposes.

22 OFFICE OF MANAGEMENT AND BUDGET

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of Management
25 and Budget, including hire of passenger motor vehicles

1 and services as authorized by 5 U.S.C. 3109, to carry out
2 the provisions of chapter 35 of title 44, United States
3 Code, and to prepare and submit the budget of the United
4 States Government, in accordance with section 1105(a) of
5 title 31, United States Code, \$95,000,000, of which not
6 to exceed \$3,000 shall be available for official representa-
7 tion expenses: *Provided*, That none of the funds appro-
8 priated in this Act for the Office of Management and
9 Budget may be used for the purpose of reviewing any agri-
10 cultural marketing orders or any activities or regulations
11 under the provisions of the Agricultural Marketing Agree-
12 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,
13 That none of the funds made available for the Office of
14 Management and Budget by this Act may be expended for
15 the altering of the transcript of actual testimony of wit-
16 nesses, except for testimony of officials of the Office of
17 Management and Budget, before the Committees on Ap-
18 propriations or their subcommittees: *Provided further*,
19 That of the funds made available for the Office of Man-
20 agement and Budget by this Act, no less than three full-
21 time equivalent senior staff position shall be dedicated
22 solely to the Office of the Intellectual Property Enforce-
23 ment Coordinator: *Provided further*, That none of the
24 funds provided in this or prior Acts shall be used, directly
25 or indirectly, by the Office of Management and Budget,

1 for evaluating or determining if water resource project or
2 study reports submitted by the Chief of Engineers acting
3 through the Secretary of the Army are in compliance with
4 all applicable laws, regulations, and requirements relevant
5 to the Civil Works water resource planning process: *Pro-*
6 *vided further*, That the Office of Management and Budget
7 shall have not more than 60 days in which to perform
8 budgetary policy reviews of water resource matters on
9 which the Chief of Engineers has reported: *Provided fur-*
10 *ther*, That the Director of the Office of Management and
11 Budget shall notify the appropriate authorizing and ap-
12 propriating committees when the 60-day review is initi-
13 ated: *Provided further*, That if water resource reports have
14 not been transmitted to the appropriate authorizing and
15 appropriating committees within 15 days after the end of
16 the Office of Management and Budget review period based
17 on the notification from the Director, Congress shall as-
18 sume Office of Management and Budget concurrence with
19 the report and act accordingly.

20 OFFICE OF NATIONAL DRUG CONTROL POLICY

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of National
23 Drug Control Policy; for research activities pursuant to
24 the Office of National Drug Control Policy Reauthoriza-
25 tion Act of 2006 (Public Law 109–469); not to exceed

1 \$10,000 for official reception and representation expenses;
2 and for participation in joint projects or in the provision
3 of services on matters of mutual interest with nonprofit,
4 research, or public organizations or agencies, with or with-
5 out reimbursement, \$19,274,000: *Provided*, That the Of-
6 fice is authorized to accept, hold, administer, and utilize
7 gifts, both real and personal, public and private, without
8 fiscal year limitation, for the purpose of aiding or facili-
9 tating the work of the Office.

10 FEDERAL DRUG CONTROL PROGRAMS

11 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses of the Office of National
14 Drug Control Policy's High Intensity Drug Trafficking
15 Areas Program, \$254,000,000, to remain available until
16 September 30, 2018, for drug control activities consistent
17 with the approved strategy for each of the designated
18 High Intensity Drug Trafficking Areas ("HIDTAs"), of
19 which not less than 51 percent shall be transferred to
20 State and local entities for drug control activities and shall
21 be obligated not later than 120 days after enactment of
22 this Act: *Provided*, That up to 49 percent may be trans-
23 ferred to Federal agencies and departments in amounts
24 determined by the Director of the Office of National Drug
25 Control Policy, of which up to \$2,700,000 may be used

1 for auditing services and associated activities: *Provided*
2 *further*, That, notwithstanding the requirements of Public
3 Law 106–58, any unexpended funds obligated prior to fis-
4 cal year 2015 may be used for any other approved activi-
5 ties of that HIDTA, subject to reprogramming require-
6 ments: *Provided further*, That each HIDTA designated as
7 of September 30, 2016, shall be funded at not less than
8 the fiscal year 2016 base level, unless the Director submits
9 to the Committees on Appropriations of the House of Rep-
10 resentatives and the Senate justification for changes to
11 those levels based on clearly articulated priorities and pub-
12 lished Office of National Drug Control Policy performance
13 measures of effectiveness: *Provided further*, That the Di-
14 rector shall notify the Committees on Appropriations of
15 the initial allocation of fiscal year 2017 funding among
16 HDTAs not later than 45 days after enactment of this
17 Act, and shall notify the Committees of planned uses of
18 discretionary HIDTA funding, as determined in consulta-
19 tion with the HIDTA Directors, not later than 90 days
20 after enactment of this Act: *Provided further*, That upon
21 a determination that all or part of the funds so transferred
22 from this appropriation are not necessary for the purposes
23 provided herein and upon notification to the Committees
24 on Appropriations of the House of Representatives and the

1 Senate, such amounts may be transferred back to this ap-
2 propriation.

3 OTHER FEDERAL DRUG CONTROL PROGRAMS

4 (INCLUDING TRANSFERS OF FUNDS)

5 For other drug control activities authorized by the
6 Office of National Drug Control Policy Reauthorization
7 Act of 2006 (Public Law 109–469), \$111,871,000, to re-
8 main available until expended, which shall be available as
9 follows: \$97,000,000 for the Drug-Free Communities Pro-
10 gram, of which \$2,000,000 shall be made available as di-
11 rected by section 4 of Public Law 107–82, as amended
12 by Public Law 109–469 (21 U.S.C. 1521 note);
13 \$2,000,000 for drug court training and technical assist-
14 ance; \$9,500,000 for anti-doping activities; \$2,121,000 for
15 the United States membership dues to the World Anti-
16 Doping Agency; and \$1,250,000 shall be made available
17 as directed by section 1105 of Public Law 109–469; and
18 an additional \$3,000,000, to remain available until ex-
19 pended, shall be for activities authorized by section 103
20 of Public Law 114–198: *Provided*, That amounts made
21 available under this heading may be transferred to other
22 Federal departments and agencies to carry out such activi-
23 ties.

1 UNANTICIPATED NEEDS

2 For expenses necessary to enable the President to
3 meet unanticipated needs, in furtherance of the national
4 interest, security, or defense which may arise at home or
5 abroad during the current fiscal year, as authorized by
6 3 U.S.C. 108, \$800,000, to remain available until Sep-
7 tember 30, 2018.

8 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM
9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for the furtherance of inte-
11 grated, efficient, secure, and effective uses of information
12 technology in the Federal Government, \$27,000,000, to
13 remain available until expended: *Provided*, That the Direc-
14 tor of the Office of Management and Budget may transfer
15 these funds to one or more other agencies to carry out
16 projects to meet these purposes.

17 SPECIAL ASSISTANCE TO THE PRESIDENT

18 SALARIES AND EXPENSES

19 For necessary expenses to enable the Vice President
20 to provide assistance to the President in connection with
21 specially assigned functions; services as authorized by 5
22 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
23 penses as authorized by 3 U.S.C. 106, which shall be ex-
24 pended and accounted for as provided in that section; and
25 hire of passenger motor vehicles, \$4,228,000.

1 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

2 OPERATING EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For the care, operation, refurnishing, improvement,
5 and to the extent not otherwise provided for, heating and
6 lighting, including electric power and fixtures, of the offi-
7 cial residence of the Vice President; the hire of passenger
8 motor vehicles; and not to exceed \$90,000 pursuant to 3
9 U.S.C. 106(b)(2), \$299,000: *Provided*, That advances, re-
10 payments, or transfers from this appropriation may be
11 made to any department or agency for expenses of car-
12 rying out such activities.

13 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF

14 THE PRESIDENT AND FUNDS APPROPRIATED TO

15 THE PRESIDENT

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 201. From funds made available in this Act
18 under the headings “The White House”, “Executive Resi-
19 dence at the White House”, “White House Repair and
20 Restoration”, “Council of Economic Advisers”, “National
21 Security Council and Homeland Security Council”, “Of-
22 fice of Administration”, “Special Assistance to the Presi-
23 dent”, and “Official Residence of the Vice President”, the
24 Director of the Office of Management and Budget (or
25 such other officer as the President may designate in writ-

1 ing), may, with advance approval of the Committees on
2 Appropriations of the House of Representatives and the
3 Senate, transfer not to exceed 10 percent of any such ap-
4 propriation to any other such appropriation, to be merged
5 with and available for the same time and for the same
6 purposes as the appropriation to which transferred: *Pro-*
7 *vided*, That the amount of an appropriation shall not be
8 increased by more than 50 percent by such transfers: *Pro-*
9 *vided further*, That no amount shall be transferred from
10 “Special Assistance to the President” or “Official Resi-
11 dence of the Vice President” without the approval of the
12 Vice President.

13 SEC. 202. Within 90 days after the date of enactment
14 of this section, the Director of the Office of Management
15 and Budget shall submit a report to the Committees on
16 Appropriations of the House of Representatives and the
17 Senate on the costs of implementing the Dodd-Frank Wall
18 Street Reform and Consumer Protection Act (Public Law
19 111–203). Such report shall include—

20 (1) the estimated mandatory and discretionary
21 obligations of funds through fiscal year 2019, by
22 Federal agency and by fiscal year, including—

23 (A) the estimated obligations by cost in-
24 puts such as rent, information technology, con-
25 tracts, and personnel;

1 (B) the methodology and data sources used
2 to calculate such estimated obligations; and

3 (C) the specific section of such Act that re-
4 quires the obligation of funds; and

5 (2) the estimated receipts through fiscal year
6 2019 from assessments, user fees, and other fees by
7 the Federal agency making the collections, by fiscal
8 year, including—

9 (A) the methodology and data sources used
10 to calculate such estimated collections; and

11 (B) the specific section of such Act that
12 authorizes the collection of funds.

13 SEC. 203. (a) During fiscal year 2017, any Executive
14 order or Presidential memorandum issued or revoked by
15 the President shall be accompanied by a written statement
16 from the Director of the Office of Management and Budg-
17 et on the budgetary impact, including costs, benefits, and
18 revenues, of such order or memorandum.

19 (b) Any such statement shall include—

20 (1) a narrative summary of the budgetary im-
21 pact of such order or memorandum on the Federal
22 Government;

23 (2) the impact on mandatory and discretionary
24 obligations and outlays as the result of such order
25 or memorandum, listed by Federal agency, for each

1 year in the 5-fiscal-year period beginning in fiscal
2 year 2017; and

3 (3) the impact on revenues of the Federal Gov-
4 ernment as the result of such order or memorandum
5 over the 5-fiscal-year period beginning in fiscal year
6 2017.

7 (c) If an Executive order or Presidential memo-
8 randum is issued during fiscal year 2017 due to a national
9 emergency, the Director of the Office of Management and
10 Budget may issue the statement required by subsection
11 (a) not later than 15 days after the date that such order
12 or memorandum is issued.

13 (d) The requirement for cost estimates for Presi-
14 dential memoranda shall only apply for Presidential
15 memoranda estimated to have a regulatory cost in excess
16 of \$100,000,000.

17 This title may be cited as the “Executive Office of
18 the President Appropriations Act, 2017”.

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, \$76,668,000, 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 \$14,868,000, to remain available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of officers and employees, and for nec-
5 essary expenses of the court, as authorized by law,
6 \$30,108,000.

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, \$18,462,000.

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, \$4,996,445,000 (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 \$6,510,000, 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, \$1,044,647,000 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)), \$39,929,000,
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 TRANSFERS 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 \$565,388,000, 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, \$87,500,000, 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, \$28,335,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2018, 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, \$18,100,000, 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 3314(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 second sentence (relating to the
22 District of Kansas) following paragraph (12), by striking
23 “25 years and 6 months” and inserting “26 years and
24 6 months”.

1 (b) Section 406 of the Transportation, Treasury,
2 Housing and Urban Development, the Judiciary, the Dis-
3 trict of Columbia, and Independent Agencies Appropria-
4 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
5 28 U.S.C. 133 note) is amended in the second sentence
6 (relating to the eastern District of Missouri) by striking
7 “23 years and 6 months” and inserting “24 years and
8 6 months”.

9 (c) Section 312(c)(2) of the 21st Century Depart-
10 ment of Justice Appropriations Authorization Act (Public
11 Law 107–273; 28 U.S.C. 133 note), is amended—

12 (1) in the first sentence by striking “14 years”
13 and inserting “15 years”;

14 (2) in the second sentence (relating to the cen-
15 tral District of California), by striking “13 years
16 and 6 months” and inserting “14 years and 6
17 months”; and

18 (3) in the third sentence (relating to the west-
19 ern district of North Carolina), by striking “12
20 years” and inserting “13 years”.

21 SEC. 307. (a) Section 2(a)(2)(A) of the Temporary
22 Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C.
23 152 note; Public Law 112–121) is amended by striking
24 “subparagraphs (B), (C), (D), and (E)” and inserting
25 “subparagraphs (B), (C), (D), (E), (F), (G), and (H)”.

1 (b) Section 2(a)(2) of the Temporary Bankruptcy
2 Judgeships Extension Act of 2012 (28 U.S.C. 152 note;
3 Public Law 112–121) is amended by adding at the end
4 the following:

5 “(F) EASTERN DISTRICT OF MICHIGAN.—

6 The 1st vacancy in the office of a bankruptcy
7 judge for the eastern district of Michigan—

8 “(i) occurring 6 years or more after
9 the date of the enactment of this Act, and

10 “(ii) resulting from the death, retire-
11 ment, resignation, or removal of a bank-
12 ruptcy judge, shall not be filled.

13 “(G) DISTRICT OF PUERTO RICO.—The 1st
14 vacancy in the office of a bankruptcy judge for
15 the district of Puerto Rico—

16 “(i) occurring 6 years or more after
17 the date of the enactment of this Act, and

18 “(ii) resulting from the death, retire-
19 ment, resignation, or removal of a bank-
20 ruptcy judge, shall not be filled.

21 “(H) EASTERN DISTRICT OF VIRGINIA.—

22 The 1st vacancy in the office of a bankruptcy
23 judge for the eastern district of Virginia—

24 “(i) occurring 6 years or more after
25 the date of the enactment of this Act, and

1 “(ii) resulting from the death, retire-
2 ment, resignation, or removal of a bank-
3 ruptcy judge, shall not be filled.”.

4 (c) Section 2(a)(2)(C) of the Temporary Bankruptcy
5 Judgeships Extension Act of 2012 (28 U.S.C. 152 note;
6 Public Law 112–121) is amended—

7 (1) by redesignating clauses (i) and (ii) as
8 clauses (ii) and (iii), respectively;

9 (2) by inserting before clause (ii), as so redesign-
10 nated, the following:

11 “(i) in the case of the 1st and 2d va-
12 cancies, occurring more than 6 years after
13 the date of the enactment of this Act,”;
14 and

15 (3) in clause (ii), as so redesignated, by insert-
16 ing “in the case of the 3d and 4th vacancies,” before
17 “occurring more than 5 years”.

18 (d) Section 2(a)(2)(D)(i) of the Temporary Bank-
19 ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152
20 note; Public Law 112–121) is amended (with regard to
21 the 1st and 2d vacancies in the southern district of Flor-
22 ida) by striking “5 years” and inserting “6 years”.

23 This title may be cited as the “Judiciary Appropria-
24 tions Act, 2017”.

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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, \$34,895,000, 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: *Provided*, That, of the amount

1 provided under this heading, \$19,995,000 shall be used
2 for costs associated with the Presidential Inauguration.

3 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

4 COURTS

5 For salaries and expenses for the District of Colum-
6 bia Courts, \$274,611,000 to be allocated as follows: for
7 the District of Columbia Court of Appeals, \$14,359,000,
8 of which not to exceed \$2,500 is for official reception and
9 representation expenses; for the Superior Court of the
10 District of Columbia, \$125,380,000, of which not to ex-
11 ceed \$2,500 is for official reception and representation ex-
12 penses; for the District of Columbia Court System,
13 \$75,184,000, of which not to exceed \$2,500 is for official
14 reception and representation expenses; and \$59,688,000,
15 to remain available until September 30, 2018, for capital
16 improvements for District of Columbia courthouse facili-
17 ties: *Provided*, That funds made available for capital im-
18 provements shall be expended consistent with the District
19 of Columbia Courts master plan study and facilities condi-
20 tion assessment: *Provided further*, That notwithstanding
21 any other provision of law, all amounts under this heading
22 shall be apportioned quarterly by the Office of Manage-
23 ment and Budget and obligated and expended in the same
24 manner as funds appropriated for salaries and expenses
25 of other Federal agencies: *Provided further*, That 30 days

1 after providing written notice to the Committees on Ap-
2 propriations of the House of Representatives and the Sen-
3 ate, the District of Columbia Courts may reallocate not
4 more than \$6,000,000 of the funds provided under this
5 heading among the items and entities funded under this
6 heading: *Provided further*, That the Joint Committee on
7 Judicial Administration in the District of Columbia may,
8 by regulation, establish a program substantially similar to
9 the program set forth in subchapter II of chapter 35 of
10 title 5, United States Code, for employees of the District
11 of Columbia Courts.

12 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
13 DISTRICT OF COLUMBIA COURTS

14 For payments authorized under section 11–2604 and
15 section 11–2605, D.C. Official Code (relating to represen-
16 tation provided under the District of Columbia Criminal
17 Justice Act), payments for counsel appointed in pro-
18 ceedings in the Family Court of the Superior Court of the
19 District of Columbia under chapter 23 of title 16, D.C.
20 Official Code, or pursuant to contractual agreements to
21 provide guardian ad litem representation, training, tech-
22 nical assistance, and such other services as are necessary
23 to improve the quality of guardian ad litem representation,
24 payments for counsel appointed in adoption proceedings
25 under chapter 3 of title 16, D.C. Official Code, and pay-

1 ments authorized under section 21–2060, D.C. Official
2 Code (relating to services provided under the District of
3 Columbia Guardianship, Protective Proceedings, and Du-
4 rable Power of Attorney Act of 1986), \$49,890,000, to
5 remain available until expended: *Provided*, That funds
6 provided under this heading shall be administered by the
7 Joint Committee on Judicial Administration in the Dis-
8 trict of Columbia: *Provided further*, That, notwithstanding
9 any other provision of law, this appropriation shall be ap-
10 portioned quarterly by the Office of Management and
11 Budget and obligated and expended in the same manner
12 as funds appropriated for expenses of other Federal agen-
13 cies.

14 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
15 FENDER SUPERVISION AGENCY FOR THE DISTRICT
16 OF COLUMBIA

17 For salaries and expenses, including the transfer and
18 hire of motor vehicles, of the Court Services and Offender
19 Supervision Agency for the District of Columbia, as au-
20 thorized by the National Capital Revitalization and Self-
21 Government Improvement Act of 1997, \$248,008,000, of
22 which not to exceed \$2,000 is for official reception and
23 representation expenses related to Community Supervision
24 and Pretrial Services Agency programs, of which not to
25 exceed \$25,000 is for dues and assessments relating to

1 the implementation of the Court Services and Offender
2 Supervision Agency Interstate Supervision Act of 2002;
3 of which \$182,721,000 shall be for necessary expenses of
4 Community Supervision and Sex Offender Registration, to
5 include expenses relating to the supervision of adults sub-
6 ject to protection orders or the provision of services for
7 or related to such persons; and of which \$65,287,000 shall
8 be available to the Pretrial Services Agency, of which up
9 to \$1,800,000 shall remain available until September 30,
10 2018, for information technology requirements associated
11 with the establishment of a comprehensive in-house syn-
12 thetics testing program: *Provided*, That notwithstanding
13 any other provision of law, all amounts under this heading
14 shall be apportioned quarterly by the Office of Manage-
15 ment and Budget and obligated and expended in the same
16 manner as funds appropriated for salaries and expenses
17 of other Federal agencies: *Provided further*, That amounts
18 under this heading may be used for programmatic incen-
19 tives for defendants to successfully complete their terms
20 of supervision.

21 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

22 PUBLIC DEFENDER SERVICE

23 For salaries and expenses, including the transfer and
24 hire of motor vehicles, of the District of Columbia Public
25 Defender Service, as authorized by the National Capital

1 Revitalization and Self-Government Improvement Act of
2 1997, \$41,829,000: *Provided*, That notwithstanding any
3 other provision of law, all amounts under this heading
4 shall be apportioned quarterly by the Office of Manage-
5 ment and Budget and obligated and expended in the same
6 manner as funds appropriated for salaries and expenses
7 of Federal agencies.

8 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
9 WATER AND SEWER AUTHORITY

10 For a Federal payment to the District of Columbia
11 Water and Sewer Authority, \$14,000,000, to remain avail-
12 able until expended, to continue implementation of the
13 Combined Sewer Overflow Long-Term Plan: *Provided*,
14 That the District of Columbia Water and Sewer Authority
15 provides a 100 percent match for this payment.

16 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE
17 COORDINATING COUNCIL

18 For a Federal payment to the Criminal Justice Co-
19 ordinating Council, \$2,000,000, to remain available until
20 expended, to support initiatives related to the coordination
21 of Federal and local criminal justice resources in the Dis-
22 trict of Columbia.

23 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

24 For a Federal payment, to remain available until
25 September 30, 2018, to the Commission on Judicial Dis-

1 abilities and Tenure, \$310,000, and for the Judicial Nomi-
2 nation Commission, \$275,000.

3 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

4 For a Federal payment for a school improvement pro-
5 gram in the District of Columbia, \$45,000,000, to remain
6 available until expended, for payments authorized under
7 the Scholarship for Opportunity and Results Act (division
8 C of Public Law 112–10): *Provided*, That, to the extent
9 that funds are available for opportunity scholarships and
10 following the priorities included in section 3006 of such
11 Act, the Secretary of Education shall make scholarships
12 available to students eligible under section 3013(3) of such
13 Act (Public Law 112–10; 125 Stat. 211) including stu-
14 dents who were not offered a scholarship during any pre-
15 vious school year: *Provided further*, That within funds pro-
16 vided for opportunity scholarships \$3,200,000 shall be for
17 the activities specified in sections 3007(b) through
18 3007(d) and 3009 of the Act.

19 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

20 NATIONAL GUARD

21 For a Federal payment to the District of Columbia
22 National Guard, \$450,000, to remain available until ex-
23 pended for the Major General David F. Wherley, Jr. Dis-
24 trict of Columbia National Guard Retention and College
25 Access Program.

1 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF
2 HIV/AIDS

3 For a Federal payment to the District of Columbia
4 for the testing of individuals for, and the treatment of in-
5 dividuals with, human immunodeficiency virus and ac-
6 quired immunodeficiency syndrome in the District of Co-
7 lumbia, \$5,000,000.

8 DISTRICT OF COLUMBIA FUNDS

9 Local funds are appropriated for the District of Co-
10 lumbia for the current fiscal year out of the General Fund
11 of the District of Columbia (“General Fund”) for pro-
12 grams and activities set forth under the heading “Part
13 A—Summary of Expenses” and at the rate set forth
14 under such heading, as included in D.C. Bill 21–668, as
15 amended as of the date of the enactment of this Act: *Pro-*
16 *vided*, That notwithstanding any other provision of law,
17 except as provided in section 450A of the District of Co-
18 lumbia Home Rule Act (section 1–204.50a, D.C. Official
19 Code), sections 816 and 817 of the Financial Services and
20 General Government Appropriations Act, 2009 (secs. 47–
21 369.01 and 47–369.02, D.C. Official Code), and provi-
22 sions of this Act, the total amount appropriated in this
23 Act for operating expenses for the District of Columbia
24 for fiscal year 2017 under this heading shall not exceed
25 the estimates included in D.C. Bill 21–668, as amended

1 as of the date of the enactment of this Act, or the sum
2 of the total revenues of the District of Columbia for such
3 fiscal year: *Provided further*, That the amount appro-
4 priated may be increased by proceeds of one-time trans-
5 actions, which are expended for emergency or unantici-
6 pated operating or capital needs: *Provided further*, That
7 such increases shall be approved by enactment of local
8 District law and shall comply with all reserve requirements
9 contained in the District of Columbia Home Rule Act:
10 *Provided further*, That the Chief Financial Officer of the
11 District of Columbia shall take such steps as are necessary
12 to assure that the District of Columbia meets these re-
13 quirements, including the apportioning by the Chief Fi-
14 nancial Officer of the appropriations and funds made
15 available to the District during fiscal year 2017, except
16 that the Chief Financial Officer may not reprogram for
17 operating expenses any funds derived from bonds, notes,
18 or other obligations issued for capital projects.

19 This title may be cited as the “District of Columbia
20 Appropriations Act, 2017”.

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, 2018, 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, \$250,000,000,
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, 2018, shall be for the
22 purchase of information technology and of which not less
23 than \$2,700,000 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 new
9 no-year account in the Treasury, which may be established
10 for the sole purpose of recording adjustments for and liq-
11 uidating 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, \$126,000,000, of which \$1,300,000 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 2017, 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), \$9,600,000,
23 of which \$1,400,000 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, \$339,844,000, to remain available until
12 expended: *Provided*, That in addition, \$16,866,992 shall
13 be made available until expended for necessary expenses
14 associated with moving to a new facility or reconfiguring
15 the existing space to significantly reduce space consump-
16 tion: *Provided further*, That \$356,710,992 of offsetting
17 collections shall be assessed and collected pursuant to sec-
18 tion 9 of title I of the Communications Act of 1934, shall
19 be retained and used for necessary expenses and shall re-
20 main available until expended: *Provided further*, That the
21 sum herein appropriated shall be reduced as such offset-
22 ting collections are received during fiscal year 2017 so as
23 to result in a final fiscal year 2017 appropriation esti-
24 mated at \$0: *Provided further*, That any offsetting collec-
25 tions received in excess of \$356,710,992 in fiscal year

1 2017 shall not be available for obligation: *Provided further,*
2 That remaining offsetting collections from prior years col-
3 lected in excess of the amount specified for collection in
4 each such year and otherwise becoming available on Octo-
5 ber 1, 2016, shall not be available for obligation: *Provided*
6 *further,* That, notwithstanding 47 U.S.C. 309(j)(8)(B),
7 proceeds from the use of a competitive bidding system that
8 may be retained and made available for obligation shall
9 not exceed \$117,000,000 for fiscal year 2017: *Provided*
10 *further,* That, of the amount appropriated under this
11 heading, not less than \$11,751,000 shall be for the sala-
12 ries and expenses of the Office of Inspector General.

13 ADMINISTRATIVE PROVISIONS—FEDERAL

14 COMMUNICATIONS COMMISSION

15 SEC. 510. Section 302 of the Universal Service
16 Antideficiency Temporary Suspension Act is amended by
17 striking “December 31, 2017”, each place it appears and
18 inserting “December 31, 2018”.

19 SEC. 511. None of the funds appropriated by this Act
20 may be used by the Federal Communications Commission
21 to modify, amend, or change its rules or regulations for
22 universal service support payments to implement the Feb-
23 ruary 27, 2004 recommendations of the Federal-State
24 Joint Board on Universal Service regarding single connec-

1 tion or primary line restrictions on universal service sup-
2 port payments.

3 FEDERAL DEPOSIT INSURANCE CORPORATION

4 OFFICE OF THE 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, \$35,958,000, to be derived from the
8 Deposit Insurance Fund or, only when appropriate, the
9 FSLIC Resolution Fund.

10 FEDERAL ELECTION COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out the provisions
13 of the Federal Election Campaign Act of 1971,
14 \$79,119,000, of which \$8,000,000 shall remain available
15 until September 30, 2018, for lease expiration and re-
16 placement lease expenses; and of which not to exceed
17 \$5,000 shall be available for reception and representation
18 expenses.

19 FEDERAL LABOR RELATIONS AUTHORITY

20 SALARIES AND EXPENSES

21 For necessary expenses to carry out functions of the
22 Federal Labor Relations Authority, pursuant to Reorga-
23 nization Plan Numbered 2 of 1978, and the Civil Service
24 Reform Act of 1978, including services authorized by 5
25 U.S.C. 3109, and including hire of experts and consult-

1 ants, hire of passenger motor vehicles, and including offi-
2 cial reception and representation expenses (not to exceed
3 \$1,500) and rental of conference rooms in the District of
4 Columbia and elsewhere, \$26,200,000: *Provided*, That
5 public members of the Federal Service Impasses Panel
6 may be paid travel expenses and per diem in lieu of sub-
7 sistence as authorized by law (5 U.S.C. 5703) for persons
8 employed intermittently in the Government service, and
9 compensation as authorized by 5 U.S.C. 3109: *Provided*
10 *further*, That, notwithstanding 31 U.S.C. 3302, funds re-
11 ceived from fees charged to non-Federal participants at
12 labor-management relations conferences shall be credited
13 to and merged with this account, to be available without
14 further appropriation for the costs of carrying out these
15 conferences.

16 FEDERAL TRADE COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Trade Com-
19 mission, including uniforms or allowances therefor, as au-
20 thorized by 5 U.S.C. 5901–5902; services as authorized
21 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
22 not to exceed \$2,000 for official reception and representa-
23 tion expenses, \$313,000,000, to remain available until ex-
24 pended: *Provided*, That not to exceed \$300,000 shall be
25 available for use to contract with a person or persons for

1 collection services in accordance with the terms of 31
2 U.S.C. 3718: *Provided further*, That, notwithstanding any
3 other provision of law, not to exceed \$125,000,000 of off-
4 setting collections derived from fees collected for
5 premerger notification filings under the Hart-Scott-Ro-
6 dino Antitrust Improvements Act of 1976 (15 U.S.C.
7 18a), regardless of the year of collection, shall be retained
8 and used for necessary expenses in this appropriation:
9 *Provided further*, That, notwithstanding any other provi-
10 sion of law, not to exceed \$15,000,000 in offsetting collec-
11 tions derived from fees sufficient to implement and enforce
12 the Telemarketing Sales Rule, promulgated under the
13 Telemarketing and Consumer Fraud and Abuse Preven-
14 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
15 account, and be retained and used for necessary expenses
16 in this appropriation: *Provided further*, That the sum here-
17 in appropriated from the general fund shall be reduced
18 as such offsetting collections are received during fiscal
19 year 2017, so as to result in a final fiscal year 2017 appro-
20 priation from the general fund estimated at not more than
21 \$173,000,000: *Provided further*, That none of the funds
22 made available to the Federal Trade Commission may be
23 used to implement subsection (e)(2)(B) of section 43 of
24 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

1 GENERAL SERVICES ADMINISTRATION

2 REAL PROPERTY ACTIVITIES

3 FEDERAL BUILDINGS FUND

4 LIMITATIONS ON AVAILABILITY OF REVENUE

5 (INCLUDING TRANSFERS OF FUNDS)

6 Amounts in the Fund, including revenues and collec-
7 tions deposited into the Fund, shall be available for nec-
8 essary expenses of real property management and related
9 activities not otherwise provided for, including operation,
10 maintenance, and protection of federally owned and leased
11 buildings; rental of buildings in the District of Columbia;
12 restoration of leased premises; moving governmental agen-
13 cies (including space adjustments and telecommunications
14 relocation expenses) in connection with the assignment, al-
15 location, and transfer of space; contractual services inci-
16 dent to cleaning or servicing buildings, and moving; repair
17 and alteration of federally owned buildings, including
18 grounds, approaches, and appurtenances; care and safe-
19 guarding of sites; maintenance, preservation, demolition,
20 and equipment; acquisition of buildings and sites by pur-
21 chase, condemnation, or as otherwise authorized by law;
22 acquisition of options to purchase buildings and sites; con-
23 version and extension of federally owned buildings; pre-
24 liminary planning and design of projects by contract or
25 otherwise; construction of new buildings (including equip-

1 ment for such buildings); and payment of principal, inter-
2 est, and any other obligations for public buildings acquired
3 by installment purchase and purchase contract; in the ag-
4 gregate amount of \$8,845,147,000, of which—

5 (1) \$205,749,000 shall remain available until
6 expended for construction and acquisition (including
7 funds for sites and expenses, and associated design
8 and construction services) as follows:

9 (A) National Capital Region, FBI Head-
10 quarters Consolidation, \$200,000,000;

11 (B) Pembina, North Dakota, United
12 States Department of Agriculture (USDA) Ani-
13 mal and Plant Health Inspection Service
14 (APHIS), \$5,749,000:

15 *Provided*, That each of the foregoing limits of costs
16 on new construction and acquisition projects may be
17 exceeded to the extent that savings are effected in
18 other such projects, but not to exceed 10 percent of
19 the amounts included in a transmitted prospectus, if
20 required, unless advance approval is obtained from
21 the Committees on Appropriations of a greater
22 amount;

23 (2) \$676,035,000 shall remain available until
24 expended for repairs and alterations, including asso-
25 ciated design and construction services, of which—

1 (A) \$289,245,000 is for Major Repairs and
2 Alterations;

3 (B) \$312,090,000 is for Basic Repairs and
4 Alterations; and

5 (C) \$74,700,000 is for Special Emphasis
6 Programs, of which—

7 (i) \$26,700,000 is for Judiciary Cap-
8 ital Security; and

9 (ii) \$48,000,000 is for Consolidation
10 Activities: *Provided*, That consolidation
11 projects result in reduced annual rent paid
12 by the tenant agency: *Provided further*,
13 That no consolidation project exceed
14 \$10,000,000 in costs: *Provided further*,
15 That consolidation projects are approved
16 by each of the committees specified in sec-
17 tion 3307(a) of title 40, United States
18 Code: *Provided further*, That preference is
19 given to consolidation projects that achieve
20 a utilization rate of 130 usable square feet
21 or less per person for office space: *Pro-*
22 *vided further*, That the obligation of funds
23 under this paragraph for consolidation ac-
24 tivities may not be made until 10 days
25 after a proposed spending plan and expla-

1 nation for each project to be undertaken,
2 including estimated savings, has been sub-
3 mitted to the Committees on Appropria-
4 tions of the House of Representatives and
5 the Senate:

6 *Provided*, That funds made available in this or any
7 previous Act in the Federal Buildings Fund for Re-
8 pairs and Alterations shall, for prospectus projects,
9 be limited to the amount identified for each project,
10 except each project in this or any previous Act may
11 be increased by an amount not to exceed 10 percent
12 unless advance approval is obtained from the Com-
13 mittees on Appropriations of a greater amount: *Pro-*
14 *vided further*, That additional projects for which
15 prospectuses have been fully approved may be fund-
16 ed under this category only if advance approval is
17 obtained from the Committees on Appropriations:
18 *Provided further*, That the amounts provided in this
19 or any prior Act for “Repairs and Alterations” may
20 be used to fund costs associated with implementing
21 security improvements to buildings necessary to
22 meet the minimum standards for security in accord-
23 ance with current law and in compliance with the re-
24 programming guidelines of the appropriate Commit-
25 tees of the House and Senate: *Provided further*,

1 That the difference between the funds appropriated
2 and expended on any projects in this or any prior
3 Act, under the heading “Repairs and Alterations”,
4 may be transferred to Basic Repairs and Alterations
5 or used to fund authorized increases in prospectus
6 projects: *Provided further*, That the amount provided
7 in this or any prior Act for Basic Repairs and Alter-
8 ations may be used to pay claims against the Gov-
9 ernment arising from any projects under the heading
10 “Repairs and Alterations” or used to fund author-
11 ized increases in prospectus projects;

12 (3) \$5,628,363,000 for rental of space to re-
13 main available until expended; and

14 (4) \$2,335,000,000 for building operations to
15 remain available until expended, of which
16 \$1,184,240,000 is for building services, and
17 \$1,150,760,000 is for salaries and expenses: *Pro-*
18 *vided*, That not to exceed 5 percent of any appro-
19 priation made available under this paragraph for
20 building operations may be transferred between and
21 merged with such appropriations upon notification
22 to the Committees on Appropriations of the House
23 of Representatives and the Senate, but no such ap-
24 propriation shall be increased by more than 5 per-
25 cent by any such transfers: *Provided further*, That

1 section 521 of this title shall not apply with respect
2 to funds made available under this heading for
3 building operations: *Provided further*, That the total
4 amount of funds made available from this Fund to
5 the General Services Administration shall not be
6 available for expenses of any construction, repair, al-
7 teration and acquisition project for which a pro-
8 spectus, if required by 40 U.S.C. 3307(a), has not
9 been approved, except that necessary funds may be
10 expended for each project for required expenses for
11 the development of a proposed prospectus: *Provided*
12 *further*, That funds available in the Federal Build-
13 ings Fund may be expended for emergency repairs
14 when advance approval is obtained from the Com-
15 mittees on Appropriations: *Provided further*, That
16 amounts necessary to provide reimbursable special
17 services to other agencies under 40 U.S.C. 592(b)(2)
18 and amounts to provide such reimbursable fencing,
19 lighting, guard booths, and other facilities on private
20 or other property not in Government ownership or
21 control as may be appropriate to enable the United
22 States Secret Service to perform its protective func-
23 tions pursuant to 18 U.S.C. 3056, shall be available
24 from such revenues and collections: *Provided further*,
25 That revenues and collections and any other sums

1 accruing to this Fund during fiscal year 2017, ex-
2 cluding reimbursements under 40 U.S.C. 592(b)(2),
3 in excess of the aggregate new obligational authority
4 authorized for Real Property Activities of the Fed-
5 eral Buildings Fund in this Act shall remain in the
6 Fund and shall not be available for expenditure ex-
7 cept as authorized in appropriations Acts.

8 GENERAL ACTIVITIES

9 GOVERNMENT-WIDE POLICY

10 For expenses authorized by law, not otherwise pro-
11 vided for, for Government-wide policy and evaluation ac-
12 tivities associated with the management of real and per-
13 sonal property assets and certain administrative services;
14 Government-wide policy support responsibilities relating to
15 acquisition, travel, motor vehicles, information technology
16 management, and related technology activities; and serv-
17 ices as authorized by 5 U.S.C. 3109; \$60,000,000, of
18 which \$1,000,000 shall remain available until September
19 30, 2018.

20 OPERATING EXPENSES

21 (INCLUDING TRANSFER OF FUNDS)

22 For expenses authorized by law, not otherwise pro-
23 vided for, for Government-wide activities associated with
24 utilization and donation of surplus personal property; dis-
25 posal of real property; agency-wide policy direction, man-

1 agement, and communications; the Civilian Board of Con-
2 tract Appeals; and services as authorized by 5 U.S.C.
3 3109; \$58,541,000, of which \$25,869,000 is for Real and
4 Personal Property Management and Disposal;
5 \$23,397,000 is for the Office of the Administrator, of
6 which not to exceed \$7,500 is for official reception and
7 representation expenses; and \$9,275,000 is for the Civil-
8 ian Board of Contract Appeals: *Provided*, That not to ex-
9 ceed 5 percent of the appropriation made available under
10 this heading for Office of the Administrator may be trans-
11 ferred to the appropriation for the Real and Personal
12 Property Management and Disposal upon notification to
13 the Committees on Appropriations of the House of Rep-
14 resentatives and the Senate, but the appropriation for the
15 Real and Personal Property Management and Disposal
16 may not be increased by more than 5 percent by any such
17 transfer.

18 OFFICE OF INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector
20 General and service authorized by 5 U.S.C. 3109,
21 \$65,000,000: *Provided*, That not to exceed \$50,000 shall
22 be available for payment for information and detection of
23 fraud against the Government, including payment for re-
24 covery of stolen Government property: *Provided further*,
25 That not to exceed \$2,500 shall be available for awards

1 to employees of other Federal agencies and private citizens
2 in recognition of efforts and initiatives resulting in en-
3 hanced Office of Inspector General effectiveness.

4 ALLOWANCES AND OFFICE STAFF FOR FORMER
5 PRESIDENTS

6 For carrying out the provisions of the Act of August
7 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,
8 \$3,865,000.

9 EXPENSES, PRESIDENTIAL TRANSITION
10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses to carry out the Presidential
12 Transition Act of 1963, as amended, \$9,500,000, of which
13 not to exceed \$1,000,000 is for activities authorized by
14 subsections 3(a)(8) and 3(a)(9) of the Act: *Provided*, That
15 such amounts may be transferred and credited to the “Ac-
16 quisition Services Fund” or “Federal Buildings Fund” to
17 reimburse obligations incurred prior to enactment of this
18 Act for the purposes provided herein related to the Presi-
19 dential election in 2016: *Provided further*, That amounts
20 available under this heading shall be in addition to any
21 other amounts available for such purposes.

22 FEDERAL CITIZEN SERVICES FUND
23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the Office of Citizen Serv-
25 ices and Innovative Technologies, including services au-

1 thorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for
2 necessary expenses in support of interagency projects that
3 enable the Federal Government to enhance its ability to
4 conduct activities electronically, through the development
5 and implementation of innovative uses of information
6 technology; \$55,894,000, to be deposited into the Federal
7 Citizen Services Fund: *Provided*, That the previous
8 amount may be transferred to Federal agencies to carry
9 out the purpose of the Federal Citizen Services Fund: *Pro-*
10 *vided further*, That the appropriations, revenues, reim-
11 bursements, and collections deposited into the Fund shall
12 be available until expended for necessary expenses of Fed-
13 eral Citizen Services and other activities that enable the
14 Federal Government to enhance its ability to conduct ac-
15 tivities electronically in the aggregate amount not to ex-
16 ceed \$100,000,000: *Provided further*, That appropriations,
17 revenues, reimbursements, and collections accruing to this
18 Fund during fiscal year 2017 in excess of such amount
19 shall remain in the Fund and shall not be available for
20 expenditure except as authorized in appropriations Acts:
21 *Provided further*, That any appropriations provided to the
22 Electronic Government Fund that remain unobligated
23 may be transferred to the Federal Citizen Services Fund:
24 *Provided further*, That the transfer authorities provided

1 herein shall be in addition to any other transfer authority
2 provided in this Act.

3 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

4 ADMINISTRATION

5 (INCLUDING RESCISSION AND TRANSFER OF FUNDS)

6 SEC. 520. Funds available to the General Services
7 Administration shall be available for the hire of passenger
8 motor vehicles.

9 SEC. 521. Funds in the Federal Buildings Fund
10 made available for fiscal year 2017 for Federal Buildings
11 Fund activities may be transferred between such activities
12 only to the extent necessary to meet program require-
13 ments: *Provided*, That any proposed transfers shall be ap-
14 proved in advance by the Committees on Appropriations
15 of the House of Representatives and the Senate.

16 SEC. 522. Except as otherwise provided in this title,
17 funds made available by this Act shall be used to transmit
18 a fiscal year 2018 request for United States Courthouse
19 construction only if the request: (1) meets the design guide
20 standards for construction as established and approved by
21 the General Services Administration, the Judicial Con-
22 ference of the United States, and the Office of Manage-
23 ment and Budget; (2) reflects the priorities of the Judicial
24 Conference of the United States as set out in its approved
25 Courthouse Project Priorities plan; and (3) includes a

1 standardized courtroom utilization study of each facility
2 to be constructed, replaced, or expanded.

3 SEC. 523. None of the funds provided in this Act may
4 be used to increase the amount of occupiable square feet,
5 provide cleaning services, security enhancements, or any
6 other service usually provided through the Federal Build-
7 ings Fund, to any agency that does not pay the rate per
8 square foot assessment for space and services as deter-
9 mined by the General Services Administration in consider-
10 ation of the Public Buildings Amendments Act of 1972
11 (Public Law 92–313).

12 SEC. 524. From funds made available under the
13 heading Federal Buildings Fund, Limitations on Avail-
14 ability of Revenue, claims against the Government of less
15 than \$250,000 arising from direct construction projects
16 and acquisition of buildings may be liquidated from sav-
17 ings effected in other construction projects with prior noti-
18 fication to the Committees on Appropriations of the House
19 of Representatives and the Senate.

20 SEC. 525. In any case in which the Committee on
21 Transportation and Infrastructure of the House of Rep-
22 resentatives and the Committee on Environment and Pub-
23 lic Works of the Senate adopt a resolution granting lease
24 authority pursuant to a prospectus transmitted to Con-
25 gress by the Administrator of the General Services Admin-

1 istration under 40 U.S.C. 3307, the Administrator shall
2 ensure that the delineated area of procurement is identical
3 to the delineated area included in the prospectus for all
4 lease agreements, except that, if the Administrator deter-
5 mines that the delineated area of the procurement should
6 not be identical to the delineated area included in the pro-
7 spectus, the Administrator shall provide an explanatory
8 statement to each of such committees and the Committees
9 on Appropriations of the House of Representatives and the
10 Senate prior to exercising any lease authority provided in
11 the resolution.

12 SEC. 526. With respect to each project funded under
13 the heading “Major Repairs and Alterations” or “Judici-
14 ary Capital Security Program”, and with respect to E-
15 Government projects funded under the heading “Federal
16 Citizen Services Fund”, the Administrator of General
17 Services shall submit a spending plan and explanation for
18 each project to be undertaken to the Committees on Ap-
19 propriations of the House of Representatives and the Sen-
20 ate not later than 60 days after the date of enactment
21 of this Act.

22 SEC. 527. The unobligated balance of the amount
23 provided for the National Capital Region, Civilian Cyber
24 Campus in subparagraph (D) of paragraph (1) under the
25 heading “General Services Administration—Federal

1 Buildings Fund” in Public Law 113–235 is hereby re-
2 scinded, and the unobligated balance of the aggregate
3 amounts provided in such paragraph and in the matter
4 preceding such paragraph are reduced accordingly.

5 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

6 SALARIES AND EXPENSES

7 For payment to the Harry S Truman Scholarship
8 Foundation Trust Fund, established by section 10 of Pub-
9 lic Law 93–642, \$1,000,000, to remain available until ex-
10 pended.

11 MERIT SYSTEMS PROTECTION BOARD

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses to carry out functions of the
15 Merit Systems Protection Board pursuant to Reorganiza-
16 tion Plan Numbered 2 of 1978, the Civil Service Reform
17 Act of 1978, and the Whistleblower Protection Act of
18 1989 (5 U.S.C. 5509 note), including services as author-
19 ized by 5 U.S.C. 3109, rental of conference rooms in the
20 District of Columbia and elsewhere, hire of passenger
21 motor vehicles, direct procurement of survey printing, and
22 not to exceed \$2,000 for official reception and representa-
23 tion expenses, \$44,786,000, to remain available until Sep-
24 tember 30, 2018, and in addition not to exceed
25 \$2,345,000, to remain available until September 30, 2018,

1 for administrative expenses to adjudicate retirement ap-
2 peals to be transferred from the Civil Service Retirement
3 and Disability Fund in amounts determined by the Merit
4 Systems Protection Board.

5 MORRIS K. UDALL AND STEWART L. UDALL
6 FOUNDATION

7 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND
8 (INCLUDING TRANSFER OF FUNDS)

9 For payment to the Morris K. Udall and Stewart L.
10 Udall Trust Fund, pursuant to the Morris K. Udall and
11 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
12 seq.), \$1,895,000, to remain available until expended, of
13 which, notwithstanding sections 8 and 9 of such Act: (1)
14 up to \$50,000 shall be used to conduct financial audits
15 pursuant to the Accountability of Tax Dollars Act of 2002
16 (Public Law 107–289); and (2) up to \$1,000,000 shall
17 be available to carry out the activities authorized by sec-
18 tion 6(7) of Public Law 102–259 and section 817(a) of
19 Public Law 106–568 (20 U.S.C. 5604(7)): *Provided*, That
20 of the total amount made available under this heading
21 \$200,000 shall be transferred to the Office of Inspector
22 General of the Department of the Interior, to remain
23 available until expended, for audits and investigations of
24 the Morris K. Udall and Stewart L. Udall Foundation,

1 consistent with the Inspector General Act of 1978 (5
2 U.S.C. App.).

3 ENVIRONMENTAL DISPUTE RESOLUTION FUND

4 For payment to the Environmental Dispute Resolu-
5 tion Fund to carry out activities authorized in the Envi-
6 ronmental Policy and Conflict Resolution Act of 1998,
7 \$3,249,000, to remain available until expended.

8 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

9 OPERATING EXPENSES

10 For necessary expenses in connection with the admin-
11 istration of the National Archives and Records Adminis-
12 tration and archived Federal records and related activities,
13 as provided by law, and for expenses necessary for the re-
14 view and declassification of documents, the activities of
15 the Public Interest Declassification Board, the operations
16 and maintenance of the electronic records archives, the
17 hire of passenger motor vehicles, and for uniforms or al-
18 lowances therefor, as authorized by law (5 U.S.C. 5901),
19 including maintenance, repairs, and cleaning,
20 \$380,634,000.

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 Reform Act of 2008, Public Law 110–409, 122
25 Stat. 4302–16 (2008), and the Inspector General Act of

1 1978 (5 U.S.C. App.), and for the hire of passenger motor
2 vehicles, \$4,801,000.

3 REPAIRS AND RESTORATION

4 For the repair, alteration, and improvement of ar-
5 chives facilities, and to provide adequate storage for hold-
6 ings, \$7,500,000, to remain available until expended.

7 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

8 COMMISSION

9 GRANTS PROGRAM

10 For necessary expenses for allocations and grants for
11 historical publications and records as authorized by 44
12 U.S.C. 2504, \$6,000,000, to remain available until ex-
13 pended.

14 NATIONAL CREDIT UNION ADMINISTRATION

15 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

16 For the Community Development Revolving Loan
17 Fund program as authorized by 42 U.S.C. 9812, 9822
18 and 9910, \$2,000,000 shall be available until September
19 30, 2018, for technical assistance to low-income des-
20 igned credit unions.

21 OFFICE OF GOVERNMENT ETHICS

22 SALARIES AND EXPENSES

23 For necessary expenses to carry out functions of the
24 Office of Government Ethics pursuant to the Ethics in
25 Government Act of 1978, the Ethics Reform Act of 1989,

1 and the Stop Trading on Congressional Knowledge Act of
2 2012, including services as authorized by 5 U.S.C. 3109,
3 rental of conference rooms in the District of Columbia and
4 elsewhere, hire of passenger motor vehicles, and not to ex-
5 ceed \$1,500 for official reception and representation ex-
6 penses, \$16,090,000.

7 OFFICE OF PERSONNEL MANAGEMENT

8 SALARIES AND EXPENSES

9 (INCLUDING TRANSFER OF TRUST FUNDS)

10 For necessary expenses to carry out functions of the
11 Office of Personnel Management (OPM) pursuant to Re-
12 organization Plan Numbered 2 of 1978 and the Civil Serv-
13 ice Reform Act of 1978, including services as authorized
14 by 5 U.S.C. 3109; medical examinations performed for
15 veterans by private physicians on a fee basis; rental of con-
16 ference rooms in the District of Columbia and elsewhere;
17 hire of passenger motor vehicles; not to exceed \$2,500 for
18 official reception and representation expenses; advances
19 for reimbursements to applicable funds of OPM and the
20 Federal Bureau of Investigation for expenses incurred
21 under Executive Order No. 10422 of January 9, 1953,
22 as amended; and payment of per diem or subsistence al-
23 lowances to employees where Voting Rights Act activities
24 require an employee to remain overnight at his or her post
25 of duty, \$119,000,000: *Provided*, That of the total amount

1 made available under this heading, not to exceed
2 \$11,000,000 shall remain available until September 30,
3 2018, for the operation and strengthening of the security
4 of OPM legacy and Shell environment IT systems and the
5 modernization, migration, and testing of such systems:
6 *Provided further*, That the amount made available by the
7 previous proviso may not be obligated until the Director
8 of the Office of Personnel Management submits to the
9 Committees on Appropriations of the Senate and the
10 House of Representatives a plan for expenditure of such
11 amount, prepared in consultation with the Director of the
12 Office of Management and Budget, the Administrator of
13 the United States Digital Service, and the Secretary of
14 Homeland Security, that—

15 (1) identifies the full scope and cost of the IT
16 systems remediation and stabilization project;

17 (2) meets the capital planning and investment
18 control review requirements established by the Office
19 of Management and Budget, including Circular A–
20 11, part 7;

21 (3) includes a Major IT Business Case under
22 the requirements established by the Office of Man-
23 agement and Budget Exhibit 300;

1 (4) complies with the acquisition rules, require-
2 ments, guidelines, and systems acquisition manage-
3 ment practices of the Government;

4 (5) complies with all Office of Management and
5 Budget, Department of Homeland Security and Na-
6 tional Institute of Standards and Technology re-
7 quirements related to securing the agency's informa-
8 tion system as described in 44 U.S.C. 3554; and

9 (6) is reviewed and commented upon within 90
10 days of plan development by the Inspector General
11 of the Office of Personnel Management, and such
12 comments are submitted to the Director of the Of-
13 fice of Personnel Management before the date of
14 such submission:

15 *Provided further*, That, not later than 6 months after the
16 date of enactment of this Act, the Comptroller General
17 shall submit to the Committees on Appropriations of the
18 Senate and the House of Representatives a report that—

19 (A) evaluates—

20 (i) the steps taken by the Office of Per-
21 sonnel Management to prevent, mitigate, and
22 respond to data breaches involving sensitive
23 personnel records and information;

24 (ii) the Office's cybersecurity policies and
25 procedures in place on the date of enactment of

1 this Act, including policies and procedures re-
2 lating to IT best practices such as data
3 encryption, multifactor authentication, and con-
4 tinuous monitoring;

5 (iii) the Office's oversight of contractors
6 providing IT services; and

7 (iv) the Office's compliance with govern-
8 ment-wide initiatives to improve cybersecurity;
9 and

10 (B) sets forth improvements that could be made
11 to assist the Office of Personnel Management in ad-
12 dressing cybersecurity challenges:

13 *Provided further*, That of the total amount made available
14 under this heading, \$391,000 may be made available for
15 strengthening the capacity and capabilities of the acquisi-
16 tion workforce (as defined by the Office of Federal Pro-
17 curement Policy Act, as amended (41 U.S.C. 4001 et
18 seq.)), including the recruitment, hiring, training, and re-
19 tention of such workforce and information technology in
20 support of acquisition workforce effectiveness or for man-
21 agement solutions to improve acquisition management;
22 and in addition \$140,000,000 for administrative expenses,
23 to be transferred from the appropriate trust funds of OPM
24 without regard to other statutes, including direct procure-
25 ment of printed materials, for the retirement and insur-

1 ance programs: *Provided further*, That the provisions of
2 this appropriation shall not affect the authority to use ap-
3 plicable trust funds as provided by sections 8348(a)(1)(B),
4 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title
5 5, United States Code: *Provided further*, That no part of
6 this appropriation shall be available for salaries and ex-
7 penses of the Legal Examining Unit of OPM established
8 pursuant to Executive Order No. 9358 of July 1, 1943,
9 or any successor unit of like purpose: *Provided further*,
10 That the President's Commission on White House Fel-
11 lows, established by Executive Order No. 11183 of Octo-
12 ber 3, 1964, may, during fiscal year 2017, accept dona-
13 tions of money, property, and personal services: *Provided*
14 *further*, That such donations, including those from prior
15 years, may be used for the development of publicity mate-
16 rials to provide information about the White House Fel-
17 lows, except that no such donations shall be accepted for
18 travel or reimbursement of travel expenses, or for the sala-
19 ries of employees of such Commission.

20 OFFICE OF INSPECTOR GENERAL
21 SALARIES AND EXPENSES
22 (INCLUDING TRANSFER OF TRUST FUNDS)

23 For necessary expenses of the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, including services as authorized by

1 5 U.S.C. 3109, hire of passenger motor vehicles,
2 \$5,072,000, and in addition, not to exceed \$25,112,000
3 for administrative expenses to audit, investigate, and pro-
4 vide other oversight of the Office of Personnel Manage-
5 ment's retirement and insurance programs, to be trans-
6 ferred from the appropriate trust funds of the Office of
7 Personnel Management, as determined by the Inspector
8 General: *Provided*, That the Inspector General is author-
9 ized to rent conference rooms in the District of Columbia
10 and elsewhere.

11 OFFICE OF SPECIAL COUNSEL

12 SALARIES AND EXPENSES

13 For necessary expenses to carry out functions of the
14 Office of Special Counsel pursuant to Reorganization Plan
15 Numbered 2 of 1978, the Civil Service Reform Act of
16 1978 (Public Law 95-454), the Whistleblower Protection
17 Act of 1989 (Public Law 101-12) as amended by Public
18 Law 107-304, the Whistleblower Protection Enhancement
19 Act of 2012 (Public Law 112-199), and the Uniformed
20 Services Employment and Reemployment Rights Act of
21 1994 (Public Law 103-353), including services as author-
22 ized by 5 U.S.C. 3109, payment of fees and expenses for
23 witnesses, rental of conference rooms in the District of Co-
24 lumbia and elsewhere, and hire of passenger motor vehi-
25 cles; \$24,750,000.

1 POSTAL REGULATORY COMMISSION

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Postal Regulatory
5 Commission in carrying out the provisions of the Postal
6 Accountability and Enhancement Act (Public Law 109–
7 435), \$16,200,000, 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), \$10,100,000, to remain avail-
16 able until September 30, 2018.

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, \$1,605,000,000, to remain available until
25 expended; of which not less than \$14,700,000 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 of which not to exceed \$100,000 shall be available for ex-
5 penses for consultations and meetings hosted by the Com-
6 mission with foreign governmental and other regulatory
7 officials, members of their delegations and staffs to ex-
8 change views concerning securities matters, such expenses
9 to include necessary logistic and administrative expenses
10 and the expenses of Commission staff and foreign invitees
11 in attendance including: (1) incidental expenses such as
12 meals; (2) travel and transportation; and (3) related lodg-
13 ing or subsistence; and of which not less than \$72,049,000
14 shall be for the Division of Economic and Risk Analysis:
15 *Provided*, That fees and charges authorized by section 31
16 of the Securities Exchange Act of 1934 (15 U.S.C. 78ee)
17 shall be credited to this account as offsetting collections:
18 *Provided further*, That not to exceed \$1,605,000,000 of
19 such offsetting collections shall be available until expended
20 for necessary expenses of this account: *Provided further*,
21 That the total amount appropriated under this heading
22 from the general fund for fiscal year 2017 shall be reduced
23 as such offsetting fees are received so as to result in a
24 final total fiscal year 2017 appropriation from the general
25 fund estimated at not more than \$0.

1 shall be available for examinations, reviews, and other
2 lender oversight activities: *Provided*, That the Adminis-
3 trator is authorized to charge fees to cover the cost of pub-
4 lications developed by the Small Business Administration,
5 and certain loan program activities, including fees author-
6 ized by section 5(b) of the Small Business Act: *Provided*
7 *further*, That, notwithstanding 31 U.S.C. 3302, revenues
8 received from all such activities shall be credited to this
9 account, to remain available until expended, for carrying
10 out these purposes without further appropriations: *Pro-*
11 *vided further*, That the Small Business Administration
12 may accept gifts in an amount not to exceed \$4,000,000
13 and may co-sponsor activities, each in accordance with sec-
14 tion 132(a) of division K of Public Law 108–447, during
15 fiscal year 2017: *Provided further*, That \$6,100,000 shall
16 be available for the Loan Modernization and Accounting
17 System, to be available until September 30, 2018: *Pro-*
18 *vided further*, That \$3,000,000 shall be for the Federal
19 and State Technology Partnership Program under section
20 34 of the Small Business Act (15 U.S.C. 657d).

21 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

22 For necessary expenses of programs supporting en-
23 trepreneurial and small business development,
24 \$245,100,000, to remain available until September 30,
25 2018: *Provided*, That \$125,000,000 shall be available to

1 fund grants for performance in fiscal year 2017 or fiscal
2 year 2018 as authorized by section 21 of the Small Busi-
3 ness Act: *Provided further*, That \$31,000,000 shall be for
4 marketing, management, and technical assistance under
5 section 7(m) of the Small Business Act (15 U.S.C.
6 636(m)(4)) by intermediaries that make microloans under
7 the microloan program: *Provided further*, That
8 \$18,000,000 shall be available for grants to States to
9 carry out export programs that assist small business con-
10 cerns authorized under section 22(l) of the Small Business
11 Act (15 U.S.C. 649(l)).

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978, \$19,900,000.

16 OFFICE OF ADVOCACY

17 For necessary expenses of the Office of Advocacy in
18 carrying out the provisions of title II of Public Law 94-
19 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
20 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,220,000, to
21 remain available until expended.

22 BUSINESS LOANS PROGRAM ACCOUNT

23 (INCLUDING TRANSFER OF FUNDS)

24 For the cost of direct loans, \$4,338,000, to remain
25 available until expended: *Provided*, That such costs, in-

1 cluding the cost of modifying such loans, shall be as de-
2 fined in section 502 of the Congressional Budget Act of
3 1974: *Provided further*, That subject to section 502 of the
4 Congressional Budget Act of 1974, during fiscal year
5 2017 commitments to guarantee loans under section 503
6 of the Small Business Investment Act of 1958 shall not
7 exceed \$7,500,000,000: *Provided further*, That during fis-
8 cal year 2017 commitments for general business loans au-
9 thorized under section 7(a) of the Small Business Act
10 shall not exceed \$27,500,000,000 for a combination of
11 amortizing term loans and the aggregated maximum line
12 of credit provided by revolving loans: *Provided further*,
13 That during fiscal year 2017 commitments for loans au-
14 thorized under subparagraph (C) of section 502(7) of The
15 Small Business Investment Act of 1958 (15 U.S.C.
16 696(7)) shall not exceed \$7,500,000,000: *Provided further*,
17 That during fiscal year 2017 commitments to guarantee
18 loans for debentures under section 303(b) of the Small
19 Business Investment Act of 1958 shall not exceed
20 \$4,000,000,000: *Provided further*, That during fiscal year
21 2017, guarantees of trust certificates authorized by sec-
22 tion 5(g) of the Small Business Act shall not exceed a
23 principal amount of \$12,000,000,000. In addition, for ad-
24 ministrative expenses to carry out the direct and guaran-
25 teed loan programs, \$152,726,000, which may be trans-

1 ferred to and merged with the appropriations for Salaries
2 and Expenses.

3 DISASTER LOANS PROGRAM ACCOUNT
4 (INCLUDING TRANSFERS OF FUNDS)

5 For administrative expenses to carry out the direct
6 loan program authorized by section 7(b) of the Small
7 Business Act, \$185,977,000, to be available until ex-
8 pended, of which \$1,000,000 is for the Office of Inspector
9 General of the Small Business Administration for audits
10 and reviews of disaster loans and the disaster loan pro-
11 grams and shall be transferred to and merged with the
12 appropriations for the Office of Inspector General; of
13 which \$175,977,000 is for direct administrative expenses
14 of loan making and servicing to carry out the direct loan
15 program, which may be transferred to and merged with
16 the appropriations for Salaries and Expenses; and of
17 which \$9,000,000 is for indirect administrative expenses
18 for the direct loan program, which may be transferred to
19 and merged with the appropriations for Salaries and Ex-
20 penses.

21 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

22 ADMINISTRATION

23 (INCLUDING RESCISSION AND TRANSFER OF FUNDS)

24 SEC. 530. Not to exceed 5 percent of any appropria-
25 tion made available for the current fiscal year for the

1 Small Business Administration in this Act may be trans-
2 ferred between such appropriations, but no such appro-
3 priation shall be increased by more than 10 percent by
4 any such transfers: *Provided*, That any transfer pursuant
5 to this paragraph shall be treated as a reprogramming of
6 funds under section 608 of this Act and shall not be avail-
7 able for obligation or expenditure except in compliance
8 with the procedures set forth in that section.

9 SEC. 531. Of the unobligated balances available for
10 the Certified Development Company Program under sec-
11 tion 503 of the Small Business Investment Act of 1958,
12 as amended, \$55,000,000 are hereby permanently re-
13 scinded: *Provided*, That no amounts may be so rescinded
14 from amounts that were designated by the Congress as
15 an emergency requirement pursuant to the Concurrent
16 Resolution on the Budget or the Balanced Budget and
17 Emergency Deficit Control Act of 1985.

18 UNITED STATES POSTAL SERVICE

19 PAYMENT TO THE POSTAL SERVICE FUND

20 For payment to the Postal Service Fund for revenue
21 forgone on free and reduced rate mail, pursuant to sub-
22 sections (c) and (d) of section 2401 of title 39, United
23 States Code, \$34,658,000: *Provided*, That mail for over-
24 seas voting and mail for the blind shall continue to be free:
25 *Provided further*, That 6-day delivery and rural delivery

1 of mail shall continue at not less than the 1983 level: *Pro-*
2 *vided further*, That none of the funds made available to
3 the Postal Service by this Act shall be used to implement
4 any rule, regulation, or policy of charging any officer or
5 employee of any State or local child support enforcement
6 agency, or any individual participating in a State or local
7 program of child support enforcement, a fee for informa-
8 tion requested or provided concerning an address of a
9 postal customer: *Provided further*, That none of the funds
10 provided in this Act shall be used to consolidate or close
11 small rural and other small post offices.

12 OFFICE OF INSPECTOR GENERAL

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses of the Office of Inspector
16 General in carrying out the provisions of the Inspector
17 General Act of 1978, \$253,600,000, to be derived by
18 transfer from the Postal Service Fund and expended as
19 authorized by section 603(b)(3) of the Postal Account-
20 ability and Enhancement Act (Public Law 109–435).

21 UNITED STATES TAX COURT

22 SALARIES AND EXPENSES

23 For necessary expenses, including contract reporting
24 and other services as authorized by 5 U.S.C. 3109,

- 1 \$51,226,000: *Provided*, That travel expenses of the judges
- 2 shall be paid upon the written certificate of the judge.

1 TITLE VI
2 GENERAL PROVISIONS—THIS ACT
3 (INCLUDING RESCISSION)

4 SEC. 601. None of the funds in this Act shall be used
5 for the planning or execution of any program to pay the
6 expenses of, or otherwise compensate, non-Federal parties
7 intervening in regulatory or adjudicatory proceedings
8 funded in this Act.

9 SEC. 602. None of the funds appropriated in this Act
10 shall remain available for obligation beyond the current
11 fiscal year, nor may any be transferred to other appropria-
12 tions, unless expressly so provided herein.

13 SEC. 603. The expenditure of any appropriation
14 under this Act for any consulting service through procure-
15 ment contract pursuant to 5 U.S.C. 3109, shall be limited
16 to those contracts where such expenditures are a matter
17 of public record and available for public inspection, except
18 where otherwise provided under existing law, or under ex-
19 isting Executive order issued pursuant to existing law.

20 SEC. 604. None of the funds made available in this
21 Act may be transferred to any department, agency, or in-
22 strumentality of the United States Government, except
23 pursuant to a transfer made by, or transfer authority pro-
24 vided in, this Act or any other appropriations Act.

1 SEC. 605. None of the funds made available by this
2 Act shall be available for any activity or for paying the
3 salary of any Government employee where funding an ac-
4 tivity or paying a salary to a Government employee would
5 result in a decision, determination, rule, regulation, or pol-
6 icy that would prohibit the enforcement of section 307 of
7 the Tariff Act of 1930 (19 U.S.C. 1307).

8 SEC. 606. No funds appropriated pursuant to this
9 Act may be expended by an entity unless the entity agrees
10 that in expending the assistance the entity will comply
11 with chapter 83 of title 41, United States Code.

12 SEC. 607. 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 chap-
15 ter 83 of title 41, United States Code.

16 SEC. 608. Except as otherwise provided in this Act,
17 none of the funds provided in this Act, provided by pre-
18 vious appropriations Acts to the agencies or entities fund-
19 ed in this Act that remain available for obligation or ex-
20 penditure in fiscal year 2017, or provided from any ac-
21 counts in the Treasury derived by the collection of fees
22 and available to the agencies funded by this Act, shall be
23 available for obligation or expenditure through a re-
24 programming of funds that: (1) creates a new program;
25 (2) eliminates a program, project, or activity; (3) increases

1 funds or personnel for any program, project, or activity
2 for which funds have been denied or restricted by the Con-
3 gress; (4) proposes to use funds directed for a specific ac-
4 tivity by the Committee on Appropriations of either the
5 House of Representatives or the Senate for a different
6 purpose; (5) augments existing programs, projects, or ac-
7 tivities in excess of \$5,000,000 or 10 percent, whichever
8 is less; (6) reduces existing programs, projects, or activi-
9 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
10 creates or reorganizes offices, programs, or activities un-
11 less prior approval is received from the Committees on Ap-
12 propriations of the House of Representatives and the Sen-
13 ate: *Provided*, That prior to any significant reorganization
14 or restructuring of offices, programs, or activities, each
15 agency or entity funded in this Act shall consult with the
16 Committees on Appropriations of the House of Represent-
17 atives and the Senate: *Provided further*, That not later
18 than 60 days after the date of enactment of this Act, each
19 agency funded by this Act shall submit a report to the
20 Committees on Appropriations of the House of Represent-
21 atives and the Senate to establish the baseline for applica-
22 tion of reprogramming and transfer authorities for the
23 current fiscal year: *Provided further*, That at a minimum
24 the report shall include: (1) a table for each appropriation
25 with a separate column to display the President's budget

1 request, adjustments made by Congress, adjustments due
2 to enacted rescissions, if appropriate, and the fiscal year
3 enacted level; (2) a delineation in the table for each appro-
4 priation both by object class and program, project, and
5 activity as detailed in the budget appendix for the respec-
6 tive appropriation; and (3) an identification of items of
7 special congressional interest: *Provided further*, That the
8 amount appropriated or limited for salaries and expenses
9 for an agency shall be reduced by \$100,000 per day for
10 each day after the required date that the report has not
11 been submitted to the Congress.

12 SEC. 609. Except as otherwise specifically provided
13 by law, not to exceed 50 percent of unobligated balances
14 remaining available at the end of fiscal year 2017 from
15 appropriations made available for salaries and expenses
16 for fiscal year 2017 in this Act, shall remain available
17 through September 30, 2018, for each such account for
18 the purposes authorized: *Provided*, That a request shall
19 be submitted to the Committees on Appropriations of the
20 House of Representatives and the Senate for approval
21 prior to the expenditure of such funds: *Provided further*,
22 That these requests shall be made in compliance with re-
23 programming guidelines.

1 SEC. 610. (a) None of the funds made available in
2 this Act may be used by the Executive Office of the Presi-
3 dent to request—

4 (1) any official background investigation report
5 on any individual from the Federal Bureau of Inves-
6 tigation; or

7 (2) a determination with respect to the treat-
8 ment of an organization as described in section
9 501(c) of the Internal Revenue Code of 1986 and
10 exempt from taxation under section 501(a) of such
11 Code from the Department of the Treasury or the
12 Internal Revenue Service.

13 (b) Subsection (a) shall not apply—

14 (1) in the case of an official background inves-
15 tigation report, if such individual has given express
16 written consent for such request not more than 6
17 months prior to the date of such request and during
18 the same presidential administration; or

19 (2) if such request is required due to extraor-
20 dinary circumstances involving national security.

21 SEC. 611. The cost accounting standards promul-
22 gated under chapter 15 of title 41, United States Code
23 shall not apply with respect to a contract under the Fed-
24 eral Employees Health Benefits Program established
25 under chapter 89 of title 5, United States Code.

1 SEC. 612. For the purpose of resolving litigation and
2 implementing any settlement agreements regarding the
3 nonforeign area cost-of-living allowance program, the Of-
4 fice of Personnel Management may accept and utilize
5 (without regard to any restriction on unanticipated travel
6 expenses imposed in an Appropriations Act) funds made
7 available to the Office of Personnel Management pursuant
8 to court approval.

9 SEC. 613. No funds appropriated by this Act shall
10 be available to pay for an abortion, or the administrative
11 expenses in connection with any health plan under the
12 Federal employees health benefits program which provides
13 any benefits or coverage for abortions.

14 SEC. 614. The provision of section 613 shall not
15 apply where the life of the mother would be endangered
16 if the fetus were carried to term, or the pregnancy is the
17 result of an act of rape or incest.

18 SEC. 615. In order to promote Government access to
19 commercial information technology, the restriction on pur-
20 chasing nondomestic articles, materials, and supplies set
21 forth in chapter 83 of title 41, United States Code (popu-
22 larly known as the Buy American Act), shall not apply
23 to the acquisition by the Federal Government of informa-
24 tion technology (as defined in section 11101 of title 40,

1 United States Code), that is a commercial item (as defined
2 in section 103 of title 41, United States Code).

3 SEC. 616. Notwithstanding section 1353 of title 31,
4 United States Code, no officer or employee of any regu-
5 latory agency or commission funded by this Act may ac-
6 cept on behalf of that agency, nor may such agency or
7 commission accept, payment or reimbursement from a
8 non-Federal entity for travel, subsistence, or related ex-
9 penses for the purpose of enabling an officer or employee
10 to attend and participate in any meeting or similar func-
11 tion relating to the official duties of the officer or em-
12 ployee when the entity offering payment or reimbursement
13 is a person or entity subject to regulation by such agency
14 or commission, or represents a person or entity subject
15 to regulation by such agency or commission, unless the
16 person or entity is an organization described in section
17 501(c)(3) of the Internal Revenue Code of 1986 and ex-
18 empt from tax under section 501(a) of such Code.

19 SEC. 617. Notwithstanding section 708 of this Act,
20 funds made available to the Commodity Futures Trading
21 Commission and the Securities and Exchange Commission
22 by this or any other Act may be used for the interagency
23 funding and sponsorship of a joint advisory committee to
24 advise on emerging regulatory issues.

1 SEC. 618. (a)(1) Notwithstanding any other provision
2 of law, an Executive agency covered by this Act otherwise
3 authorized to enter into contracts for either leases or the
4 construction or alteration of real property for office, meet-
5 ing, storage, or other space must consult with the General
6 Services Administration before issuing a solicitation for of-
7 fers of new leases or construction contracts, and in the
8 case of succeeding leases, before entering into negotiations
9 with the current lessor.

10 (2) Any such agency with authority to enter into an
11 emergency lease may do so during any period declared by
12 the President to require emergency leasing authority with
13 respect to such agency.

14 (b) For purposes of this section, the term “Executive
15 agency covered by this Act” means any Executive agency
16 provided funds by this Act, but does not include the Gen-
17 eral Services Administration or the United States Postal
18 Service.

19 SEC. 619. (a) There are appropriated for the fol-
20 lowing activities the amounts required under current law:

21 (1) Compensation of the President (3 U.S.C.
22 102).

23 (2) Payments to—

24 (A) the Judicial Officers’ Retirement Fund

25 (28 U.S.C. 377(o));

1 (B) the Judicial Survivors' Annuities Fund
2 (28 U.S.C. 376(c)); and

3 (C) the United States Court of Federal
4 Claims Judges' Retirement Fund (28 U.S.C.
5 178(l)).

6 (3) Payment of Government contributions—

7 (A) with respect to the health benefits of
8 retired employees, as authorized by chapter 89
9 of title 5, United States Code, and the Retired
10 Federal Employees Health Benefits Act (74
11 Stat. 849); and

12 (B) with respect to the life insurance bene-
13 fits for employees retiring after December 31,
14 1989 (5 U.S.C. ch. 87).

15 (4) Payment to finance the unfunded liability of
16 new and increased annuity benefits under the Civil
17 Service Retirement and Disability Fund (5 U.S.C.
18 8348).

19 (5) Payment of annuities authorized to be paid
20 from the Civil Service Retirement and Disability
21 Fund by statutory provisions other than subchapter
22 III of chapter 83 or chapter 84 of title 5, United
23 States Code.

24 (b) Nothing in this section may be construed to ex-
25 empt any amount appropriated by this section from any

1 otherwise applicable limitation on the use of funds con-
2 tained in this Act.

3 SEC. 620. The Public Company Accounting Oversight
4 Board (Board) shall have authority to obligate funds for
5 the scholarship program established by section 109(c)(2)
6 of the Sarbanes-Oxley Act of 2002 (Public Law 107–204)
7 in an aggregate amount not exceeding the amount of
8 funds collected by the Board as of December 31, 2016,
9 including accrued interest, as a result of the assessment
10 of monetary penalties. Funds available for obligation in
11 fiscal year 2017 shall remain available until expended.

12 SEC. 621. None of the funds made available in this
13 Act may be used by the Federal Trade Commission to
14 complete the draft report entitled “Interagency Working
15 Group on Food Marketed to Children: Preliminary Pro-
16 posed Nutrition Principles to Guide Industry Self-Regu-
17 latory Efforts” unless the Interagency Working Group on
18 Food Marketed to Children complies with Executive Order
19 No. 13563.

20 SEC. 622. None of the funds made available by this
21 Act may be used to pay the salaries and expenses for the
22 following positions:

23 (1) Director, White House Office of Health Re-
24 form.

1 (2) Assistant to the President for Energy and
2 Climate Change.

3 (3) Senior Advisor to the Secretary of the
4 Treasury assigned to the Presidential Task Force on
5 the Auto Industry and Senior Counselor for Manu-
6 facturing Policy.

7 (4) White House Director of Urban Affairs.

8 SEC. 623. None of the funds in this Act may be used
9 for the Director of the Office of Personnel Management
10 to award a contract, enter an extension of, or exercise an
11 option on a contract to a contractor conducting the final
12 quality review processes for background investigation
13 fieldwork services or background investigation support
14 services that, as of the date of the award of the contract,
15 are being conducted by that contractor.

16 SEC. 624. (a) The head of each executive branch
17 agency funded by this Act shall ensure that the Chief In-
18 formation Officer of the agency has the authority to par-
19 ticipate in decisions regarding the budget planning process
20 related to information technology.

21 (b) Amounts appropriated for any executive branch
22 agency funded by this Act that are available for informa-
23 tion technology shall be allocated within the agency, con-
24 sistent with the provisions of appropriations Acts and
25 budget guidelines and recommendations from the Director

1 of the Office of Management and Budget, in such manner
2 as specified by, or approved by, the Chief Information Of-
3 ficer of the agency in consultation with the Chief Financial
4 Officer of the agency and budget officials.

5 SEC. 625. None of the funds made available in this
6 Act may be used in contravention of chapter 29, 31, or
7 33 of title 44, United States Code.

8 SEC. 626. None of the funds made available in this
9 Act may be used by a governmental entity to require the
10 disclosure by a provider of electronic communication serv-
11 ice to the public or remote computing service of the con-
12 tents of a wire or electronic communication that is in elec-
13 tronic storage with the provider (as such terms are defined
14 in sections 2510 and 2711 of title 18, United States Code)
15 in a manner that violates the Fourth Amendment to the
16 Constitution of the United States.

17 SEC. 627. None of the funds appropriated by this Act
18 may be used by the Federal Communications Commission
19 to modify, amend, or change the rules or regulations of
20 the Commission for universal service high-cost support for
21 competitive eligible telecommunications carriers in a way
22 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
23 tion 54.307 of title 47, Code of Federal Regulations, as
24 in effect on July 15, 2015: *Provided*, That this section
25 shall not prohibit the Commission from considering, devel-

1 oping, or adopting other support mechanisms as an alter-
2 native to Mobility Fund Phase II.

3 SEC. 628. No funds provided in this Act shall be used
4 to deny an Inspector General funded under this Act timely
5 access to any records, documents, or other materials avail-
6 able to the department or agency over which that Inspec-
7 tor General has responsibilities under the Inspector Gen-
8 eral Act of 1978, or to prevent or impede that Inspector
9 General's access to such records, documents, or other ma-
10 terials, under any provision of law, except a provision of
11 law that expressly refers to the Inspector General and ex-
12 pressly limits the Inspector General's right of access. A
13 department or agency covered by this section shall provide
14 its Inspector General with access to all such records, docu-
15 ments, and other materials in a timely manner. Each In-
16 spector General shall ensure compliance with statutory
17 limitations on disclosure relevant to the information pro-
18 vided by the establishment over which that Inspector Gen-
19 eral has responsibilities under the Inspector General Act
20 of 1978. Each Inspector General covered by this section
21 shall report to the Committees on Appropriations of the
22 House of Representatives and the Senate within 5 cal-
23 endar days any failures to comply with this requirement.

24 SEC. 629. (a) In the case of a television joint sales
25 agreement, the Federal Communications Commission—

1 (1) may not require the termination or modi-
2 fication of such agreement as a condition of the
3 transfer or assignment of a station license or the
4 transfer of station ownership or control; and

5 (2) upon request of the transferee or assignee
6 of the station license, shall eliminate any such condi-
7 tion that was imposed after March 31, 2014, and
8 permit the licensees of the stations whose adver-
9 tising was jointly sold pursuant to such agreement
10 to enter into a new joint sales agreement on sub-
11 stantially similar terms and conditions as the prior
12 agreement.

13 (b) In this section, the term “joint sales agreement”
14 has the meaning given such term in Note 2(k) to section
15 73.3555 of title 47, Code of Federal Regulations, and
16 where a joint sales agreement is part of a broader con-
17 tract, this section shall be limited to the joint sales agree-
18 ment portion of such contract.

19 SEC. 630. (a) Section 1105(a)(35) of title 31, United
20 States Code, is amended—

21 (1) by striking subparagraph (B) and redesignig-
22 nating subparagraph (C) as subparagraph (B);

23 (2) by striking “homeland security” in each in-
24 stance it appears and inserting “cybersecurity”; and

1 (3) by amending subparagraph (B) (as redesignated by paragraph (1)) to read as follows:

2 “(B) Prior to implementing this paragraph, including determining what Federal activities or accounts constitute cybersecurity for purposes of budgetary classification, the Office of Management and Budget shall consult with the Committees on Appropriations and the Committees on the Budget of the House of Representatives and the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate.”.

3 (b) The amendments made by subsection (a) shall apply to budget submissions under section 1105(a) of title 31, United States Code, for fiscal year 2018 and each subsequent fiscal year.

4 SEC. 631. (a) Effective one year after the date of the enactment of this Act, subtitle B of title IV of Public Law 102–281 is repealed.

5 (b) On the day before the date of the repeal under subsection (a), the Secretary of the Treasury shall transfer the amounts in the fund described in section 408(a) of subtitle A of title IV of such Public Law into the general fund of the Treasury.

1 SEC. 632. (a) None of the funds made available in
2 this Act may be used to maintain or establish a computer
3 network unless such network blocks the viewing,
4 downloading, and exchanging of pornography.

5 (b) Nothing in subsection (a) shall limit the use of
6 funds necessary for any Federal, State, tribal, or local law
7 enforcement agency or any other entity carrying out crimi-
8 nal investigations, prosecution, adjudication activities, or
9 other law enforcement- or victim assistance-related activ-
10 ity.

11 SEC. 633. (a) For fiscal years 2016 through 2026,
12 the Office of Personnel Management shall provide to each
13 affected individual as defined in subsection (b) complimen-
14 tary identity protection coverage that—

15 (1) is not less comprehensive than the com-
16 plimentary identity protection coverage that the Of-
17 fice provided to affected individuals before the date
18 of enactment of this Act;

19 (2) is effective for a period of not less than 10
20 years; and

21 (3) includes not less than \$5,000,000 in iden-
22 tity theft insurance.

23 (b) DEFINITION.—In this section, the term “affected
24 individual” means any individual whose Social Security
25 Number was compromised during—

1 (1) the data breach of personnel records of cur-
2 rent and former Federal employees, at a network
3 maintained by the Department of the Interior, that
4 was announced by the Office of Personnel Manage-
5 ment on June 4, 2015; or

6 (2) the data breach of systems of the Office of
7 Personnel Management containing information re-
8 lated to the background investigations of current,
9 former, and prospective Federal employees, and of
10 other individuals.

11 SEC. 634. From the unobligated balances available
12 in the Securities and Exchange Commission Reserve Fund
13 established by section 991 of the Dodd-Frank Wall Street
14 Reform and Consumer Protection Act (Public Law 111-
15 203), \$25,000,000 are rescinded.

16 SEC. 635. None of the funds made available by this
17 Act shall be used by the Securities and Exchange Commis-
18 sion to finalize, issue, or implement any rule, regulation,
19 or order regarding the disclosure of political contributions,
20 contributions to tax exempt organizations, or dues paid
21 to trade associations.

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 2017 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

1 (2) includes a military department, as defined
2 under section 102 of such title, the Postal Service,
3 and the Postal Regulatory Commission.

4 (b) Unless authorized in accordance with law or regu-
5 lations to use such time for other purposes, an employee
6 of an agency shall use official time in an honest effort
7 to perform official duties. An employee not under a leave
8 system, including a Presidential appointee exempted under
9 5 U.S.C. 6301(2), has an obligation to expend an honest
10 effort and a reasonable proportion of such employee's time
11 in the performance of official duties.

12 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
13 tion 708 of this Act, funds made available for the current
14 fiscal year by this or any other Act to any department
15 or agency, which is a member of the Federal Accounting
16 Standards Advisory Board (FASAB), shall be available to
17 finance an appropriate share of FASAB administrative
18 costs.

19 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
20 tion 708 of this Act, the head of each Executive depart-
21 ment and agency is hereby authorized to transfer to or
22 reimburse "General Services Administration, Government-
23 wide Policy" with the approval of the Director of the Of-
24 fice of Management and Budget, funds made available for
25 the current fiscal year by this or any other Act, including

1 rebates from charge card and other contracts: *Provided*,
2 That these funds shall be administered by the Adminis-
3 trator of General Services to support Government-wide
4 and other multi-agency financial, information technology,
5 procurement, and other management innovations, initia-
6 tives, and activities, including improving coordination and
7 reducing duplication, as approved by the Director of the
8 Office of Management and Budget, in consultation with
9 the appropriate interagency and multi-agency groups des-
10 ignated by the Director (including the President's Man-
11 agement Council for overall management improvement ini-
12 tiatives, the Chief Financial Officers Council for financial
13 management initiatives, the Chief Information Officers
14 Council for information technology initiatives, the Chief
15 Human Capital Officers Council for human capital initia-
16 tives, the Chief Acquisition Officers Council for procure-
17 ment initiatives, and the Performance Improvement Coun-
18 cil for performance improvement initiatives): *Provided fur-*
19 *ther*, That the total funds transferred or reimbursed shall
20 not exceed \$15,000,000 to improve coordination, reduce
21 duplication, and for other activities related to Federal
22 Government Priority Goals established by 31 U.S.C. 1120,
23 and not to exceed \$17,000,000 for Government-Wide inno-
24 vations, initiatives, and activities: *Provided further*, That
25 the funds transferred to or for reimbursement of "General

1 Services Administration, Government-wide Policy” during
2 fiscal year 2017 shall remain available for obligation
3 through September 30, 2018: *Provided further*, That such
4 transfers or reimbursements may only be made after 15
5 days following notification of the Committees on Appro-
6 priations of the House of Representatives and the Senate
7 by the Director of the Office of Management and Budget.

8 SEC. 722. Notwithstanding any other provision of
9 law, a woman may breastfeed her child at any location
10 in a Federal building or on Federal property, if the woman
11 and her child are otherwise authorized to be present at
12 the location.

13 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
14 tion 708 of this Act, funds made available for the current
15 fiscal year by this or any other Act shall be available for
16 the interagency funding of specific projects, workshops,
17 studies, and similar efforts to carry out the purposes of
18 the National Science and Technology Council (authorized
19 by Executive Order No. 12881), which benefit multiple
20 Federal departments, agencies, or entities: *Provided*, That
21 the Office of Management and Budget shall provide a re-
22 port describing the budget of and resources connected with
23 the National Science and Technology Council to the Com-
24 mittees on Appropriations, the House Committee on
25 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 2017, 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 (2 U.S.C. 431
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 2017, 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 2017, 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 2017, 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 2017 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 2017 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, 2016, 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, 2016, 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, 2016.

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 2017 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 2016.

7 SEC. 738. (a) The Vice President may not receive a
8 pay raise in calendar year 2017, notwithstanding the rate
9 adjustment made under section 104 of title 3, United
10 States Code, or any other provision of law.

11 (b) An employee serving in an Executive Schedule po-
12 sition, or in a position for which the rate of pay is fixed
13 by statute at an Executive Schedule rate, may not receive
14 a pay rate increase in calendar year 2017, notwith-
15 standing schedule adjustments made under section 5318
16 of title 5, United States Code, or any other provision of
17 law, except as provided in subsection (g), (h), or (i). This
18 subsection applies only to employees who are holding a po-
19 sition under a political appointment.

20 (c) A chief of mission or ambassador at large may
21 not receive a pay rate increase in calendar year 2017, not-
22 withstanding section 401 of the Foreign Service Act of
23 1980 (Public Law 96–465) or any other provision of law,
24 except as provided in subsection (g), (h), or (i).

1 (d) Notwithstanding sections 5382 and 5383 of title
2 5, United States Code, a pay rate increase may not be
3 received in calendar year 2017 (except as provided in sub-
4 section (g), (h), or (i)) by—

5 (1) a noncareer appointee in the Senior Execu-
6 tive Service paid a rate of basic pay at or above level
7 IV of the Executive Schedule; or

8 (2) a limited term appointee or limited emer-
9 gency appointee in the Senior Executive Service
10 serving under a political appointment and paid a
11 rate of basic pay at or above level IV of the Execu-
12 tive Schedule.

13 (e) Any employee paid a rate of basic pay (including
14 any locality-based payments under section 5304 of title
15 5, United States Code, or similar authority) at or above
16 level IV of the Executive Schedule who serves under a po-
17 litical appointment may not receive a pay rate increase
18 in calendar year 2017, notwithstanding any other provi-
19 sion of law, except as provided in subsection (g), (h), or
20 (i). This subsection does not apply to employees in the
21 General Schedule pay system or the Foreign Service pay
22 system, or to employees appointed under section 3161 of
23 title 5, United States Code, or to employees in another
24 pay system whose position would be classified at GS-15

1 or below if chapter 51 of title 5, United States Code, ap-
2 plied to them.

3 (f) Nothing in subsections (b) through (e) shall pre-
4 vent employees who do not serve under a political appoint-
5 ment from receiving pay increases as otherwise provided
6 under applicable law.

7 (g) A career appointee in the Senior Executive Serv-
8 ice who receives a Presidential appointment and who
9 makes an election to retain Senior Executive Service basic
10 pay entitlements under section 3392 of title 5, United
11 States Code, is not subject to this section.

12 (h) A member of the Senior Foreign Service who re-
13 ceives a Presidential appointment to any position in the
14 executive branch and who makes an election to retain Sen-
15 ior Foreign Service pay entitlements under section 302(b)
16 of the Foreign Service Act of 1980 (Public Law 96–465)
17 is not subject to this section.

18 (i) Notwithstanding subsections (b) through (e), an
19 employee in a covered position may receive a pay rate in-
20 crease upon an authorized movement to a different cov-
21 ered position with higher-level duties and a pre-established
22 higher level or range of pay, except that any such increase
23 must be based on the rates of pay and applicable pay limi-
24 tations in effect on December 31, 2013.

1 (j) Notwithstanding any other provision of law, for
2 an individual who is newly appointed to a covered position
3 during the period of time subject to this section, the initial
4 pay rate shall be based on the rates of pay and applicable
5 pay limitations in effect on December 31, 2013.

6 (k) If an employee affected by subsections (b)
7 through (e) is subject to a biweekly pay period that begins
8 in calendar year 2017 but ends in calendar year 2018,
9 the bar on the employee's receipt of pay rate increases
10 shall apply through the end of that pay period.

11 SEC. 739. (a) The head of any Executive branch de-
12 partment, agency, board, commission, or office funded by
13 this or any other appropriations Act shall submit annual
14 reports to the Inspector General or senior ethics official
15 for any entity without an Inspector General, regarding the
16 costs and contracting procedures related to each con-
17 ference held by any such department, agency, board, com-
18 mission, or office during fiscal year 2017 for which the
19 cost to the United States Government was more than
20 \$100,000.

21 (b) Each report submitted shall include, for each con-
22 ference described in subsection (a) held during the applica-
23 ble period—

24 (1) a description of its purpose;

25 (2) the number of participants attending;

1 (3) a detailed statement of the costs to the
2 United States Government, including—

3 (A) the cost of any food or beverages;

4 (B) the cost of any audio-visual services;

5 (C) the cost of employee or contractor
6 travel to and from the conference; and

7 (D) a discussion of the methodology used
8 to determine which costs relate to the con-
9 ference; and

10 (4) a description of the contracting procedures
11 used including—

12 (A) whether contracts were awarded on a
13 competitive basis; and

14 (B) a discussion of any cost comparison
15 conducted by the departmental component or
16 office in evaluating potential contractors for the
17 conference.

18 (c) Within 15 days after the end of a quarter, the
19 head of any such department, agency, board, commission,
20 or office shall notify the Inspector General or senior ethics
21 official for any entity without an Inspector General, of the
22 date, location, and number of employees attending a con-
23 ference held by any Executive branch department, agency,
24 board, commission, or office funded by this or any other
25 appropriations Act during fiscal year 2017 for which the

1 cost to the United States Government was more than
2 \$20,000.

3 (d) A grant or contract funded by amounts appro-
4 priated by this or any other appropriations Act may not
5 be used for the purpose of defraying the costs of a con-
6 ference described in subsection (c) that is not directly and
7 programmatically related to the purpose for which the
8 grant or contract was awarded, such as a conference held
9 in connection with planning, training, assessment, review,
10 or other routine purposes related to a project funded by
11 the grant or contract.

12 (e) None of the funds made available in this or any
13 other appropriations Act may be used for travel and con-
14 ference activities that are not in compliance with Office
15 of Management and Budget Memorandum M-12-12
16 dated May 11, 2012 or any subsequent revisions to that
17 memorandum.

18 SEC. 740. None of the funds made available in this
19 or any other appropriations Act may be used to increase,
20 eliminate, or reduce funding for a program, project, or ac-
21 tivity as proposed in the President's budget request for
22 a fiscal year until such proposed change is subsequently
23 enacted in an appropriation Act, or unless such change
24 is made pursuant to the reprogramming or transfer provi-
25 sions of this or any other appropriations Act.

1 SEC. 741. None of the funds made available by this
2 or any other Act may be used to implement, administer,
3 enforce, or apply the rule entitled “Competitive Area”
4 published by the Office of Personnel Management in the
5 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
6 et seq.).

7 SEC. 742. None of the funds appropriated or other-
8 wise made available by this or any other Act may be used
9 to begin or announce a study or public-private competition
10 regarding the conversion to contractor performance of any
11 function performed by Federal employees pursuant to Of-
12 fice of Management and Budget Circular A-76 or any
13 other administrative regulation, directive, or policy.

14 SEC. 743. (a) None of the funds appropriated or oth-
15 erwise made available by this or any other Act may be
16 available for a contract, grant, or cooperative agreement
17 with an entity that requires employees or contractors of
18 such entity seeking to report fraud, waste, or abuse to sign
19 internal confidentiality agreements or statements prohib-
20 iting or otherwise restricting such employees or contrac-
21 tors from lawfully reporting such waste, fraud, or abuse
22 to a designated investigative or law enforcement represent-
23 ative of a Federal department or agency authorized to re-
24 ceive such information.

1 (b) The limitation in subsection (a) shall not con-
2 travene requirements applicable to Standard Form 312,
3 Form 4414, or any other form issued by a Federal depart-
4 ment or agency governing the nondisclosure of classified
5 information.

6 SEC. 744. (a) No funds appropriated in this or any
7 other Act may be used to implement or enforce the agree-
8 ments in Standard Forms 312 and 4414 of the Govern-
9 ment or any other nondisclosure policy, form, or agree-
10 ment if such policy, form, or agreement does not contain
11 the following provisions: “These provisions are consistent
12 with and do not supersede, conflict with, or otherwise alter
13 the employee obligations, rights, or liabilities created by
14 existing statute or Executive order relating to: (1) classi-
15 fied information; (2) communications to Congress; (3) the
16 reporting to an Inspector General of a violation of any
17 law, rule, or regulation, or mismanagement, a gross waste
18 of funds, an abuse of authority, or a substantial and spe-
19 cific danger to public health or safety; or (4) any other
20 whistleblower protection. The definitions, requirements,
21 obligations, rights, sanctions, and liabilities created by
22 controlling Executive orders and statutory provisions are
23 incorporated into this agreement and are controlling.”:
24 *Provided*, That notwithstanding the preceding provision of
25 this section, a nondisclosure policy form or agreement that

1 is to be executed by a person connected with the conduct
2 of an intelligence or intelligence-related activity, other
3 than an employee or officer of the United States Govern-
4 ment, may contain provisions appropriate to the particular
5 activity for which such document is to be used. Such form
6 or agreement shall, at a minimum, require that the person
7 will not disclose any classified information received in the
8 course of such activity unless specifically authorized to do
9 so by the United States Government. Such nondisclosure
10 forms shall also make it clear that they do not bar disclo-
11 sures to Congress, or to an authorized official of an execu-
12 tive agency or the Department of Justice, that are essen-
13 tial to reporting a substantial violation of law.

14 (b) A nondisclosure agreement may continue to be
15 implemented and enforced notwithstanding subsection (a)
16 if it complies with the requirements for such agreement
17 that were in effect when the agreement was entered into.

18 (c) No funds appropriated in this or any other Act
19 may be used to implement or enforce any agreement en-
20 tered into during fiscal year 2014 which does not contain
21 substantially similar language to that required in sub-
22 section (a).

23 SEC. 745. None of the funds made available by this
24 or any other Act may be used to enter into a contract,
25 memorandum of understanding, or cooperative agreement

1 with, make a grant to, or provide a loan or loan guarantee
2 to, any corporation that has any unpaid Federal tax liabil-
3 ity that has been assessed, for which all judicial and ad-
4 ministrative remedies have been exhausted or have lapsed,
5 and that is not being paid in a timely manner pursuant
6 to an agreement with the authority responsible for col-
7 lecting the tax liability, where the awarding agency is
8 aware of the unpaid tax liability, unless a Federal agency
9 has considered suspension or debarment of the corporation
10 and has made a determination that this further action is
11 not necessary to protect the interests of the Government.

12 SEC. 746. None of the funds made available by this
13 or any other Act may be used to enter into a contract,
14 memorandum of understanding, or cooperative agreement
15 with, make a grant to, or provide a loan or loan guarantee
16 to, any corporation that was convicted of a felony criminal
17 violation under any Federal law within the preceding 24
18 months, where the awarding agency is aware of the convic-
19 tion, unless a Federal agency has considered suspension
20 or debarment of the corporation and has made a deter-
21 mination that this further action is not necessary to pro-
22 tect the interests of the Government.

23 SEC. 747. (a) During fiscal year 2017, on the date
24 on which a request is made for a transfer of funds in ac-
25 cordance with section 1017 of Public Law 111–203, the

1 Bureau of Consumer Financial Protection shall notify the
2 Committees on Appropriations of the House of Represent-
3 atives and the Senate, the Committee on Financial Serv-
4 ices of the House of Representatives, and the Committee
5 on Banking, Housing, and Urban Affairs of the Senate
6 of such request.

7 (b) Any notification required by this section shall be
8 made available on the Bureau's public Web site.

9 SEC. 748. (a) None of the funds made available under
10 this or any other Act may be used to—

11 (1) implement, administer, carry out, modify,
12 revise, or enforce Executive Order 13690, entitled
13 “Establishing a Federal Flood Risk Management
14 Standard and a Process for Further Soliciting and
15 Considering Stakeholder Input” (issued January 30,
16 2015), other than for—

17 (A) acquiring, managing, or disposing of
18 Federal lands and facilities;

19 (B) providing Federally undertaken, fi-
20 nanced, or assisted construction or improve-
21 ments; or

22 (C) conducting Federal activities or pro-
23 grams affecting land use, including water and
24 related land resources planning, regulating, and
25 licensing activities;

1 (2) implement Executive Order 13690 in a
2 manner that modifies the non-grant components of
3 the National Flood Insurance Program; or

4 (3) apply Executive Order 13690 or the Federal
5 Flood Risk Management Standard by any compo-
6 nent of the Department of Defense, including the
7 Army Corps of Engineers in a way that changes the
8 “floodplain” considered when determining whether
9 or not to issue a Department of the Army permit
10 under section 404 of the Clean Water Act or section
11 10 of the Rivers and Harbors Act.

12 (b) Subsection (a) of this section shall not be in effect
13 during the period beginning on October 1, 2017 and end-
14 ing on September 30, 2018.

15 SEC. 749. Except as expressly provided otherwise,
16 any reference to “this Act” contained in any title other
17 than title IV or VIII shall not apply to such title IV or
18 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 2017,
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, 2017.

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 2017 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 2017 from appropriations of Federal funds made
16 available for salaries and expenses for fiscal year 2017 in
17 this Act, shall remain available through September 30,
18 2018, 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 2018, 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 2018
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 2018 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 2018 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 2018.

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 2018
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 2018 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. 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.

1 TITLE IX—SOAR REAUTHORIZATION

2 SHORT TITLE; REFERENCES IN TITLE

3 SEC. 901. (a) SHORT TITLE.—This title may be cited
4 as the “Scholarships for Opportunity and Results Reau-
5 thorization Act” or the “SOAR Reauthorization Act”.

6 (b) REFERENCES IN ACT.—Except as otherwise ex-
7 pressly provided, whenever in this title an amendment is
8 expressed in terms of an amendment to or repeal of a sec-
9 tion or other provision, the reference shall be considered
10 to be made to that section or other provision of the Schol-
11 arships for Opportunity and Results Act (division C of
12 Public Law 112–10; sec. 38–1853.01 et seq., D.C. Official
13 Code).

14 REPEAL

15 SEC. 902. Section 817 of the Consolidated Appropria-
16 tions Act, 2016 (Public Law 114–113) is repealed, and
17 any provision of law amended or repealed by such section
18 is restored or revived as if such section had not been en-
19 acted into law.

20 PURPOSES

21 SEC. 903. Section 3003 (sec. 38–1853.03, D.C. Offi-
22 cial Code) is amended by striking “particularly parents”
23 and all that follows through “, with” and inserting “par-
24 ticularly parents of students who attend an elementary
25 school or secondary school identified as one of the lowest-

1 performing schools under the District of Columbia’s ac-
2 countability system, with”.

3 PROHIBITING IMPOSITION OF LIMITS ON TYPES OF
4 ELIGIBLE STUDENTS PARTICIPATING IN THE PROGRAM

5 SEC. 904. Section 3004(a) (sec. 38–1853.04(a), D.C.
6 Official Code) is amended by adding at the end the fol-
7 lowing:

8 “(3) PROHIBITING IMPOSITION OF LIMITS ON
9 ELIGIBLE STUDENTS PARTICIPATING IN THE PRO-
10 GRAM.—

11 “(A) IN GENERAL.—In carrying out the
12 program under this division, the Secretary may
13 not limit the number of eligible students receiv-
14 ing scholarships under section 3007(a), and
15 may not prevent otherwise eligible students
16 from participating in the program under this
17 division, based on any of the following:

18 “(i) The type of school the student
19 previously attended.

20 “(ii) Whether or not the student pre-
21 viously received a scholarship or partici-
22 pated in the program, including whether
23 an eligible student was awarded a scholar-
24 ship in any previous year but has not used
25 the scholarship, regardless of the number
26 of years of nonuse.

1 “(iii) Whether or not the student was
2 a member of the control group used by the
3 Institute of Education Sciences to carry
4 out previous evaluations of the program
5 under section 3009.

6 “(B) RULE OF CONSTRUCTION.—Nothing
7 in subparagraph (A) may be construed to waive
8 the requirement under section 3005(b)(1)(B)
9 that the eligible entity carrying out the program
10 under this Act must carry out a random selec-
11 tion process, which gives weight to the priorities
12 described in section 3006, if more eligible stu-
13 dents seek admission in the program than the
14 program can accommodate.”.

15 REQUIRING ELIGIBLE ENTITIES TO UTILIZE INTERNAL

16 FISCAL AND QUALITY CONTROLS

17 SEC. 905. Section 3005(b)(1) (sec. 38–
18 1853.05(b)(1), D.C. Official Code) is amended—

19 (1) in subparagraph (I), by striking “, except
20 that a participating school may not be required to
21 submit to more than 1 site visit per school year”;

22 (2) by redesignating subparagraphs (K) and
23 (L) as subparagraphs (L) and (M), respectively;

24 (3) by inserting after subparagraph (J) the fol-
25 lowing:

1 “(K) how the entity will ensure the finan-
2 cial viability of participating schools in which
3 85 percent or more of the total number of stu-
4 dents enrolled at the school are participating el-
5 igible students that receive and use an oppor-
6 tunity scholarship;”;

7 (4) in subparagraph (L), as redesignated by
8 paragraph (2), by striking “and” at the end; and

9 (5) by adding at the end the following:

10 “(N) how the eligible entity will ensure
11 that it—

12 “(i) utilizes internal fiscal and quality
13 controls; and

14 “(ii) complies with applicable financial
15 reporting requirements and the require-
16 ments of this division; and”.

17 CLARIFICATION OF PRIORITIES FOR AWARDING
18 SCHOLARSHIPS TO ELIGIBLE STUDENTS

19 SEC. 906. Section 3006(1) (sec. 38–1853.06(1), D.C.
20 Official Code) is amended—

21 (1) in subparagraph (A), by striking “attended”
22 and all that follows through the semicolon and in-
23 serting “attended an elementary school or secondary
24 school identified as one of the lowest-performing
25 schools under the District of Columbia’s account-
26 ability system; and”;

1 (2) by striking subparagraph (B);

2 (3) by redesignating subparagraph (C) as sub-
3 paragraph (B); and

4 (4) in subparagraph (B), as redesignated by
5 paragraph (3), by striking the semicolon at the end
6 and inserting “or whether such students have, in the
7 past, attended a private school;”.

8 MODIFICATION OF REQUIREMENTS FOR PARTICIPATING
9 SCHOOLS AND ELIGIBLE ENTITIES

10 SEC. 907. (a) CRIMINAL BACKGROUND CHECKS;
11 COMPLIANCE WITH REPORTING REQUIREMENTS.—Sec-
12 tion 3007(a)(4) (sec. 38–1853.07(a)(4), D.C. Official
13 Code) is amended—

14 (1) in subparagraph (E), by striking “and” at
15 the end;

16 (2) by striking subparagraph (F) and inserting
17 the following:

18 “(F) ensures that, with respect to core
19 subject matter, participating students are
20 taught by a teacher who has a baccalaureate
21 degree or equivalent degree, whether such de-
22 gree was awarded in or outside of the United
23 States;”; and

24 (3) by adding at the end the following:

1 “(G) conducts criminal background checks
2 on school employees who have direct and unsu-
3 pervised interaction with students; and

4 “(H) complies with all requests for data
5 and information regarding the reporting re-
6 quirements described in section 3010.”.

7 (b) ACCREDITATION.—Section 3007(a) (sec. 38-
8 1853.07(a), D.C. Official Code), as amended by subsection
9 (a), is further amended—

10 (1) in paragraph (1), by striking “paragraphs
11 (2) and (3)” and inserting “paragraphs (2), (3), and
12 (5)”;

13 (2) by adding at the end the following:

14 “(5) ACCREDITATION REQUIREMENTS.—

15 “(A) IN GENERAL.—None of the funds
16 provided under this division for opportunity
17 scholarships may be used by a participating eli-
18 gible student to enroll in a participating private
19 school unless the school—

20 “(i) in the case of a school that is a
21 participating school as of the date of en-
22 actment of the SOAR Reauthorization
23 Act—

24 “(I) is fully accredited by an ac-
25 crediting body described in any of

1 subparagraphs (A) through (G) of
2 section 2202(16) of the District of
3 Columbia School Reform Act of 1995
4 (Public Law 104–134; sec. 38–
5 1802.02(16)(A)–(G), D.C. Official
6 Code); or

7 “(II) if such participating school
8 does not meet the requirements of
9 subclause (I)—

10 “(aa) not later than 1 year
11 after the date of enactment of
12 the Consolidated Appropriations
13 Act, 2016 (Public Law 114–
14 113), the school is pursuing full
15 accreditation by an accrediting
16 body described in subclause (I);
17 and

18 “(bb) is fully accredited by
19 such an accrediting body not
20 later than 5 years after the date
21 on which that school began the
22 process of pursuing full accredi-
23 tation in accordance with item
24 (aa); and

1 “(ii) in the case of a school that is not
2 a participating school as of the date of en-
3 actment of the SOAR Reauthorization Act,
4 is fully accredited by an accrediting body
5 described in clause (i)(I) before becoming a
6 participating school under this division.

7 “(B) REPORTS TO ELIGIBLE ENTITY.—Not
8 later than 5 years after the date of enactment
9 of the SOAR Reauthorization Act, each partici-
10 pating school shall submit to the eligible entity
11 a certification that the school has been fully ac-
12 credited in accordance with subparagraph (A).

13 “(C) ASSISTING STUDENTS IN ENROLLING
14 IN OTHER SCHOOLS.—If a participating school
15 fails to meet the requirements of this para-
16 graph, the eligible entity shall assist the parents
17 of the participating eligible students who attend
18 the school in identifying, applying to, and en-
19 rolling in another participating school under
20 this division.

21 “(6) TREATMENT OF STUDENTS AWARDED A
22 SCHOLARSHIP IN A PREVIOUS YEAR.—An eligible en-
23 tity shall treat a participating eligible student who
24 was awarded an opportunity scholarship in any pre-
25 vious year and who has not used the scholarship as

1 a renewal student and not as a new applicant, with-
2 out regard as to—

3 “(A) whether the eligible student has used
4 the scholarship; and

5 “(B) the year in which the scholarship was
6 previously awarded.”.

7 (c) USE OF FUNDS FOR ADMINISTRATIVE EXPENSES
8 AND PARENTAL ASSISTANCE.—

9 (1) IN GENERAL.—Section 3007 (sec. 38–
10 1853.07, D.C. Official Code) is amended—

11 (A) by striking subsections (b) and (c) and
12 inserting the following:

13 “(b) ADMINISTRATIVE EXPENSES AND PARENTAL
14 ASSISTANCE.—The Secretary shall make \$2,000,000 of
15 the amount made available under section 3014(a)(1) for
16 each fiscal year available to eligible entities receiving a
17 grant under section 3004(a) to cover the following ex-
18 penses:

19 “(1) The administrative expenses of carrying
20 out its program under this division during the year,
21 including—

22 “(A) determining the eligibility of students
23 to participate;

24 “(B) selecting the eligible students to re-
25 ceive scholarships;

1 “(C) determining the amount of the schol-
2 arships and issuing the scholarships to eligible
3 students;

4 “(D) compiling and maintaining financial
5 and programmatic records;

6 “(E) conducting site visits as described in
7 section 3005(b)(1)(I); and

8 “(F)(i) conducting a study, including a
9 survey of participating parents, on any barriers
10 for participating eligible students in gaining ad-
11 mission to, or attending, the participating
12 school that is their first choice; and

13 “(ii) not later than the end of the first full
14 fiscal year after the date of enactment of the
15 SOAR Reauthorization Act, submitting a report
16 to Congress that contains the results of such
17 study.

18 “(2) The expenses of educating parents about
19 the eligible entity’s program under this division, and
20 assisting parents through the application process
21 under this division, including—

22 “(A) providing information about the pro-
23 gram and the participating schools to parents
24 of eligible students, including information on

1 supplemental financial aid that may be available
2 at participating schools;

3 “(B) providing funds to assist parents of
4 students in meeting expenses that might other-
5 wise preclude the participation of eligible stu-
6 dents in the program; and

7 “(C) streamlining the application process
8 for parents.”;

9 (B) by redesignating subsection (d) as sub-
10 section (c); and

11 (C) by redesignating subsection (e), as
12 added by section 162(b) of the Continuing Ap-
13 propriations Act, 2017 (division C of Public
14 Law 114–223, as amended by section 101(3) of
15 the Further Continuing and Security Assistance
16 Appropriations Act, 2017 (Public Law 114–
17 254)), as subsection (d).

18 (2) CONFORMING AMENDMENT.—Section
19 3007(d) (sec. 38–1853.07(d), D.C. Official Code), as
20 redesignated by paragraph (1)(C), is amended by
21 striking “subsections (b), (c), and (d)” each place it
22 appears in paragraphs (2)(B) and (3) and inserting
23 “subsections (b) and (c)”.

24 (d) CLARIFICATION OF USE OF FUNDS FOR STU-
25 DENT ACADEMIC ASSISTANCE.—Section 3007(c) (sec. 38–

1 1853.07(c), D.C. Official Code), as redesignated by sub-
2 section (c)(1)(B), is amended by striking “previously at-
3 tended” and all that follows through the period at the end
4 and inserting “previously attended an elementary school
5 or secondary school identified as one of the lowest-per-
6 forming schools under the District of Columbia’s account-
7 ability system.”.

8 PROGRAM EVALUATION

9 SEC. 908. (a) REVISION OF EVALUATION PROCE-
10 DURES AND REQUIREMENTS.—

11 (1) IN GENERAL.—Section 3009(a) (sec. 38-
12 1853.09(a), D.C. Official Code) is amended to read
13 as follows:

14 “(a) IN GENERAL.—

15 “(1) DUTIES OF THE SECRETARY AND THE
16 MAYOR.—The Secretary and the Mayor of the Dis-
17 trict of Columbia shall—

18 “(A) jointly enter into an agreement with
19 the Institute of Education Sciences of the De-
20 partment of Education to evaluate annually the
21 opportunity scholarship program under this di-
22 vision;

23 “(B) jointly enter into an agreement to
24 monitor and evaluate the use of funds author-
25 ized and appropriated for the District of Co-
26 lumbia public schools and the District of Co-

1 lumbia public charter schools under this divi-
2 sion; and

3 “(C) make the evaluations described in
4 subparagraphs (A) and (B) public in accord-
5 ance with subsection (c).

6 “(2) DUTIES OF THE SECRETARY.—The Sec-
7 retary, through a grant, contract, or cooperative
8 agreement, shall—

9 “(A) ensure that the evaluation under
10 paragraph (1)(A)—

11 “(i) is conducted using an acceptable
12 quasi-experimental research design for de-
13 termining the effectiveness of the oppor-
14 tunity scholarship program under this divi-
15 sion that does not use a control study
16 group consisting of students who applied
17 for but did not receive opportunity scholar-
18 ships; and

19 “(ii) addresses the issues described in
20 paragraph (4); and

21 “(B) disseminate information on the im-
22 pact of the program—

23 “(i) on academic achievement and
24 educational attainment of participating eli-

1 gible students who use an opportunity
2 scholarship; and

3 “(ii) on students and schools in the
4 District of Columbia.

5 “(3) DUTIES OF THE INSTITUTE ON EDU-
6 CATION SCIENCES.—The Institute of Education
7 Sciences of the Department of Education shall—

8 “(A) assess participating eligible students
9 who use an opportunity scholarship in each of
10 grades 3 through 8, as well as one of the grades
11 at the high school level, by supervising the ad-
12 ministration of the same reading and mathe-
13 matics assessment used by the District of Co-
14 lumbia public schools to comply with section
15 1111(b) of the Elementary and Secondary Edu-
16 cation Act of 1965 (20 U.S.C. 6311(b));

17 “(B) measure the academic achievement of
18 all participating eligible students who use an
19 opportunity scholarship in the grades described
20 in subparagraph (A); and

21 “(C) work with eligible entities receiving a
22 grant under this division to ensure that the par-
23 ents of each student who is a participating eli-
24 gible student that uses an opportunity scholar-
25 ship agrees to permit their child to participate

1 in the evaluations and assessments carried out
2 by the Institute of Education Sciences under
3 this subsection.

4 “(4) ISSUES TO BE EVALUATED.—The issues to
5 be evaluated under paragraph (1)(A) shall include
6 the following:

7 “(A) A comparison of the academic
8 achievement of participating eligible students
9 who use an opportunity scholarship on the
10 measurements described in paragraph (3)(B) to
11 the academic achievement of a comparison
12 group of students with similar backgrounds in
13 the District of Columbia public schools and the
14 District of Columbia public charter schools.

15 “(B) The success of the program under
16 this division in expanding choice options for
17 parents of participating eligible students and
18 increasing the satisfaction of such parents and
19 students with their choice.

20 “(C) The reasons parents of participating
21 eligible students choose for their children to
22 participate in the program, including important
23 characteristics for selecting schools.

24 “(D) A comparison of the retention rates,
25 high school graduation rates, college enrollment

1 rates, college persistence rates, and college
2 graduation rates of participating eligible stu-
3 dents who use an opportunity scholarship with
4 the rates of students in the comparison group
5 described in subparagraph (A).

6 “(E) A comparison of the college enroll-
7 ment rates, college persistence rates, and col-
8 lege graduation rates of students who partici-
9 pated in the program in 2004, 2005, 2011,
10 2012, 2013, 2014, and 2015 as the result of
11 winning the Opportunity Scholarship Program
12 lottery with such enrollment, persistence, and
13 graduation rates for students who entered but
14 did not win such lottery in those years and who,
15 as a result, served as the control group for pre-
16 vious evaluations of the program under this di-
17 vision. Nothing in this subparagraph may be
18 construed to waive section 3004(a)(3)(A)(iii)
19 with respect to any such student.

20 “(F) A comparison of the safety of the
21 schools attended by participating eligible stu-
22 dents who use an opportunity scholarship and
23 the schools in the District of Columbia attended
24 by students in the comparison group described

1 in subparagraph (A), based on the perceptions
2 of the students and parents.

3 “(G) An assessment of student academic
4 achievement at participating schools in which
5 85 percent of the total number of students en-
6 rolled at the school are participating eligible
7 students who receive and use an opportunity
8 scholarship.

9 “(H) Such other issues with respect to
10 participating eligible students who use an op-
11 portunity scholarship as the Secretary considers
12 appropriate for inclusion in the evaluation, such
13 as the impact of the program on public elemen-
14 tary schools and secondary schools in the Dis-
15 trict of Columbia.

16 “(5) PROHIBITING DISCLOSURE OF PERSONAL
17 INFORMATION.—

18 “(A) IN GENERAL.—Any disclosure of per-
19 sonally identifiable information obtained under
20 this division shall be in compliance with section
21 444 of the General Education Provisions Act
22 (commonly known as the ‘Family Educational
23 Rights and Privacy Act of 1974’) (20 U.S.C.
24 1232g).

1 “(B) STUDENTS NOT ATTENDING PUBLIC
2 SCHOOL.—With respect to any student who is
3 not attending a public elementary school or sec-
4 ondary school, personally identifiable informa-
5 tion obtained under this division shall only be
6 disclosed to—

7 “(i) individuals carrying out the eval-
8 uation described in paragraph (1)(A) for
9 such student;

10 “(ii) the group of individuals pro-
11 viding information for carrying out the
12 evaluation of such student; and

13 “(iii) the parents of such student.”.

14 (2) TRANSITION OF EVALUATION.—

15 (A) TERMINATION OF PREVIOUS EVALUA-
16 TIONS.—The Secretary of Education shall—

17 (i) terminate the evaluations con-
18 ducted under section 3009(a) of the Schol-
19 arships for Opportunity and Results Act
20 (sec. 38–1853.09(a), D.C. Official Code),
21 as in effect on the day before the date of
22 enactment of this title, after obtaining
23 data for the 2017–2018 school year; and

24 (ii) submit any reports required for
25 the 2017–2018 school year or preceding

1 years with respect to the evaluations in ac-
2 cordance with section 3009(b) of such Act.

3 (B) NEW EVALUATIONS.—

4 (i) IN GENERAL.—Effective beginning
5 with respect to the 2018–2019 school year,
6 the Secretary shall conduct new evalua-
7 tions in accordance with the provisions of
8 section 3009(a) of the Scholarships for Op-
9 portunity and Results Act (sec. 38–
10 1853.09(a), D.C. Official Code), as amend-
11 ed by this title.

12 (ii) MOST RECENT EVALUATION.—As
13 a component of the new evaluations de-
14 scribed in clause (i), the Secretary shall
15 continue to monitor and evaluate the stu-
16 dents who were evaluated in the most re-
17 cent evaluation under such section prior to
18 the date of enactment of this title, includ-
19 ing by monitoring and evaluating the test
20 scores and other information of such stu-
21 dents.

22 (b) DUTY OF MAYOR TO ENSURE INSTITUTE HAS
23 ALL INFORMATION NECESSARY TO CARRY OUT EVALUA-
24 TIONS.—Section 3011(a)(1) (sec. 38–1853.11(a)(1), D.C.
25 Official Code) is amended to read as follows:

1 comply relates to the District of Columbia public
2 charter schools; or

3 “(3) the funds otherwise authorized to be ap-
4 propriated under both paragraphs (2) and (3) of
5 section 3014(a), if the failure relates to both the
6 District of Columbia public schools and the District
7 of Columbia public charter schools.”.

8 (b) RULES FOR USE OF FUNDS PROVIDED FOR SUP-
9 PORT OF PUBLIC CHARTER SCHOOLS.—Section 3011
10 (sec. 38–1853.11, D.C. Official Code) is amended—

11 (1) by redesignating subsections (b) and (c) as
12 subsections (c) and (d), respectively; and

13 (2) by inserting after subsection (a) the fol-
14 lowing new subsection:

15 “(b) SPECIFIC RULES REGARDING FUNDS PROVIDED
16 FOR SUPPORT OF PUBLIC CHARTER SCHOOLS.—The fol-
17 lowing rules shall apply with respect to the funds provided
18 under this division for the support of District of Columbia
19 public charter schools:

20 “(1) The Secretary may direct the funds pro-
21 vided for any fiscal year, or any portion thereof, to
22 the Office of the State Superintendent of Education
23 of the District of Columbia.

1 “(2) The Office of the State Superintendent of
2 Education of the District of Columbia may transfer
3 the funds to subgrantees that are—

4 “(A) specific District of Columbia public
5 charter schools or networks of such schools; or

6 “(B) District of Columbia-based nonprofit
7 organizations with experience in successfully
8 providing support or assistance to District of
9 Columbia public charter schools or networks of
10 such schools.

11 “(3) The funds provided under this division for
12 the support of District of Columbia public charter
13 schools shall be available to any District of Columbia
14 public charter school in good standing with the Dis-
15 trict of Columbia Charter School Board, and the Of-
16 fice of the State Superintendent of Education of the
17 District of Columbia and the District of Columbia
18 Charter School Board may not restrict the avail-
19 ability of such funds to certain types of schools on
20 the basis of the school’s location, governing body, or
21 the school’s facilities.”.

22 REVISION OF CURRENT MEMORANDUM OF
23 UNDERSTANDING

24 SEC. 910. Not later than the beginning of the 2018–
25 2019 school year, the Secretary of Education and the
26 Mayor of the District of Columbia shall revise the memo-

1 random of understanding which is in effect under section
2 3012(d) of the Scholarships for Opportunity and Results
3 Act as of the day before the date of the enactment of this
4 title to address the following:

5 (1) The amendments made by this title.

6 (2) The need to ensure that participating
7 schools under the Scholarships for Opportunity and
8 Results Act meet fire code standards and maintain
9 certificates of occupancy.

10 (3) The need to ensure that District of Colum-
11 bia public schools and District of Columbia public
12 charter schools meet the requirements under such
13 Act to comply with all reasonable requests for infor-
14 mation necessary to carry out the evaluations re-
15 quired under section 3009(a) of such Act.

16 DEFINITIONS

17 SEC. 911. Section 3013 (sec. 38–1853.13, D.C. Offi-
18 cial Code) is amended—

19 (1) by redesignating paragraphs (1) through
20 (10) as paragraphs (2) through (11), respectively;

21 (2) by inserting before paragraph (2), as redес-
22 igned by paragraph (1), the following:

23 “(1) CORE SUBJECT MATTER.—The term ‘core
24 subject matter’ means—

25 “(A) mathematics;

26 “(B) science; and

1 **DIVISION F—DEPARTMENT OF HOME-**
2 **LAND SECURITY APPROPRIATIONS**
3 **ACT, 2017**

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 \$137,034,000: *Provided*, That not to exceed \$40,000 shall
13 be for official reception and representation expenses: *Pro-*
14 *vided further*, That of the funds provided under this head-
15 ing, \$2,000,000 shall be withheld from obligation until the
16 Secretary complies with section 107 of this Act.

17 MANAGEMENT DIRECTORATE

18 OPERATIONS AND SUPPORT

19 For necessary expenses of the Management Direc-
20 torate for operations and support, \$597,817,000, of which
21 \$194,092,000 shall remain available until September 30,
22 2018: *Provided*, That not to exceed \$2,000 shall be for
23 official reception and representation expenses.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the Management Direc-
3 torate for procurement, construction, and improvements,
4 \$18,839,000, to remain available until September 30,
5 2018.

6 RESEARCH AND DEVELOPMENT

7 For necessary expenses of the Management Direc-
8 torate for research and development, \$2,500,000, to re-
9 main available until September 30, 2018.

10 INTELLIGENCE, ANALYSIS, AND OPERATIONS

11 COORDINATION

12 OPERATIONS AND SUPPORT

13 For necessary expenses of the Office of Intelligence
14 and Analysis and the Office of Operations Coordination
15 for operations and support, \$263,551,000, of which
16 \$106,115,000 shall remain available until September 30,
17 2018: *Provided*, That not to exceed \$3,825 shall be for
18 official reception and representation expenses and not to
19 exceed \$2,000,000 is available for facility needs associated
20 with secure space at fusion centers, including improve-
21 ments to buildings.

22 OFFICE OF INSPECTOR GENERAL

23 OPERATIONS AND SUPPORT

24 For necessary expenses of the Office of Inspector
25 General for operations and support, \$175,000,000: *Pro-*

1 *vided*, That not to exceed \$300,000 may be used for cer-
2 tain confidential operational expenses, including the pay-
3 ment of informants, to be expended at the direction of the
4 Inspector General.

5 ADMINISTRATIVE PROVISIONS

6 SEC. 101. The Secretary of Homeland Security shall
7 submit to the Committees on Appropriations of the Senate
8 and the House of Representatives, at the time the Presi-
9 dent's budget proposal for fiscal year 2018 is submitted
10 pursuant to section 1105(a) of title 31, United States
11 Code, the Future Years Homeland Security Program, as
12 authorized by section 874 of Public Law 107-296 (6
13 U.S.C. 454).

14 SEC. 102. Not later than 30 days after the last day
15 of each month, the Chief Financial Officer of the Depart-
16 ment of Homeland Security shall submit to the Commit-
17 tees on Appropriations of the Senate and the House of
18 Representatives a monthly budget and staffing report that
19 includes total obligations of the Department for that
20 month and for the fiscal year at the appropriation and
21 program, project, and activity levels, by the source year
22 of the appropriation.

23 SEC. 103. (a) Notwithstanding section 518 of Public
24 Law 114-113, the Secretary of Homeland Security shall
25 submit a report not later than October 15, 2017, to the

1 Inspector General of the Department of Homeland Secu-
2 rity listing all grants and contracts awarded by any means
3 other than full and open competition during fiscal years
4 2016 and 2017.

5 (b) The Inspector General shall review the report re-
6 quired by subsection (a) to assess departmental compli-
7 ance with applicable laws and regulations and report the
8 results of that review to the Committees on Appropriations
9 of the Senate and the House of Representatives not later
10 than February 15, 2018.

11 SEC. 104. The Secretary of Homeland Security shall
12 require that all contracts of the Department of Homeland
13 Security that provide award fees link such fees to success-
14 ful acquisition outcomes, which shall be specified in terms
15 of cost, schedule, and performance.

16 SEC. 105. The Secretary of Homeland Security, in
17 consultation with the Secretary of the Treasury, shall no-
18 tify the Committees on Appropriations of the Senate and
19 the House of Representatives of any proposed transfers
20 of funds available under section 9703(g)(4)(B) of title 31,
21 United States Code (as added by Public Law 102-393)
22 from the Department of the Treasury Forfeiture Fund to
23 any agency within the Department of Homeland Security:
24 *Provided*, That none of the funds identified for such a
25 transfer may be obligated until the Committees on Appro-

1 priations of the Senate and the House of Representatives
2 are notified of the proposed transfers.

3 SEC. 106. All official costs associated with the use
4 of Government aircraft by Department of Homeland Secu-
5 rity personnel to support official travel of the Secretary
6 and the Deputy Secretary shall be paid from amounts
7 made available for the Office of the Secretary.

8 SEC. 107. (a) Not later than 30 days after the date
9 of enactment of this Act, the Secretary of Homeland Secu-
10 rity shall submit to the Committees on Appropriations of
11 the Senate and the House of Representatives, the Commit-
12 tees on the Judiciary of the Senate and the House of Rep-
13 resentatives, the Committee on Homeland Security and
14 Governmental Affairs of the Senate, and the Committee
15 on Homeland Security of the House of Representatives,
16 a report for fiscal year 2016 on visa overstay data by
17 country as required by section 1376 of title 8, United
18 States Code: *Provided*, That the report on visa overstay
19 data shall also include—

20 (1) overstays from all nonimmigrant visa cat-
21 egories under the immigration laws, delineated by
22 each of the classes and sub-classes of such cat-
23 egories; and

1 (2) numbers as well as rates of overstays for
2 each class and sub-class of such nonimmigrant cat-
3 egories on a per-country basis.

4 (b) The Secretary of Homeland Security shall publish
5 on the Department's Web site the metrics developed to
6 measure the effectiveness of security between the ports of
7 entry, including the methodology and data supporting the
8 resulting measures.

9 SEC. 108. Within 30 days of the date of enactment
10 of this Act, and monthly thereafter, the Secretary or Chief
11 Financial Officer shall certify to the Committees on Ap-
12 propriations of the Senate and the House of Representa-
13 tives whether U.S. Immigration and Customs Enforce-
14 ment is administering and executing its Enforcement and
15 Removal Operations activities consistent with available
16 budgetary authority provided by law: *Provided*, That such
17 certification shall include both actual and projected finan-
18 cial obligation data, with the projections informed by
19 seasonality, planned immigration enforcement operations,
20 all relevant enforcement data systems, and other informa-
21 tion sources as necessary.

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; \$10,900,636,000; 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 \$681,441,500 shall be avail-
2 able until September 30, 2018; 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.

15 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

16 For necessary expenses for U.S. Customs and Border
17 Protection for procurement, construction, and improve-
18 ments, including procurements to buy marine vessels, air-
19 craft, and unmanned aerial systems, \$273,617,000, of
20 which \$252,842,000 shall remain available until Sep-
21 tember 30, 2019, and of which \$20,775,000 shall remain
22 available until September 30, 2021.

1 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
2 OPERATIONS AND SUPPORT

3 For necessary expenses of U.S. Immigration and
4 Customs Enforcement for operations and support, includ-
5 ing the purchase and lease of up to 3,790 (2,350 for re-
6 placement only) police-type vehicles; overseas vetted units;
7 and maintenance, minor construction, and minor leasehold
8 improvements at owned and leased facilities,
9 \$6,168,532,000; of which \$6,000,000 shall remain avail-
10 able until expended for efforts to enforce laws against
11 forced child labor; of which not less than \$15,000,000
12 shall be available for investigation of intellectual property
13 rights violations, including operation of the National Intel-
14 lectual Property Rights Coordination Center; of which
15 \$18,700,000 shall remain available until September 30,
16 2018, for the Visa Security Program and investigations
17 abroad; of which not less than \$3,471,806,000 shall be
18 for enforcement, detention, and removal operations, in-
19 cluding transportation of unaccompanied minor aliens:
20 *Provided*, That not to exceed \$11,475 shall be for official
21 reception and representation expenses: *Provided further*,
22 That not to exceed \$10,000,000 shall be available until
23 expended for conducting special operations under section
24 3131 of the Customs Enforcement Act of 1986 (19 U.S.C.
25 2081): *Provided further*, That not to exceed \$2,000,000

1 shall be for awards of compensation to informants, to be
2 accounted for solely under the certificate of the Secretary
3 of Homeland Security: *Provided further*, That not to ex-
4 ceed \$11,216,000 shall be available to fund or reimburse
5 other Federal agencies for the costs associated with the
6 care, maintenance, and repatriation of smuggled aliens un-
7 lawfully present in the United States: *Provided further*,
8 That of the funds provided under this heading,
9 \$25,000,000 shall be withheld from obligation until the
10 comprehensive plan for immigration data improvement is
11 submitted as required in section 212 of this Act.

12 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

13 For necessary expenses of U.S. Immigration and
14 Customs Enforcement for procurement, construction, and
15 improvements, \$29,800,000, to remain available until Sep-
16 tember 30, 2019.

17 TRANSPORTATION SECURITY ADMINISTRATION

18 OPERATIONS AND SUPPORT

19 For necessary expenses of the Transportation Secu-
20 rity Administration for operations and support,
21 \$7,105,047,000, to remain available until September 30,
22 2018: *Provided*, That not to exceed \$7,650 shall be for
23 official reception and representation expenses: *Provided*
24 *further*, That security service fees authorized under section
25 44940 of title 49, United States Code, shall be credited

1 to this appropriation as offsetting collections and shall be
2 available only for aviation security: *Provided further*, That
3 the sum appropriated under this heading from the general
4 fund shall be reduced on a dollar-for-dollar basis as such
5 offsetting collections are received during fiscal year 2017
6 so as to result in a final fiscal year appropriation from
7 the general fund estimated at not more than
8 \$4,975,047,000.

9 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

10 For necessary expenses of the Transportation Secu-
11 rity Administration for procurement, construction, and
12 improvements, \$206,093,000, to remain available until
13 September 30, 2019.

14 RESEARCH AND DEVELOPMENT

15 For necessary expenses of the Transportation Secu-
16 rity Administration for research and development,
17 \$5,000,000, to remain available until September 30, 2018.

18 COAST GUARD

19 OPERATING EXPENSES

20 For necessary expenses for the operations and main-
21 tenance of the Coast Guard, not otherwise provided for;
22 purchase or lease of not to exceed 25 passenger motor ve-
23 hicles, which shall be for replacement only; purchase or
24 lease of small boats for contingent and emergent require-
25 ments (at a unit cost of not more than \$700,000) and

1 repairs and service-life replacements, not to exceed a total
2 of \$31,000,000; purchase or lease of boats necessary for
3 overseas deployments and activities; purchase, lease, or
4 improvement of other equipment (at a unit cost of not
5 more than \$250,000); minor shore construction projects
6 not exceeding \$1,000,000 in total cost on any location;
7 payments pursuant to section 156 of Public Law 97–377
8 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and
9 welfare; \$7,079,628,000; of which \$502,692,000 shall be
10 for defense-related activities, of which \$162,692,000 is
11 designated by the Congress for Overseas Contingency Op-
12 erations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985; of which \$24,500,000 shall
15 be derived from the Oil Spill Liability Trust Fund to carry
16 out the purposes of section 1012(a)(5) of the Oil Pollution
17 Act of 1990 (33 U.S.C. 2712(a)(5)); and of which
18 \$11,000,000 shall remain available until September 30,
19 2019, of which \$6,000,000 is solely for grants authorized
20 by the Coast Guard Authorization Act of 2010 (46 U.S.C.
21 4502(i) and (j)) and \$5,000,000 is to meet the obligations
22 specified in 14 U.S.C. 98(b): *Provided*, That not to exceed
23 \$23,000 shall be for official reception and representation
24 expenses.

1 ENVIRONMENTAL COMPLIANCE AND RESTORATION

2 For necessary expenses to carry out the environ-
3 mental compliance and restoration functions of the Coast
4 Guard under chapter 19 of title 14, United States Code,
5 \$13,315,000, to remain available until September 30,
6 2021.

7 RESERVE TRAINING

8 For necessary expenses of the Coast Guard Reserve;
9 operations and maintenance of the Coast Guard Reserve
10 Program; personnel and training costs; and equipment
11 and services; \$112,302,000.

12 ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

13 For necessary expenses of the Coast Guard for acqui-
14 sition, construction, renovation, and improvement of aids
15 to navigation, shore facilities (including facilities at De-
16 partment of Defense installations used by the Coast
17 Guard), vessels, and aircraft, including equipment related
18 thereto, \$1,370,007,000; of which \$20,000,000 shall be
19 derived from the Oil Spill Liability Trust Fund to carry
20 out the purposes of section 1012(a)(5) of the Oil Pollution
21 Act of 1990 (33 U.S.C. 2712(a)(5)); and of which
22 \$1,256,655,000 shall be available until September 30,
23 2021, of which \$95,000,000 shall be immediately available
24 and allotted to contract for long lead time materials for
25 the tenth National Security Cutter notwithstanding the

1 availability of funds for production or post-production
2 costs.

3 RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

4 For necessary expenses of the Coast Guard for re-
5 search, development, test, and evaluation; and for mainte-
6 nance, rehabilitation, lease, and operation of facilities and
7 equipment; \$36,319,000, to remain available until Sep-
8 tember 30, 2019, of which \$500,000 shall be derived from
9 the Oil Spill Liability Trust Fund to carry out the pur-
10 poses of section 1012(a)(5) of the Oil Pollution Act of
11 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may
12 be credited to and used for the purposes of this appropria-
13 tion funds received from State and local governments,
14 other public authorities, private sources, and foreign coun-
15 tries for expenses incurred for research, development, test-
16 ing, and evaluation.

17 RETIRED PAY

18 For retired pay, including the payment of obligations
19 otherwise chargeable to lapsed appropriations for this pur-
20 pose, payments under the Retired Serviceman's Family
21 Protection and Survivor Benefits Plans, payment for ca-
22 reer status bonuses, concurrent receipts, and combat-re-
23 lated special compensation, and payments for medical care
24 of retired personnel and their dependents under chapter

1 55 of title 10, United States Code, \$1,666,940,000, to re-
2 main available until expended.

3 UNITED STATES SECRET SERVICE

4 OPERATIONS AND SUPPORT

5 For necessary expenses of the United States Secret
6 Service for operations and support, including purchase of
7 not to exceed 652 vehicles for police-type use for replace-
8 ment only; hire of passenger motor vehicles; purchase of
9 motorcycles made in the United States; hire of aircraft;
10 rental of buildings in the District of Columbia, fencing,
11 lighting, guard booths, and other facilities on private or
12 other property not in Government ownership or control,
13 as may be necessary to perform protective functions; con-
14 duct of and participation in firearms matches; presen-
15 tation of awards; conduct of behavioral research in sup-
16 port of protective intelligence and operations; payment in
17 advance for commercial accommodations as may be nec-
18 essary to perform protective functions; and payment, with-
19 out regard to section 5702 of title 5, United States Code,
20 of subsistence expenses of employees who are on protective
21 missions, whether at or away from their duty stations;
22 \$1,821,451,000; of which \$42,966,000 shall remain avail-
23 able until September 30, 2018, of which \$6,000,000 shall
24 be for a grant for activities related to investigations of
25 missing and exploited children; and of which not less than

1 \$13,869,000 shall be for activities related to training in
2 electronic crimes investigations and forensics: *Provided*,
3 That not to exceed \$19,125 shall be for official reception
4 and representation expenses: *Provided further*, That not
5 to exceed \$100,000 shall be to provide technical assistance
6 and equipment to foreign law enforcement organizations
7 in counterfeit investigations.

8 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

9 For necessary expenses of the United States Secret
10 Service for procurement, construction, and improvements,
11 \$90,627,000, to remain available until September 30,
12 2019.

13 RESEARCH AND DEVELOPMENT

14 For necessary expenses of the United States Secret
15 Service for research and development, \$2,500,000, to re-
16 main available until September 30, 2018.

17 ADMINISTRATIVE PROVISIONS

18 SEC. 201. (a) For fiscal year 2017, the overtime limi-
19 tation prescribed in section 5(c)(1) of the Act of February
20 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$45,000; and not-
21 withstanding any other provision of law, none of the funds
22 appropriated by this Act shall be available to compensate
23 any employee of U.S. Customs and Border Protection for
24 overtime, from whatever source, in an amount that ex-
25 ceeds such limitation, except in individual cases deter-

1 mined by the Secretary of Homeland Security, or the des-
2 ignee of the Secretary, to be necessary for national secu-
3 rity purposes, to prevent excessive costs, or in cases of
4 immigration emergencies.

5 (b) None of the funds made available by this Act for
6 the following accounts shall be available to compensate
7 any employee for overtime in an annual amount in excess
8 of \$45,000:

9 (1) “U.S. Immigration and Customs Enforce-
10 ment—Operations and Support”, except that the
11 Secretary of Homeland Security, or the designee of
12 the Secretary, may waive such amount as necessary
13 for national security purposes and in cases of immi-
14 gration emergencies.

15 (2) “United States Secret Service—Operations
16 and Support”, except that the Secretary of Home-
17 land Security, or the designee of the Secretary, may
18 waive such amount as necessary for national security
19 purposes.

20 SEC. 202. Funding made available under the heading
21 “U.S. Customs and Border Protection—Operations and
22 Support” and “U.S. Customs and Border Protection—
23 Procurement, Construction, and Improvements” shall be
24 available for customs expenses when necessary to maintain

1 operations and prevent adverse personnel actions in Puer-
2 to Rico in addition to funding provided by 48 U.S.C. 740.

3 SEC. 203. No U.S. Customs and Border Protection
4 aircraft or other related equipment, with the exception of
5 aircraft that are one of a kind and have been identified
6 as excess to U.S. Customs and Border Protection require-
7 ments and aircraft that have been damaged beyond repair,
8 shall be transferred to any other Federal agency, depart-
9 ment, or office outside of the Department of Homeland
10 Security during fiscal year 2017 without prior notice to
11 the Committees on Appropriations of the Senate and the
12 House of Representatives.

13 SEC. 204. As authorized by section 601(b) of the
14 United States-Colombia Trade Promotion Agreement Im-
15 plementation Act (Public Law 112–42), fees collected
16 from passengers arriving from Canada, Mexico, or an ad-
17 jacent island pursuant to section 13031(a)(5) of the Con-
18 solidated Omnibus Budget Reconciliation Act of 1985 (19
19 U.S.C. 58c(a)(5)) shall be available until expended.

20 SEC. 205. For an additional amount for “U.S. Cus-
21 toms and Border Protection—Operations and Support”,
22 \$31,000,000, to remain available until expended, to be re-
23 duced by amounts collected and credited to this appropria-
24 tion from amounts authorized to be collected by section
25 286(i) of the Immigration and Nationality Act (8 U.S.C.

1 1356(i)), section 10412 of the Farm Security and Rural
2 Investment Act of 2002 (7 U.S.C. 8311), and section 817
3 of the Trade Facilitation and Trade Enforcement Act of
4 2015, or other such authorizing language: *Provided*, That
5 to the extent that amounts realized from such collections
6 exceed \$31,000,000, those amounts in excess of
7 \$31,000,000 shall be credited to this appropriation, to re-
8 main available until expended.

9 SEC. 206. None of the funds made available in this
10 Act for U.S. Customs and Border Protection may be used
11 to prevent an individual not in the business of importing
12 a prescription drug (within the meaning of section 801(g)
13 of the Federal Food, Drug, and Cosmetic Act) from im-
14 porting a prescription drug from Canada that complies
15 with the Federal Food, Drug, and Cosmetic Act: *Provided*,
16 That this section shall apply only to individuals trans-
17 porting on their person a personal-use quantity of the pre-
18 scription drug, not to exceed a 90-day supply: *Provided*
19 *further*, That the prescription drug may not be—

20 (1) a controlled substance, as defined in section
21 102 of the Controlled Substances Act (21 U.S.C.
22 802); or

23 (2) a biological product, as defined in section
24 351 of the Public Health Service Act (42 U.S.C.
25 262).

1 SEC. 207. Notwithstanding any other provision of
2 law, none of the funds provided in this or any other Act
3 shall be used to approve a waiver of the navigation and
4 vessel-inspection laws pursuant to 46 U.S.C. 501(b) for
5 the transportation of crude oil distributed from and to the
6 Strategic Petroleum Reserve until the Secretary of Home-
7 land Security, after consultation with the Secretaries of
8 the Departments of Energy and Transportation and rep-
9 resentatives from the United States flag maritime indus-
10 try, takes adequate measures to ensure the use of United
11 States flag vessels: *Provided*, That the Secretary shall no-
12 tify the Committees on Appropriations of the Senate and
13 the House of Representatives, the Committee on Com-
14 merce, Science, and Transportation of the Senate, and the
15 Committee on Transportation and Infrastructure of the
16 House of Representatives within 2 business days of any
17 request for waivers of navigation and vessel-inspection
18 laws pursuant to 46 U.S.C. 501(b) and the disposition of
19 such requests.

20 SEC. 208. (a) Beginning on the date of enactment
21 of this Act, the Secretary of Homeland Security shall
22 not—

23 (1) establish, collect, or otherwise impose any
24 new border crossing fee on individuals crossing the

1 Southern border or the Northern border at a land
2 port of entry; or

3 (2) conduct any study relating to the imposition
4 of a border crossing fee.

5 (b) In this section, the term “border crossing fee”
6 means a fee that every pedestrian, cyclist, and driver and
7 passenger of a private motor vehicle is required to pay
8 for the privilege of crossing the Southern border or the
9 Northern border at a land port of entry.

10 SEC. 209. Without regard to the limitation as to time
11 and condition of section 503(d) of this Act, the Secretary
12 may reprogram and transfer funds within and into “U.S.
13 Immigration and Customs Enforcement—Operations and
14 Support” as necessary to ensure the detention of aliens
15 prioritized for removal.

16 SEC. 210. None of the funds provided under the
17 heading “U.S. Immigration and Customs Enforcement—
18 Operations and Support” may be used to continue a dele-
19 gation of law enforcement authority authorized under sec-
20 tion 287(g) of the Immigration and Nationality Act (8
21 U.S.C. 1357(g)) if the Department of Homeland Security
22 Inspector General determines that the terms of the agree-
23 ment governing the delegation of authority have been ma-
24 terially violated.

1 SEC. 211. None of the funds provided under the
2 heading “U.S. Immigration and Customs Enforcement—
3 Operations and Support” may be used to continue any
4 contract for the provision of detention services if the two
5 most recent overall performance evaluations received by
6 the contracted facility are less than “adequate” or the
7 equivalent median score in any subsequent performance
8 evaluation system.

9 SEC. 212. (a) Not later than 90 days after the date
10 of enactment of this Act, the Director of U.S. Immigration
11 and Customs Enforcement shall submit to the Committees
12 on Appropriations of the Senate and the House of Rep-
13 resentatives a comprehensive plan for immigration data
14 improvement.

15 (b) The plan required in subsection (a) shall in-
16 clude—

17 (1) an action plan detailing necessary engage-
18 ment with Federal partners, major milestones, and
19 an estimated timeline for each of the major mile-
20 stones leading to completion of the plan;

21 (2) a staffing plan, detailing the positions and
22 titles for both Federal and contract staff necessary
23 to execute the plan; and

24 (3) an estimate of the funding necessary to im-
25 plement the plan.

1 SEC. 213. 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. 214. 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. 215. Notwithstanding section 44923 of title 49,
20 United States Code, for fiscal year 2017, 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. 216. The reporting requirement in the ninth
4 proviso under the heading “Transportation Security Ad-
5 ministration—Aviation Security” in the Department of
6 Homeland Security Appropriations Act, 2016 (Public Law
7 114–113), shall apply in fiscal year 2017, except that the
8 reference to “this Act” shall be treated as referring to this
9 Act.

10 SEC. 217. None of the funds made available by this
11 or any other Act may be used by the Administrator of
12 the Transportation Security Administration to implement,
13 administer, or enforce, in abrogation of the responsibility
14 described in section 44903(n)(1) of title 49, United States
15 Code, any requirement that airport operators provide air-
16 port-financed staffing to monitor exit points from the ster-
17 ile area of any airport at which the Transportation Secu-
18 rity Administration provided such monitoring as of De-
19 cember 1, 2013.

20 SEC. 218. None of the funds made available by this
21 Act under the heading “Coast Guard—Operating Ex-
22 penses” shall be for expenses incurred for recreational ves-
23 sels under section 12114 of title 46, United States Code,
24 except to the extent fees are collected from owners of
25 yachts and credited to the appropriation made available

1 by this Act under the heading “Coast Guard—Operating
2 Expenses”: *Provided*, That to the extent such fees are in-
3 sufficient to pay expenses of recreational vessel docu-
4 mentation under such section 12114, and there is a back-
5 log of recreational vessel applications, then personnel per-
6 forming non-recreational vessel documentation functions
7 under subchapter II of chapter 121 of title 46, United
8 States Code, may perform documentation under section
9 12114.

10 SEC. 219. Without regard to the limitation as to time
11 and condition of section 503(d) of this Act, after June
12 30, up to \$10,000,000 may be reprogrammed to or from
13 the Military Pay and Allowances funding category within
14 “Coast Guard—Operating Expenses” in accordance with
15 subsection (a) of section 503.

16 SEC. 220. None of the funds in this Act shall be used
17 to reduce the Coast Guard’s Operations Systems Center
18 mission or its government-employed or contract staff lev-
19 els.

20 SEC. 221. None of the funds appropriated by this Act
21 may be used to conduct, or to implement the results of,
22 a competition under Office of Management and Budget
23 Circular A–76 for activities performed with respect to the
24 Coast Guard National Vessel Documentation Center.

1 SEC. 222. Funds made available in this Act may be
2 used to alter operations within the Civil Engineering Pro-
3 gram of the Coast Guard nationwide, including civil engi-
4 neering units, facilities design and construction centers,
5 maintenance and logistics commands, and the Coast
6 Guard Academy, except that none of the funds provided
7 in this Act may be used to reduce operations within any
8 civil engineering unit unless specifically authorized by a
9 statute enacted after the date of enactment of this Act.

10 SEC. 223. Funds made available under this heading
11 for Overseas Contingency Operations/Global War on Ter-
12 rorism may be allocated by program, project, and activity,
13 notwithstanding section 503 of this Act.

14 SEC. 224. The United States Secret Service is au-
15 thorized to obligate funds in anticipation of reimburse-
16 ments from Federal agencies and entities, as defined in
17 section 105 of title 5, United States Code, for personnel
18 receiving training sponsored by the James J. Rowley
19 Training Center, except that total obligations at the end
20 of the fiscal year shall not exceed total budgetary re-
21 sources available under the heading “United States Secret
22 Service—Operations and Support” at the end of the fiscal
23 year.

24 SEC. 225. None of the funds made available to the
25 United States Secret Service by this Act or by previous

1 appropriations Acts may be made available for the protec-
2 tion of the head of a Federal agency other than the Sec-
3 retary of Homeland Security: *Provided*, That the Director
4 of the Secret Service may enter into agreements to provide
5 such protection on a fully reimbursable basis.

6 SEC. 226. None of the funds made available to the
7 United States Secret Service by this Act or by previous
8 appropriations Acts may be obligated for the purpose of
9 opening a new permanent domestic or overseas office or
10 location unless the Committees on Appropriations of the
11 Senate and the House of Representatives are notified 15
12 days in advance of such obligation.

13 SEC. 227. For purposes of section 503(a)(3) of this
14 Act, up to \$15,000,000 may be reprogrammed within
15 “United States Secret Service—Operations and Support”.

16 SEC. 228. Funding made available in this Act for
17 “United States Secret Service—Operations and Support”
18 is available for travel of United States Secret Service em-
19 ployees on protective missions without regard to the limi-
20 tations on such expenditures in this or any other Act if
21 the Director of the United States Secret Service or a des-
22 ignee notifies the Committees on Appropriations of the
23 Senate and the House of Representatives 10 or more days
24 in advance, or as early as practicable, prior to such ex-
25 penditures.

1 TITLE III
2 PROTECTION, PREPAREDNESS, RESPONSE, AND
3 RECOVERY

4 NATIONAL PROTECTION AND PROGRAMS DIRECTORATE
5 OPERATIONS AND SUPPORT

6 For necessary expenses of the National Protection
7 and Programs Directorate for operations and support,
8 \$1,372,268,000, of which \$117,148,000 shall remain
9 available until September 30, 2018: *Provided*, That not
10 to exceed \$3,825 shall be for official reception and rep-
11 resentation expenses: *Provided further*, That of the funds
12 provided under this heading, \$20,000,000 shall be with-
13 held from obligation until the Secretary of Homeland Se-
14 curity complies with section 301 of this Act.

15 FEDERAL PROTECTIVE SERVICE

16 The revenues and collections of security fees credited
17 to this account shall be available until expended for nec-
18 essary expenses related to the protection of federally
19 owned and leased buildings and for the operations of the
20 Federal Protective Service.

21 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

22 For necessary expenses of the National Protection
23 and Programs Directorate for procurement, construction,
24 and improvements, \$440,035,000, to remain available
25 until September 30, 2018.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the National Protection
3 and Programs Directorate for research and development,
4 \$6,469,000, to remain available until September 30, 2018.

5 OFFICE OF HEALTH AFFAIRS

6 OPERATIONS AND SUPPORT

7 For necessary expenses of the Office of Health Af-
8 fairs for operations and support, \$123,548,000, of which
9 \$16,161,000 shall remain available until September 30,
10 2018: *Provided*, That of the funds provided under this
11 heading, \$2,000,000 shall be withheld from obligation for
12 Mission Support until the Chief Medical Officer complies
13 with section 302 of this Act: *Provided further*, That the
14 Secretary of Homeland Security may transfer up to
15 \$2,000,000 from the funds provided under this heading
16 to “Science and Technology Directorate—Research and
17 Development” for the purpose of advancing early detection
18 capabilities related to a bioterrorism event.

19 FEDERAL EMERGENCY MANAGEMENT AGENCY

20 OPERATIONS AND SUPPORT

21 For necessary expenses of the Federal Emergency
22 Management Agency for operations and support,
23 \$1,048,551,000: *Provided*, That not to exceed \$2,250
24 shall be for official reception and representation expenses.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the Federal Emergency
3 Management Agency for procurement, construction, and
4 improvements, \$35,273,000, to remain available until Sep-
5 tember 30, 2018.

6 FEDERAL ASSISTANCE

7 For activities of the Federal Emergency Management
8 Agency for Federal assistance through grants, contracts,
9 cooperative agreements, and other activities,
10 \$2,983,458,000, which shall be allocated as follows:

11 (1) \$467,000,000 for the State Homeland Secu-
12 rity Grant Program under section 2004 of the
13 Homeland Security Act of 2002 (6 U.S.C. 605), of
14 which \$55,000,000 shall be for Operation
15 Stonegarden: *Provided*, That notwithstanding sub-
16 section (c)(4) of such section 2004, for fiscal year
17 2017, the Commonwealth of Puerto Rico shall make
18 available to local and tribal governments amounts
19 provided to the Commonwealth of Puerto Rico under
20 this paragraph in accordance with subsection (c)(1)
21 of such section 2004.

22 (2) \$605,000,000 for the Urban Area Security
23 Initiative under section 2003 of the Homeland Secu-
24 rity Act of 2002 (6 U.S.C. 604), of which
25 \$25,000,000 shall be for organizations (as described

1 under section 501(c)(3) of the Internal Revenue
2 Code of 1986 and exempt from tax under section
3 501(a) of such code) determined by the Secretary of
4 Homeland Security to be at high risk of a terrorist
5 attack.

6 (3) \$100,000,000 for Public Transportation Se-
7 curity Assistance, Railroad Security Assistance, and
8 Over-the-Road Bus Security Assistance under sec-
9 tions 1406, 1513, and 1532 of the Implementing
10 Recommendations of the 9/11 Commission Act of
11 2007 (6 U.S.C. 1135, 1163, and 1182), of which
12 \$10,000,000 shall be for Amtrak security and
13 \$2,000,000 shall be for Over-the-Road Bus Security:
14 *Provided*, That such public transportation security
15 assistance shall be provided directly to public trans-
16 portation agencies.

17 (4) \$100,000,000 for Port Security Grants in
18 accordance with 46 U.S.C. 70107.

19 (5) \$690,000,000, to remain available until
20 September 30, 2018, of which \$345,000,000 shall be
21 for Assistance to Firefighter Grants and
22 \$345,000,000 shall be for Staffing for Adequate
23 Fire and Emergency Response Grants under sec-
24 tions 33 and 34 respectively of the Federal Fire Pre-

1 vention and Control Act of 1974 (15 U.S.C. 2229
2 and 2229a).

3 (6) \$350,000,000 for emergency management
4 performance grants under the National Flood Insur-
5 ance Act of 1968 (42 U.S.C. 4001), the Robert T.
6 Stafford Disaster Relief and Emergency Assistance
7 Act (42 U.S.C. 5121), the Earthquake Hazards Re-
8 duction Act of 1977 (42 U.S.C. 7701), 6 U.S.C.
9 762, and Reorganization Plan No. 3 of 1978 (5
10 U.S.C. App.).

11 (7) \$100,000,000 for the National Predisaster
12 Mitigation Fund under section 203 of the Robert T.
13 Stafford Disaster Relief and Emergency Assistance
14 Act (42 U.S.C. 5133), to remain available until ex-
15 pended.

16 (8) \$177,531,000 for necessary expenses for
17 Flood Hazard Mapping and Risk Analysis, in addi-
18 tion to and to supplement any other sums appro-
19 priated under the National Flood Insurance Fund,
20 and such additional sums as may be provided by
21 States or other political subdivisions for cost-shared
22 mapping activities under 42 U.S.C. 4101(f)(2), to
23 remain available until expended.

24 (9) \$120,000,000 for the emergency food and
25 shelter program under title III of the McKinney-

1 Vento Homeless Assistance Act (42 U.S.C. 11331),
2 to remain available until expended: *Provided*, That
3 not to exceed 3.5 percent shall be for total adminis-
4 trative costs.

5 (10) \$273,927,000 to sustain current oper-
6 ations for training, exercises, technical assistance,
7 and other programs.

8 DISASTER RELIEF FUND

9 For necessary expenses in carrying out the Robert
10 T. Stafford Disaster Relief and Emergency Assistance Act
11 (42 U.S.C. 5121 et seq.), \$7,328,515,000, to remain avail-
12 able until expended, of which \$6,713,000,000 shall be for
13 major disasters declared pursuant to the Robert T. Staf-
14 ford Disaster Relief and Emergency Assistance Act (42
15 U.S.C. 5121 et seq.) and is designated by the Congress
16 as being for disaster relief pursuant to section
17 251(b)(2)(D) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

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), \$181,799,000, to remain
2 available until September 30, 2018, 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 \$13,436,000 shall be available for mis-
6 sion support associated with flood management; and of
7 which \$168,363,000 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 2017,
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) \$147,042,000 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) \$175,061,000, 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 ADMINISTRATIVE PROVISIONS

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 301. The Secretary of Homeland Security, or
22 the designee of the Secretary, shall brief the Committees
23 on Appropriations of the Senate and the House of Rep-
24 resentatives on plans to—

1 (1) implement a facial recognition matching ca-
2 pability for Automated Biometric Identification Sys-
3 tem holdings, including the ability to search, store,
4 and match, that is independent of other biometric
5 modalities but scalable for future needs;

6 (2) accelerate the development of multi-modal
7 biometric capability (Homeland Advanced Recogni-
8 tion Technology Increment 2) to ensure that full
9 multi-modal capability is available for stakeholders
10 by the end of fiscal year 2018;

11 (3) establish a new, equitable governance struc-
12 ture in fiscal year 2017 that ensures stakeholder
13 mission requirements are prioritized for implementa-
14 tion, to include—

15 (A) a project plan and capability execution
16 schedule for each stakeholder mission;

17 (B) stakeholder management of all re-
18 quests for services;

19 (C) a weighted on-boarding process for
20 new requirements and priorities; and

21 (D) an executive stakeholder review proc-
22 ess; and

23 (4) demonstrate new agile projects focused on
24 the ability to fuse biographic intelligence information
25 with biometric data.

1 SEC. 302. The Chief Medical Officer shall submit a
2 report to the Committees on Appropriations of the Senate
3 and the House of Representatives that includes—

4 (1) a comprehensive strategy and project plan
5 to advance the Nation's early detection capabilities
6 related to a bioterrorism event;

7 (2) a description of the responsibilities of the
8 Office of Health Affairs, Science and Technology Di-
9 rectorate, and other departmental components as ap-
10 propriate for implementing such strategy;

11 (3) a description of technical and operational
12 programmatic efficiencies to be gained by replacing
13 or enhancing the current BioWatch system;

14 (4) specific timelines and benchmarks for imple-
15 mentation of a new or enhanced system, including,
16 but not limited to—

17 (A) a mission needs statement;

18 (B) operational requirements documents;

19 (C) key performance parameters;

20 (D) a test and evaluation master plan; and

21 (E) an acquisition plan and strategy;

22 (5) an expenditure plan for fiscal year 2017 ac-
23 tivities that advance the Nation's early detection ca-
24 pabilities related to a bioterrorism event; and

1 (6) detailed cost estimates for not less than 5
2 years for the development of a new or enhanced
3 BioWatch system.

4 SEC. 303. Notwithstanding section 2008(a)(11) of
5 the Homeland Security Act of 2002 (6 U.S.C. 609(a)(11))
6 or any other provision of law, not more than 5 percent
7 of the amount of a grant made available in paragraphs
8 (1) through (4) under “Federal Emergency Management
9 Agency—Federal Assistance”, may be used by the grantee
10 for expenses directly related to administration of the
11 grant.

12 SEC. 304. Applications for grants under the heading
13 “Federal Emergency Management Agency—Federal As-
14 sistance”, for paragraphs (1) through (4), shall be made
15 available to eligible applicants not later than 60 days after
16 the date of enactment of this Act, eligible applicants shall
17 submit applications not later than 80 days after the grant
18 announcement, and the Administrator of the Federal
19 Emergency Management Agency shall act within 65 days
20 after the receipt of an application.

21 SEC. 305. Under the heading “Federal Emergency
22 Management Agency—Federal Assistance”, for grants
23 under paragraphs (1) through (4), the Administrator of
24 the Federal Emergency Management Agency shall brief
25 the Committees on Appropriations of the Senate and the

1 House of Representatives 5 full business days in advance
2 of announcing publicly the intention of making an award.

3 SEC. 306. 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. 307. Notwithstanding section 509 of this Act,
9 the Administrator of the Federal Emergency Management
10 Agency may use the funds provided under the heading
11 “Federal Emergency Management Agency—Federal As-
12 sistance” in paragraph (10) to acquire real property for
13 the purpose of establishing or appropriately extending the
14 security buffer zones around Federal Emergency Manage-
15 ment Agency training facilities.

16 SEC. 308. Notwithstanding any other provision of
17 law—

18 (1) grants awarded to States along the South-
19 west Border of the United States under sections
20 2003 or 2004 of the Homeland Security Act of 2002
21 (6 U.S.C. 604 and 605) using funds provided under
22 the heading “Federal Emergency Management
23 Agency—Federal Assistance” for grants under para-
24 graph (1) in this Act, or under the heading “Federal
25 Emergency Management Agency—State and Local

1 Programs” in Public Law 114–4, division F of Pub-
2 lic Law 113–76, or division D of Public Law 113–
3 6 may be used by recipients or sub-recipients for
4 costs, or reimbursement of costs, related to pro-
5 viding humanitarian relief to unaccompanied alien
6 children and alien adults accompanied by an alien
7 minor where they are encountered after entering the
8 United States, provided that such costs were in-
9 curred between January 1, 2014, and December 31,
10 2014, or during the award period of performance;
11 and

12 (2) grants awarded to States under section
13 2004 of the Homeland Security Act of 2002 (6
14 U.S.C. 605) using funds provided under the heading
15 “Federal Emergency Management Agency—Federal
16 Assistance” for grants under paragraph (1) in this
17 Act may be used by recipients or sub-recipients for
18 costs, or reimbursement of costs, related to public
19 safety in support of a State declaration of emer-
20 gency.

21 SEC. 309. The reporting requirements in paragraphs
22 (1) and (2) under the heading “Federal Emergency Man-
23 agement Agency—Disaster Relief Fund” in the Depart-
24 ment of Homeland Security Appropriations Act, 2015
25 (Public Law 114–4) shall be applied in fiscal year 2017

1 with respect to budget year 2018 and current fiscal year
2 2017, respectively, by substituting “fiscal year 2018” for
3 “fiscal year 2016” in paragraph (1).

4 SEC. 310. The Administrator of the Federal Emer-
5 gency Management Agency shall transfer \$56,872,752 in
6 unobligated balances made available for the appropriations
7 account for “Federal Emergency Management Agency—
8 Disaster Assistance Direct Loan Program Account” by
9 section 4502 of Public Law 110–28 to the appropriations
10 account for “Federal Emergency Management Agency—
11 Disaster Relief Fund”: *Provided*, That amounts trans-
12 ferred to such account under this section shall be available
13 for any authorized purpose of such account: *Provided fur-*
14 *ther*, That amounts transferred pursuant to this section
15 that were previously designated by the Congress as an
16 emergency requirement pursuant to a concurrent resolu-
17 tion on the budget are designated by the Congress as an
18 emergency requirement pursuant to section
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985 and shall be transferred only
21 if the President subsequently so designates the entire
22 transfer and transmits such designation to the Congress.

23 SEC. 311. Notwithstanding 42 U.S.C.
24 5170c(b)(2)(B)(ii), the Administrator of the Federal
25 Emergency Management Agency may allow the construc-

1 tion of an earthen levee by a State, local, or tribal govern-
2 ment on covered hazard mitigation land: *Provided*, That
3 such construction constitutes part of a flood control
4 project, is constructed of naturally-occurring materials,
5 and conforms to other criteria as established by the Ad-
6 ministrator of the Federal Emergency Management Agen-
7 cy through policy.

8 SEC. 312. The aggregate charges assessed during fis-
9 cal year 2017, as authorized in title III of the Depart-
10 ments of Veterans Affairs and Housing and Urban Devel-
11 opment, and Independent Agencies Appropriations Act,
12 1999 (42 U.S.C. 5196e), shall not be less than 100 per-
13 cent of the amounts anticipated by the Department of
14 Homeland Security to be necessary for its Radiological
15 Emergency Preparedness Program for the next fiscal year:
16 *Provided*, That the methodology for assessment and collec-
17 tion of fees shall be fair and equitable and shall reflect
18 costs of providing such services, including administrative
19 costs of collecting such fees: *Provided further*, That such
20 fees shall be deposited in a Radiological Emergency Pre-
21 paredness Program account as offsetting collections and
22 will become available for authorized purposes on October
23 1, 2017, and remain available until expended.

706

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, \$103,912,000.

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, \$15,227,000.

13 FEDERAL LAW ENFORCEMENT TRAINING CENTERS

14 OPERATIONS AND SUPPORT

15 For necessary expenses of the Federal Law Enforce-
16 ment Training Centers for operations and support, includ-
17 ing the purchase of not to exceed 117 vehicles for police-
18 type use and hire of passenger motor vehicles, and services
19 as authorized by section 3109 of title 5, United States
20 Code, \$242,518,000, of which up to \$50,748,000 shall re-
21 main available until September 30, 2018, and of which
22 \$27,553,000 shall remain available until September 30,
23 2019: *Provided*, That not to exceed \$7,180 shall be for
24 official reception and representation expenses.

1 SCIENCE AND TECHNOLOGY DIRECTORATE

2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Science and Tech-
4 nology Directorate for operations and support, including
5 the purchase or lease of not to exceed 5 vehicles,
6 \$311,122,000, of which \$182,334,000 shall remain avail-
7 able until September 30, 2018: *Provided*, That not to ex-
8 ceed \$7,650 shall be for official reception and representa-
9 tion expenses.

10 RESEARCH AND DEVELOPMENT

11 For necessary expenses of the Science and Tech-
12 nology Directorate for research and development,
13 \$470,624,000, to remain available until September 30,
14 2019.

15 DOMESTIC NUCLEAR DETECTION OFFICE

16 OPERATIONS AND SUPPORT

17 For necessary expenses of the Domestic Nuclear De-
18 tection Office for operations and support, \$50,042,000:
19 *Provided*, That not to exceed \$2,250 shall be for official
20 reception and representation expenses.

21 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

22 For necessary expenses of the Domestic Nuclear De-
23 tection Office for procurement, construction, and improve-
24 ments, \$101,053,000, to remain available until September
25 30, 2019.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Domestic Nuclear De-
3 tection Office for research and development,
4 \$155,061,000, to remain available until September 30,
5 2019.

6 FEDERAL ASSISTANCE

7 For necessary expenses of the Domestic Nuclear De-
8 tection Office for Federal assistance through grants, con-
9 tracts, cooperative agreements, and other activities,
10 \$46,328,000, to remain available until September 30,
11 2019.

12 ADMINISTRATIVE PROVISIONS

13 SEC. 401. Notwithstanding any other provision of
14 law, funds otherwise made available to U.S. Citizenship
15 and Immigration Services may be used to acquire, operate,
16 equip, and dispose of up to 5 vehicles, for replacement
17 only, for areas where the Administrator of General Serv-
18 ices does not provide vehicles for lease: *Provided*, That the
19 Director of U.S. Citizenship and Immigration Services
20 may authorize employees who are assigned to those areas
21 to use such vehicles to travel between the employees' resi-
22 dences and places of employment.

23 SEC. 402. None of the funds made available in this
24 Act may be used by U.S. Citizenship and Immigration
25 Services to grant an immigration benefit unless the results

1 of background checks required by law to be completed
2 prior to the granting of the benefit have been received by
3 U.S. Citizenship and Immigration Services, and the re-
4 sults do not preclude the granting of the benefit.

5 SEC. 403. None of the funds appropriated by this Act
6 may be used to process or approve a competition under
7 Office of Management and Budget Circular A-76 for serv-
8 ices provided by employees (including employees serving
9 on a temporary or term basis) of U.S. Citizenship and Im-
10 migration Services of the Department of Homeland Secu-
11 rity who are known as Immigration Information Officers,
12 Immigration Service Analysts, Contact Representatives,
13 Investigative Assistants, or Immigration Services Officers.

14 SEC. 404. (a) Notwithstanding section 1356(n) of
15 title 8, United States Code, of the funds deposited into
16 the Immigration Examinations Fee Account, up to
17 \$10,000,000 may be allocated by U.S. Citizenship and Im-
18 migration Services in fiscal year 2017 for the purpose of
19 providing an immigrant integration grants program.

20 (b) None of the funds made available to U.S. Citizen-
21 ship and Immigration Services for grants for immigrant
22 integration under subsection (a) or (c) may be used to pro-
23 vide services to aliens who have not been lawfully admitted
24 for permanent residence.

1 (c) The Director of U.S. Citizenship and Immigration
2 Services is authorized in fiscal year 2017, and in each fis-
3 cal year thereafter, to solicit, accept, administer, and uti-
4 lize gifts, including donations of property, for the purpose
5 of providing an immigrant integration grants program and
6 related activities to promote citizenship and immigrant in-
7 tegration: *Provided*, That all sums received under this sub-
8 section shall be deposited in a separate account in the gen-
9 eral fund of the Treasury to be known as the “Citizenship
10 Gift and Bequest Account”: *Provided further*, That all
11 funds deposited into the Citizenship Gift and Bequest Ac-
12 count shall remain available until expended, and shall be
13 available in addition to any funds appropriated or other-
14 wise made available for an immigrant integration grants
15 program or other activities to promote citizenship and im-
16 migrant integration.

17 (d) Nothing in this section shall be construed to limit
18 the authority of the Secretary of Homeland Security under
19 section 507 of the Department of Homeland Security Ap-
20 propriations Act, 2004 (Public Law 108–90) or any other
21 law with respect to the solicitation and acceptance of gifts.

22 SEC. 405. The Director of the Federal Law Enforce-
23 ment Training Centers is authorized to distribute funds
24 to Federal law enforcement agencies for expenses incurred
25 participating in training accreditation.

1 SEC. 406. The Director of the Federal Law Enforce-
2 ment Training Centers shall schedule basic or advanced
3 law enforcement training, or both, at all four training fa-
4 cilities under the control of the Federal Law Enforcement
5 Training Centers to ensure that such training facilities are
6 operated at the highest capacity throughout the fiscal
7 year.

8 SEC. 407. The Federal Law Enforcement Training
9 Accreditation Board, including representatives from the
10 Federal law enforcement community and non-Federal ac-
11 creditation experts involved in law enforcement training,
12 shall lead the Federal law enforcement training accredita-
13 tion process to continue the implementation of measuring
14 and assessing the quality and effectiveness of Federal law
15 enforcement training programs, facilities, and instructors.

16 SEC. 408. (a) There is to be established a “Federal
17 Law Enforcement Training Centers—Procurement, Con-
18 struction, and Improvements” appropriations account for
19 planning, operational development, engineering, and pur-
20 chases prior to sustainment and for information tech-
21 nology-related procurement, construction, and improve-
22 ments, including non-tangible assets of the Federal Law
23 Enforcement Training Centers.

24 (b) The Director of the Federal Law Enforcement
25 Training Centers may accept transfers to the account es-

1 tablished by subsection (a) from Government agencies re-
2 questing the construction of special use facilities, as au-
3 thorized by the Economy Act (31 U.S.C. 1535(b)): *Pro-*
4 *vided*, That the Federal Law Enforcement Training Cen-
5 ters maintain administrative control and ownership upon
6 completion of the facility.

7 SEC. 409. The functions of the Federal Law Enforce-
8 ment Training Centers instructor staff shall be classified
9 as inherently governmental for the purpose of the Federal
10 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
11 note).

1

TITLE V

2

GENERAL PROVISIONS

3

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

4

SEC. 501. No part of any appropriation contained in

5

this Act shall remain available for obligation beyond the

6

current fiscal year unless expressly so provided herein.

7

SEC. 502. Subject to the requirements of section 503

8

of this Act, the unexpended balances of prior appropria-

9

tions provided for activities in this Act may be transferred

10

to appropriation accounts for such activities established

11

pursuant to this Act, may be merged with funds in the

12

applicable established accounts, and thereafter may be ac-

13

counted for as one fund for the same time period as origi-

14

nally enacted.

15

SEC. 503. (a) None of the funds provided by this Act,

16

provided by previous appropriations Acts to the compo-

17

nents in or transferred to the Department of Homeland

18

Security that remain available for obligation or expendi-

19

ture in fiscal year 2017, or provided from any accounts

20

in the Treasury of the United States derived by the collec-

21

tion of fees available to the components funded by this

22

Act, shall be available for obligation or expenditure

23

through a reprogramming of funds that—

24

(1) creates or eliminates a program, project, or

25

activity, or increases funds for any program, project,

1 or activity for which funds have been denied or re-
2 stricted by the Congress;

3 (2) contracts out any function or activity pres-
4 ently performed by Federal employees or any new
5 function or activity proposed to be performed by
6 Federal employees in the President's budget pro-
7 posal for fiscal year 2017 for the Department of
8 Homeland Security;

9 (3) augments funding for existing programs,
10 projects, or activities in excess of \$5,000,000 or 10
11 percent, whichever is less;

12 (4) reduces funding for any program, project,
13 or activity, or numbers of personnel, by 10 percent
14 or more;

15 (5) reorganizes components; or

16 (6) results from any general savings from a re-
17 duction in personnel that would result in a change
18 in funding levels for programs, projects, or activities
19 as approved by the Congress,

20 unless the Committees on Appropriations of the Senate
21 and the House of Representatives are notified at least 15
22 days in advance of such reprogramming.

23 (b) 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 (c) Notwithstanding subsections (a) and (b), no funds
9 shall be reprogrammed within or transferred between ap-
10 propriations based upon an initial notification provided
11 after June 30, except in extraordinary circumstances that
12 imminently threaten the safety of human life or the pro-
13 tection of property.

14 (d) The notification thresholds and procedures set
15 forth in subsections (a), (b), and (c) shall apply to any
16 use of deobligated balances of funds provided in previous
17 Department of Homeland Security Appropriations Acts.

18 (e) Notwithstanding subsection (b), the Secretary of
19 Homeland Security may transfer to the fund established
20 by 8 U.S.C. 1101 note, up to \$20,000,000 from appro-
21 priations available to the Department of Homeland Secu-
22 rity: *Provided*, That the Secretary shall notify the Com-
23 mittees on Appropriations of the Senate and the House
24 of Representatives 5 days in advance of such transfer.

1 SEC. 504. The Department of Homeland Security
2 Working Capital Fund, established pursuant to section
3 403 of Public Law 103–356 (31 U.S.C. 501 note), shall
4 continue operations as a permanent working capital fund
5 for fiscal year 2017: *Provided*, That none of the funds ap-
6 propriated or otherwise made available to the Department
7 of Homeland Security may be used to make payments to
8 the Working Capital Fund, except for the activities and
9 amounts allowed in the President’s fiscal year 2017 budg-
10 et: *Provided further*, That funds provided to the Working
11 Capital Fund shall be available for obligation until ex-
12 pended to carry out the purposes of the Working Capital
13 Fund: *Provided further*, That all departmental components
14 shall be charged only for direct usage of each Working
15 Capital Fund service: *Provided further*, That funds pro-
16 vided to the Working Capital Fund shall be used only for
17 purposes consistent with the contributing component: *Pro-*
18 *vided further*, That the Working Capital Fund shall be
19 paid in advance or reimbursed at rates which will return
20 the full cost of each service: *Provided further*, That the
21 Committees on Appropriations of the Senate and the
22 House of Representatives shall be notified of any activity
23 added to or removed from the fund: *Provided further*, That
24 for any activity added to the fund, the notification shall
25 identify sources of funds by program, project, and activity:

1 *Provided further*, That the Chief Financial Officer of the
2 Department of Homeland Security shall submit a quar-
3 terly execution report with activity-level detail, not later
4 than 30 days after the end of each quarter.

5 SEC. 505. Except as otherwise specifically provided
6 by law, not to exceed 50 percent of unobligated balances
7 remaining available at the end of fiscal year 2017, as re-
8 corded in the financial records at the time of a reprogram-
9 ming notification, but not later than June 30, 2018, from
10 appropriations for “Operations and Support” and for
11 “Coast Guard—Operating Expenses”, and salaries and
12 expenses for “Coast Guard—Acquisition, Construction,
13 and Improvements” and “Coast Guard—Reserve Train-
14 ing” for fiscal year 2017 in this Act shall remain available
15 through September 30, 2018, in the account and for the
16 purposes for which the appropriations were provided: *Pro-*
17 *vided*, That prior to the obligation of such funds, a notifi-
18 cation shall be submitted to the Committees on Appropria-
19 tions of the Senate and the House of Representatives in
20 accordance with section 503 of this Act.

21 SEC. 506. Funds made available by this Act for intel-
22 ligence activities are deemed to be specifically authorized
23 by the Congress for purposes of section 504 of the Na-
24 tional Security Act of 1947 (50 U.S.C. 414) during fiscal

1 year 2017 until the enactment of an Act authorizing intel-
2 ligence activities for fiscal year 2017.

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 Center 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. Section 519 of division F of Public Law
21 114–113, regarding a prohibition on funding for any posi-
22 tion designated as a Principal Federal Official, shall apply
23 with respect to funds made available in this Act in the
24 same manner as such section applied to funds made avail-
25 able in that Act.

1 SEC. 514. Section 831 of the Homeland Security Act
2 of 2002 (6 U.S.C. 391) is amended—

3 (1) in subsection (a), by striking “Until Sep-
4 tember 30, 2016,” and inserting “Until September
5 30, 2017,”; and

6 (2) in subsection (c)(1), by striking “September
7 30, 2016,” and inserting “September 30, 2017,”.

8 SEC. 515. None of the funds made available in this
9 Act may be used for planning, testing, piloting, or devel-
10 oping a national identification card.

11 SEC. 516. Any official that is required by this Act
12 to report or to certify to the Committees on Appropria-
13 tions of the Senate and the House of Representatives may
14 not delegate such authority to perform that act unless spe-
15 cifically authorized herein.

16 SEC. 517. None of the funds appropriated or other-
17 wise made available in this or any other Act may be used
18 to transfer, release, or assist in the transfer or release to
19 or within the United States, its territories, or possessions
20 Khalid Sheikh Mohammed or any other detainee who—

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

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

1 SEC. 518. None of the funds made available in this
2 Act may be used for first-class travel by the employees
3 of agencies funded by this Act in contravention of sections
4 301–10.122 through 301–10.124 of title 41, Code of Fed-
5 eral Regulations.

6 SEC. 519. None of the funds made available in this
7 Act may be used to employ workers described in section
8 274A(h)(3) of the Immigration and Nationality Act (8
9 U.S.C. 1324a(h)(3)).

10 SEC. 520. Notwithstanding any other provision of
11 this Act, none of the funds appropriated or otherwise
12 made available by this Act may be used to pay award or
13 incentive fees for contractor performance that has been
14 judged to be below satisfactory performance or perform-
15 ance that does not meet the basic requirements of a con-
16 tract.

17 SEC. 521. In developing any process to screen avia-
18 tion passengers and crews for transportation or national
19 security purposes, the Secretary of Homeland Security
20 shall ensure that all such processes take into consideration
21 such passengers' and crews' privacy and civil liberties con-
22 sistent with applicable laws, regulations, and guidance.

23 SEC. 522. None of the funds appropriated or other-
24 wise made available by this Act may be used by the De-
25 partment of Homeland Security to enter into any Federal

1 contract unless such contract is entered into in accordance
2 with the requirements of subtitle I of title 41, United
3 States Code, or chapter 137 of title 10, United States
4 Code, and the Federal Acquisition Regulation, unless such
5 contract is otherwise authorized by statute to be entered
6 into without regard to the above referenced statutes.

7 SEC. 523. For an additional amount for “Manage-
8 ment Directorate—Procurement, Construction, and Im-
9 provements”, \$13,253,000, to remain available until ex-
10 pended, for necessary expenses to plan, acquire, design,
11 construct, renovate, remediate, equip, furnish, improve in-
12 frastructure, and occupy buildings and facilities for the
13 Department headquarters consolidation project.

14 SEC. 524. (a) For an additional amount for financial
15 systems modernization, \$41,215,000, to remain available
16 until September 30, 2018.

17 (b) Funds made available in subsection (a) for finan-
18 cial systems modernization may be transferred by the Sec-
19 retary of Homeland Security between appropriations for
20 the same purpose, notwithstanding section 503 of this Act.

21 (c) No transfer described in subsection (b) shall occur
22 until 15 days after the Committees on Appropriations of
23 the Senate and the House of Representatives are notified
24 of such transfer.

1 SEC. 525. (a) None of the funds made available in
2 this Act may be used to maintain or establish a computer
3 network unless such network blocks the viewing,
4 downloading, and exchanging of pornography.

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

9 SEC. 526. None of the funds made available in this
10 Act may be used by a Federal law enforcement officer to
11 facilitate the transfer of an operable firearm to an indi-
12 vidual if the Federal law enforcement officer knows or sus-
13 pects that the individual is an agent of a drug cartel unless
14 law enforcement personnel of the United States continu-
15 ously monitor or control the firearm at all times.

16 SEC. 527. None of the funds made available in this
17 Act may be used to pay for the travel to or attendance
18 of more than 50 employees of a single component of the
19 Department of Homeland Security, who are stationed in
20 the United States, at a single international conference un-
21 less the Secretary of Homeland Security, or a designee,
22 determines that such attendance is in the national interest
23 and notifies the Committees on Appropriations of the Sen-
24 ate and the House of Representatives within at least 10
25 days of that determination and the basis for that deter-

1 mination: *Provided*, That for purposes of this section the
2 term “international conference” shall mean a conference
3 occurring outside of the United States attended by rep-
4 resentatives of the United States Government and of for-
5 eign governments, international organizations, or non-
6 governmental organizations: *Provided further*, That the
7 total cost to the Department of Homeland Security of any
8 such conference shall not exceed \$500,000.

9 SEC. 528. None of the funds made available in this
10 Act may be used to reimburse any Federal department
11 or agency for its participation in a National Special Secu-
12 rity Event.

13 SEC. 529. None of the funds made available to the
14 Department of Homeland Security by this or any other
15 Act may be obligated for any structural pay reform that
16 affects more than 100 full-time positions or costs more
17 than \$5,000,000 in a single year before the end of the
18 30-day period beginning on the date on which the Sec-
19 retary of Homeland Security submits to Congress a notifi-
20 cation that includes—

- 21 (1) the number of full-time positions affected by
22 such change;
- 23 (2) funding required for such change for the
24 current year and through the Future Years Home-
25 land Security Program;

1 (3) justification for such change; and

2 (4) an analysis of compensation alternatives to
3 such change that were considered by the Depart-
4 ment.

5 SEC. 530. (a) Any agency receiving funds made avail-
6 able in this Act shall, subject to subsections (b) and (c),
7 post on the public website of that agency any report re-
8 quired to be submitted by the Committees on Appropria-
9 tions of the Senate and the House of Representatives in
10 this Act, upon the determination by the head of the agency
11 that it shall serve the national interest.

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

13 (1) the public posting of the report com-
14 promises homeland or national security; or

15 (2) the report contains proprietary information.

16 (c) The head of the agency posting such report shall
17 do so only after such report has been made available to
18 the Committees on Appropriations of the Senate and the
19 House of Representatives for not less than 45 days except
20 as otherwise specified in law.

21 SEC. 531. None of the funds made available by this
22 Act may be obligated or expended to implement the Arms
23 Trade Treaty until the Senate approves a resolution of
24 ratification for the Treaty.

1 and Emergency Deficit Control Act of 1985 (Public Law
2 99–177):

3 (1) \$95,000,000 from Public Law 109–88;

4 (2) \$3,000,000 from unobligated prior year bal-
5 ances from “Office of the Chief Information Offi-
6 cer”;

7 (3) \$31,293,000 from unobligated prior year
8 balances from “U.S. Customs and Border Protec-
9 tion, Automation Modernization”;

10 (4) \$21,150,000 from unobligated prior year
11 balances from “U.S. Customs and Border Protec-
12 tion—Border Security, Fencing, Infrastructure, and
13 Technology”;

14 (5) \$21,450,000 from unobligated prior year
15 balances from “U.S. Customs and Border Protec-
16 tion, Air and Marine Operations”;

17 (6) \$20,690,000 from unobligated prior year
18 balances from “U.S. Customs and Border Protec-
19 tion, Construction and Facilities Management”;

20 (7) \$13,500,000 from Public Law 114–4 under
21 the heading “U.S. Immigration and Customs En-
22 forcement, Salaries and Expenses”;

23 (8) \$45,000,000 from Public Law 114–113
24 under the heading “U.S. Immigration and Customs
25 Enforcement, Salaries and Expenses”;

1 (9) \$2,900,000 from unobligated prior year bal-
2 ances from “U.S. Immigration and Customs En-
3 forcement, Construction”;

4 (10) \$104,650,000 from Public Law 114–113
5 under the heading “Transportation Security Admin-
6 istration—Aviation Security”;

7 (11) \$2,582,000 from Public Law 114–113
8 under the heading “Transportation Security Admin-
9 istration—Surface Transportation Security”;

10 (12) \$9,930,000 from Public Law 114–113
11 under the heading “Transportation Security Admin-
12 istration—Intelligence and Vetting”;

13 (13) \$2,518,000 from Public Law 114–113
14 under the heading “Transportation Security Admin-
15 istration, Transportation Security Support”;

16 (14) \$4,200,000 from Public Law 113–6 under
17 the heading “Coast Guard—Acquisition, Construc-
18 tion, and Improvements”;

19 (15) \$19,300,000 from Public Law 113–76
20 under the heading “Coast Guard—Acquisition, Con-
21 struction, and Improvements”;

22 (16) \$16,500,000 from Public Law 114–4
23 under the heading “Coast Guard, Acquisition, Con-
24 struction, and Improvements”;

1 (4) \$475,792 from “Analysis and Operations”;

2 (5) \$111,886 from “Office of the Inspector
3 General”;

4 (6) \$11,536,855 from “U.S. Customs and Bor-
5 der Protection—Salaries and Expenses”;

6 (7) \$587,034 from “U.S. Customs and Border
7 Protection—Automation Modernization”;

8 (8) \$241,044 from “U.S. Customs and Border
9 Protection—Air and Marine Interdiction, Oper-
10 ations, Maintenance, and Procurement”;

11 (9) \$15,807,298 from “Coast Guard—Oper-
12 ation Expenses”;

13 (10) \$746,434 from “Coast Guard—Reserve
14 Training”;

15 (11) \$310,872 from “Coast Guard—Acquisi-
16 tion, Construction and Improvements”;

17 (12) \$8,340,572 from “United States Secret
18 Service—Salaries and Expenses”;

19 (13) \$332,309 from “Federal Emergency Man-
20 agement Agency—State and Local Programs”;

21 (14) \$48,524 from “Federal Emergency Man-
22 agement Agency—United States Fire Administra-
23 tion”;

1 or the Balanced Budget and Emergency Deficit Control
2 Act of 1985, as amended: *Provided further*, That no
3 amounts may be rescinded from the amounts that were
4 designated by the Congress as being for disaster relief pur-
5 suant to section 251(b)(2)(D) of the Balanced Budget and
6 Emergency Deficit Control Act of 1985.

7 SEC. 539. Section 401(b) of the Illegal Immigration
8 Reform and Immigrant Responsibility Act of 1996 (8
9 U.S.C. 1324a note) shall be applied by substituting “Sep-
10 tember 30, 2017” for “September 30, 2015”.

11 SEC. 540. Subclauses 101(a)(27)(C)(ii)(II) and (III)
12 of the Immigration and Nationality Act (8 U.S.C.
13 1101(a)(27)(C)(ii)(II) and (III)) shall be applied by sub-
14 stituting “September 30, 2017” for “September 30,
15 2015”.

16 SEC. 541. Section 220(c) of the Immigration and Na-
17 tionality Technical Corrections Act of 1994 (8 U.S.C.
18 1182 note) shall be applied by substituting “September
19 30, 2017” for “September 30, 2015”.

20 SEC. 542. Section 610(b) of the Departments of
21 Commerce, Justice, and State, the Judiciary, and Related
22 Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note)
23 shall be applied by substituting “September 30, 2017” for
24 “September 30, 2015”.

1 SEC. 543. Notwithstanding the numerical limitation
2 set forth in section 214(g)(1)(B) of the Immigration and
3 Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary
4 of Homeland Security, after consultation with the Sec-
5 retary of Labor, and upon the determination that the
6 needs of American businesses cannot be satisfied in fiscal
7 year 2017 with United States workers who are willing,
8 qualified, and able to perform temporary nonagricultural
9 labor, may increase the total number of aliens who may
10 receive a visa under section 101(a)(15)(H)(ii)(b) of such
11 Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) in such fiscal year
12 above such limitation by not more than the highest num-
13 ber of H-2B nonimmigrants who participated in the H-
14 2B returning worker program in any fiscal year in which
15 returning workers were exempt from such numerical limi-
16 tation.

17 SEC. 544. (a) For an additional amount for “Federal
18 Emergency Management Agency—Federal Assistance”,
19 \$41,000,000, to remain available until September 30,
20 2018, exclusively for providing reimbursement of extraor-
21 dinary law enforcement personnel costs for protection ac-
22 tivities directly and demonstrably associated with any resi-
23 dence of the President that is designated or identified to
24 be secured by the United States Secret Service.

1 (b) Funds under subsection (a) shall be available only
2 for costs that a State or local agency—

3 (1) incurs after January 20, 2017, and before
4 October 1, 2017;

5 (2) can demonstrate to the Administrator as
6 being—

7 (A) in excess of the costs of normal and
8 typical law enforcement operations;

9 (B) directly attributable to the provision of
10 protection described herein; and

11 (C) associated with a non-governmental
12 property designated or identified to be secured
13 by the United States Secret Service pursuant to
14 section 3 or section 4 of the Presidential Pro-
15 tection Assistance Act of 1976 (Public Law 94-
16 524); and

17 (3) certifies to the Administrator as being for
18 protection activities requested by the Director of the
19 United States Secret Service.

20 (c) For purposes of subsection (a), a designation or
21 identification of a property to be secured under subsection
22 (b)(2)(C) made after incurring otherwise eligible costs
23 shall apply retroactively to January 20, 2017.

24 (d) The Administrator may establish written criteria
25 consistent with subsections (a) and (b).

1 (e) None of the funds provided shall be for hiring new
2 or additional personnel.

3 (f) The Inspector General of the Department of
4 Homeland Security shall audit reimbursements made
5 under this section.

1 TITLE VI
2 DEPARTMENT OF HOMELAND SECURITY—
3 ADDITIONAL APPROPRIATIONS
4 SECURITY, ENFORCEMENT, AND
5 INVESTIGATIONS
6 U.S. CUSTOMS AND BORDER PROTECTION
7 OPERATIONS AND SUPPORT

8 For an additional amount for “Operations and Sup-
9 port”, \$274,813,000, to remain available until September
10 30, 2018, which shall be available as follows:

11 (1) \$91,315,000 for border security technology
12 deployment;

13 (2) \$47,500,000 to address facilities mainte-
14 nance backlogs;

15 (3) \$65,400,000 for improving hiring processes
16 for Border Patrol Agents, Customs Officers, and Air
17 and Marine personnel, and for relocation enhance-
18 ments;

19 (4) \$22,400,000 for border road maintenance;
20 and

21 (5) \$48,198,000 for surge operations.

22 PROCUREMENT, CONSTRUCTION AND IMPROVEMENTS

23 For an additional amount for “Procurement, Con-
24 struction, and Improvements”, \$497,400,000, to remain
25 available until September 30, 2021, which shall be avail-

1 able based on the highest priority border security require-
2 ments as follows:

3 (1) \$341,200,000 to replace approximately 40
4 miles of existing primary pedestrian and vehicle bor-
5 der fencing along the southwest border using pre-
6 viously deployed and operationally effective designs,
7 such as currently deployed steel bollard designs, that
8 prioritize agent safety; and to add gates to existing
9 barriers;

10 (2) \$78,800,000 for acquisition and deployment
11 of border security technology; and

12 (3) \$77,400,000 for new border road construc-
13 tion:

14 *Provided*, That the Secretary of Homeland Security shall,
15 not later than 90 days after the date of enactment of this
16 Act, submit to the Committees on Appropriations of the
17 Senate and the House of Representatives a risk-based plan
18 for improving security along the borders of the United
19 States, including the use of personnel, fencing, other
20 forms of tactical infrastructure, and technology, that—

21 (1) defines goals, objectives, activities, and mile-
22 stones;

23 (2) includes a detailed implementation schedule
24 with estimates for the planned obligation of funds
25 for fiscal year 2017 through fiscal year 2021 that

1 are linked to the milestone-based delivery of spe-
2 cific—

3 (A) capabilities and services;

4 (B) mission benefits and outcomes;

5 (C) program management capabilities; and

6 (D) lifecycle cost estimates;

7 (3) describes how specific projects under the
8 plan will enhance border security goals and objec-
9 tives and address the highest priority border security
10 needs;

11 (4) identifies the planned locations, quantities,
12 and types of resources, such as fencing, other phys-
13 ical barriers, or other tactical infrastructure and
14 technology;

15 (5) includes a description of the methodology
16 and analyses used to select specific resources for de-
17 ployment to particular locations that includes—

18 (A) analyses of alternatives, including com-
19 parative costs and benefits;

20 (B) effects on communities and property
21 owners near areas of infrastructure deployment;
22 and

23 (C) other factors critical to the decision-
24 making process;

1 (6) identifies staffing requirements, including
2 full-time equivalents, contractors, and detailed per-
3 sonnel, by activity;

4 (7) identifies performance metrics for assessing
5 and reporting on the contributions of border security
6 capabilities realized from current and future invest-
7 ments;

8 (8) reports on the status of the Department of
9 Homeland Security's actions to address open rec-
10 ommendations by the Office of Inspector General
11 and the Government Accountability Office related to
12 border security, including plans, schedules, and asso-
13 ciated milestones for fully addressing such rec-
14 ommendations; and

15 (9) includes certifications by the Under Sec-
16 retary for Management, including all documents,
17 memoranda, and a description of the investment re-
18 view and information technology management over-
19 sight and processes supporting such certifications,
20 that—

21 (A) the program has been reviewed and ap-
22 proved in accordance with an acquisition review
23 management process that complies with capital
24 planning and investment control and review re-
25 quirements established by the Office of Manage-

1 ment and Budget, including as provided in Cir-
2 cular A-11, part 7; and

3 (B) all planned activities comply with Fed-
4 eral acquisition rules, requirements, guidelines,
5 and practices.

6 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

7 OPERATIONS AND SUPPORT

8 For an additional amount for “Operations and Sup-
9 port”, \$236,908,000, to remain available until September
10 30, 2018, of which \$147,870,000 shall be available for
11 custody operations; of which \$57,392,000 shall be avail-
12 able for alternatives to detention; and of which
13 \$31,646,000 shall be available for transportation and re-
14 moval operations.

15 UNITED STATES SECRET SERVICE

16 OPERATIONS AND SUPPORT

17 For an additional amount for “Operations and Sup-
18 port”, \$58,012,000, to remain available until September
19 30, 2017.

20 PROCUREMENT, CONSTRUCTION AND IMPROVEMENTS

21 For an additional amount for “Procurement, Con-
22 struction, and Improvements” for necessary expenses for
23 Presidential security, \$72,988,000, of which \$22,988,000
24 shall remain available until September 30, 2019, and of

1 which \$50,000,000 shall remain available until September
2 30, 2021.

3 ADMINISTRATIVE PROVISIONS—THIS TITLE

4 SEC. 601. Notwithstanding any other provision of
5 law, funds made available in this title are in addition to
6 amounts appropriated or otherwise made available for the
7 Department of Homeland Security for fiscal year 2017.

8 This division may be cited as the “Department of
9 Homeland Security Appropriations Act, 2017”.

1 **DIVISION G—DEPARTMENT OF THE IN-**
2 **TERIOR, ENVIRONMENT, AND RE-**
3 **LATED AGENCIES APPROPRIATIONS**
4 **ACT, 2017**

5 TITLE I

6 DEPARTMENT OF THE INTERIOR

7 BUREAU OF LAND MANAGEMENT

8 MANAGEMENT OF LANDS AND RESOURCES

9 For necessary expenses for protection, use, improve-
10 ment, development, disposal, cadastral surveying, classi-
11 fication, acquisition of easements and other interests in
12 lands, and performance of other functions, including main-
13 tenance of facilities, as authorized by law, in the manage-
14 ment of lands and their resources under the jurisdiction
15 of the Bureau of Land Management, including the general
16 administration of the Bureau, and assessment of mineral
17 potential of public lands pursuant to section 1010(a) of
18 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,095,375,000,
19 to remain available until expended, including all such
20 amounts as are collected from permit processing fees, as
21 authorized but made subject to future appropriation by
22 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30
23 U.S.C. 191), except that amounts from permit processing
24 fees may be used for any bureau-related expenses associ-
25 ated with the processing of oil and gas applications for

1 permits to drill and related use of authorizations; of which
2 \$3,000,000 shall be available in fiscal year 2017 subject
3 to a match by at least an equal amount by the National
4 Fish and Wildlife Foundation for cost-shared projects sup-
5 porting conservation of Bureau lands; and such funds
6 shall be advanced to the Foundation as a lump-sum grant
7 without regard to when expenses are incurred.

8 In addition, \$39,696,000 is for Mining Law Adminis-
9 tration program operations, including the cost of admin-
10 istering the mining claim fee program, to remain available
11 until expended, to be reduced by amounts collected by the
12 Bureau and credited to this appropriation from mining
13 claim maintenance fees and location fees that are hereby
14 authorized for fiscal year 2017, so as to result in a final
15 appropriation estimated at not more than \$1,095,375,000,
16 and \$2,000,000, to remain available until expended, from
17 communication site rental fees established by the Bureau
18 for the cost of administering communication site activities.

19 LAND ACQUISITION

20 For expenses necessary to carry out sections 205,
21 206, and 318(d) of Public Law 94–579, including admin-
22 istrative expenses and acquisition of lands or waters, or
23 interests therein, \$31,416,000, to be derived from the
24 Land and Water Conservation Fund and to remain avail-
25 able until expended.

1 OREGON AND CALIFORNIA GRANT LANDS

2 For expenses necessary for management, protection,
3 and development of resources and for construction, oper-
4 ation, and maintenance of access roads, reforestation, and
5 other improvements on the revested Oregon and California
6 Railroad grant lands, on other Federal lands in the Or-
7 egon and California land-grant counties of Oregon, and
8 on adjacent rights-of-way; and acquisition of lands or in-
9 terests therein, including existing connecting roads on or
10 adjacent to such grant lands; \$106,985,000, to remain
11 available until expended: *Provided*, That 25 percent of the
12 aggregate of all receipts during the current fiscal year
13 from the revested Oregon and California Railroad grant
14 lands is hereby made a charge against the Oregon and
15 California land-grant fund and shall be transferred to the
16 General Fund in the Treasury in accordance with the sec-
17 ond paragraph of subsection (b) of title II of the Act of
18 August 28, 1937 (43 U.S.C. 1181f).

19 RANGE IMPROVEMENTS

20 For rehabilitation, protection, and acquisition of
21 lands and interests therein, and improvement of Federal
22 rangelands pursuant to section 401 of the Federal Land
23 Policy and Management Act of 1976 (43 U.S.C. 1751),
24 notwithstanding any other Act, sums equal to 50 percent
25 of all moneys received during the prior fiscal year under

1 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
2 315b, 315m) and the amount designated for range im-
3 provements from grazing fees and mineral leasing receipts
4 from Bankhead-Jones lands transferred to the Depart-
5 ment of the Interior pursuant to law, but not less than
6 \$10,000,000, to remain available until expended: *Pro-*
7 *vided*, That not to exceed \$600,000 shall be available for
8 administrative expenses.

9 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

10 For administrative expenses and other costs related
11 to processing application documents and other authoriza-
12 tions for use and disposal of public lands and resources,
13 for costs of providing copies of official public land docu-
14 ments, for monitoring construction, operation, and termi-
15 nation of facilities in conjunction with use authorizations,
16 and for rehabilitation of damaged property, such amounts
17 as may be collected under Public Law 94–579 (43 U.S.C.
18 1701 et seq.), and under section 28 of the Mineral Leasing
19 Act (30 U.S.C. 185), to remain available until expended:
20 *Provided*, That notwithstanding any provision to the con-
21 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
22 1735(a)), any moneys that have been or will be received
23 pursuant to that section, whether as a result of forfeiture,
24 compromise, or settlement, if not appropriate for refund
25 pursuant to section 305(c) of that Act (43 U.S.C.

1 1735(c)), shall be available and may be expended under
2 the authority of this Act by the Secretary to improve, pro-
3 tect, or rehabilitate any public lands administered through
4 the Bureau of Land Management which have been dam-
5 aged by the action of a resource developer, purchaser, per-
6 mittee, or any unauthorized person, without regard to
7 whether all moneys collected from each such action are
8 used on the exact lands damaged which led to the action:
9 *Provided further*, That any such moneys that are in excess
10 of amounts needed to repair damage to the exact land for
11 which funds were collected may be used to repair other
12 damaged public lands.

13 MISCELLANEOUS TRUST FUNDS

14 In addition to amounts authorized to be expended
15 under existing laws, there is hereby appropriated such
16 amounts as may be contributed under section 307 of Pub-
17 lic Law 94-579 (43 U.S.C. 1737), and such amounts as
18 may be advanced for administrative costs, surveys, ap-
19 praisals, and costs of making conveyances of omitted lands
20 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
21 remain available until expended.

22 ADMINISTRATIVE PROVISIONS

23 The Bureau of Land Management may carry out the
24 operations funded under this Act by direct expenditure,
25 contracts, grants, cooperative agreements and reimburs-

1 able agreements with public and private entities, including
2 with States. Appropriations for the Bureau shall be avail-
3 able for purchase, erection, and dismantlement of tem-
4 porary structures, and alteration and maintenance of nec-
5 essary buildings and appurtenant facilities to which the
6 United States has title; up to \$100,000 for payments, at
7 the discretion of the Secretary, for information or evidence
8 concerning violations of laws administered by the Bureau;
9 miscellaneous and emergency expenses of enforcement ac-
10 tivities authorized or approved by the Secretary and to be
11 accounted for solely on the Secretary's certificate, not to
12 exceed \$10,000: *Provided*, That notwithstanding Public
13 Law 90-620 (44 U.S.C. 501), the Bureau may, under co-
14 operative cost-sharing and partnership arrangements au-
15 thorized by law, procure printing services from cooperators
16 in connection with jointly produced publications for which
17 the cooperators share the cost of printing either in cash
18 or in services, and the Bureau determines the cooperator
19 is capable of meeting accepted quality standards: *Provided*
20 *further*, That projects to be funded pursuant to a written
21 commitment by a State government to provide an identi-
22 fied amount of money in support of the project may be
23 carried out by the Bureau on a reimbursable basis. Appro-
24 priations herein made shall not be available for the de-
25 struction of healthy, unadopted, wild horses and burros

1 in the care of the Bureau or its contractors or for the
2 sale of wild horses and burros that results in their destruc-
3 tion for processing into commercial products: *Provided*
4 *further*, That section 35 of the Mineral Leasing Act (30
5 U.S.C. 191) shall be applied for fiscal year 2017 as if the
6 following were inserted after the period in subsection
7 (d)(4):

8 “(5) There is appropriated to the Fee Account
9 established in subsection (c)(3)(B)(ii) of this section,
10 out of any money in the Treasury not otherwise ap-
11 propriated, \$26,000,000 for fiscal year 2017, to re-
12 main available until expended, for the processing of
13 applications for permit to drill and related use au-
14 thorizations, to be reduced by amounts collected by
15 the Bureau and transferred to such Fee Account
16 pursuant to subsection (d)(3)(A)(ii) of this section,
17 so as to result in a final fiscal year 2017 appropria-
18 tion from the general fund estimated at not more
19 than \$0. Any offsetting receipts received in excess of
20 \$26,000,000 in fiscal year 2017 that would have
21 otherwise been transferred to the Fee Account estab-
22 lished in subsection (c)(3)(B)(ii) of this section pur-
23 suant to subsection (d)(3)(A)(ii) of this section shall
24 instead be deposited in the general fund of the
25 Treasury.”.

1 UNITED STATES FISH AND WILDLIFE SERVICE
2 RESOURCE MANAGEMENT

3 For necessary expenses of the United States Fish and
4 Wildlife Service, as authorized by law, and for scientific
5 and economic studies, general administration, and for the
6 performance of other authorized functions related to such
7 resources, \$1,258,761,000, to remain available until Sep-
8 tember 30, 2018: *Provided*, That not to exceed
9 \$20,515,000 shall be used for implementing subsections
10 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
11 cies Act of 1973 (16 U.S.C. 1533) (except for processing
12 petitions, developing and issuing proposed and final regu-
13 lations, and taking any other steps to implement actions
14 described in subsection (c)(2)(A), (c)(2)(B)(i), or
15 (c)(2)(B)(ii)), of which not to exceed \$4,605,000 shall be
16 used for any activity regarding the designation of critical
17 habitat, pursuant to subsection (a)(3), excluding litigation
18 support, for species listed pursuant to subsection (a)(1)
19 prior to October 1, 2015; of which not to exceed
20 \$1,501,000 shall be used for any activity regarding peti-
21 tions to list species that are indigenous to the United
22 States pursuant to subsections (b)(3)(A) and (b)(3)(B);
23 and, of which not to exceed \$1,504,000 shall be used for
24 implementing subsections (a), (b), (c), and (e) of section
25 4 of the Endangered Species Act of 1973 (16 U.S.C.

1 1533) for species that are not indigenous to the United
2 States.

3 CONSTRUCTION

4 For construction, improvement, acquisition, or re-
5 moval of buildings and other facilities required in the con-
6 servation, management, investigation, protection, and uti-
7 lization of fish and wildlife resources, and the acquisition
8 of lands and interests therein; \$18,615,000, to remain
9 available until expended.

10 LAND ACQUISITION

11 For expenses necessary to carry out chapter 2003 of
12 title 54, United States Code, including administrative ex-
13 penses, and for acquisition of land or waters, or interest
14 therein, in accordance with statutory authority applicable
15 to the United States Fish and Wildlife Service,
16 \$59,995,000, to be derived from the Land and Water Con-
17 servation Fund and to remain available until expended,
18 of which, notwithstanding section 200306 of title 54,
19 United States Code, not more than \$10,000,000 shall be
20 for land conservation partnerships authorized by the
21 Highlands Conservation Act of 2004, including not to ex-
22 ceed \$320,000 for administrative expenses: *Provided*, That
23 none of the funds appropriated for specific land acquisi-
24 tion projects may be used to pay for any administrative
25 overhead, planning or other management costs.

1 COOPERATIVE ENDANGERED SPECIES CONSERVATION

2 FUND

3 For expenses necessary to carry out section 6 of the
4 Endangered Species Act of 1973 (16 U.S.C. 1535),
5 \$53,495,000, to remain available until expended, of which
6 \$22,695,000 is to be derived from the Cooperative Endan-
7 gered Species Conservation Fund; and of which
8 \$30,800,000 is to be derived from the Land and Water
9 Conservation Fund.

10 NATIONAL WILDLIFE REFUGE FUND

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

13 NORTH AMERICAN WETLANDS CONSERVATION FUND

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

18 NEOTROPICAL MIGRATORY BIRD CONSERVATION

19 For expenses necessary to carry out the Neotropical
20 Migratory Bird Conservation Act (16 U.S.C. 6101 et
21 seq.), \$3,910,000, to remain available until expended.

22 MULTINATIONAL SPECIES CONSERVATION FUND

23 For expenses necessary to carry out the African Ele-
24 phant Conservation Act (16 U.S.C. 4201 et seq.), the
25 Asian Elephant Conservation Act of 1997 (16 U.S.C.

1 4261 et seq.), the Rhinoceros and Tiger Conservation Act
2 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
3 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
4 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
5 et seq.), \$11,061,000, to remain available until expended.

6 STATE AND TRIBAL WILDLIFE GRANTS

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

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

1 That any amount apportioned in 2017 to any State, terri-
2 tory, or other jurisdiction that remains unobligated as of
3 September 30, 2018, shall be reapportioned, together with
4 funds appropriated in 2019, in the manner provided here-
5 in.

6 ADMINISTRATIVE PROVISIONS

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

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

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 \$2,425,018,000, of which \$10,032,000 for planning and
23 interagency coordination in support of Everglades restora-
24 tion and \$124,461,000 for maintenance, repair, or reha-
25 bilitation projects for constructed assets shall remain

1 available until September 30, 2018: *Provided*, That funds
2 appropriated under this heading in this Act are available
3 for the purposes of section 5 of Public Law 95–348.

4 NATIONAL RECREATION AND PRESERVATION

5 For expenses necessary to carry out recreation pro-
6 grams, natural programs, cultural programs, heritage
7 partnership programs, environmental compliance and re-
8 view, international park affairs, and grant administration,
9 not otherwise provided for, \$62,638,000.

10 HISTORIC PRESERVATION FUND

11 For expenses necessary in carrying out the National
12 Historic Preservation Act (division A of subtitle III of title
13 54, United States Code), \$80,910,000, to be derived from
14 the Historic Preservation Fund and to remain available
15 until September 30, 2018, of which \$5,000,000 shall be
16 for Save America’s Treasures grants for preservation of
17 national significant sites, structures, and artifacts as au-
18 thorized by section 7303 of the Omnibus Public Land
19 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
20 That an individual Save America’s Treasures grant shall
21 be matched by non-Federal funds: *Provided further*, That
22 individual projects shall only be eligible for one grant: *Pro-*
23 *vided further*, That all projects to be funded shall be ap-
24 proved by the Secretary of the Interior in consultation
25 with the House and Senate Committees on Appropria-

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

17 CONSTRUCTION

18 For construction, improvements, repair, or replace-
19 ment of physical facilities, and compliance and planning
20 for programs and areas administered by the National
21 Park Service, \$209,353,000, to remain available until ex-
22 pended: *Provided*, That, notwithstanding any other provi-
23 sion of law, for any project initially funded in fiscal year
24 2017 with a future phase indicated in the National Park
25 Service 5-Year Line Item Construction Plan, a single pro-

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

14 LAND AND WATER CONSERVATION FUND

15 (RESCISSION)

16 The contract authority provided for fiscal year 2017
17 by section 200308 of title 54, United States Code, is re-
18 scinded.

19 LAND ACQUISITION AND STATE ASSISTANCE

20 For expenses necessary to carry out chapter 2003 of
21 title 54, United States Code, including administrative ex-
22 penses, and for acquisition of lands or waters, or interest
23 therein, in accordance with the statutory authority appli-
24 cable to the National Park Service, \$162,029,000, to be
25 derived from the Land and Water Conservation Fund and

1 anticipated franchise fee receipts over the term of the con-
2 tract at that unit exceed the amount of funds used to ex-
3 tinguish or reduce liability. Franchise fees at the benefit-
4 ting unit shall be credited to the sub-account of the origi-
5 nating unit over a period not to exceed the term of a single
6 contract at the benefitting unit, in the amount of funds
7 so expended to extinguish or reduce liability.

8 For the costs of administration of the Land and
9 Water Conservation Fund grants authorized by section
10 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
11 of 2006 (Public Law 109–432), the National Park Service
12 may retain up to 3 percent of the amounts which are au-
13 thorized to be disbursed under such section, such retained
14 amounts to remain available until expended.

15 National Park Service funds may be transferred to
16 the Federal Highway Administration (FHWA), Depart-
17 ment of Transportation, for purposes authorized under 23
18 U.S.C. 204. Transfers may include a reasonable amount
19 for FHWA administrative support costs.

20 UNITED STATES GEOLOGICAL SURVEY

21 SURVEYS, INVESTIGATIONS, AND RESEARCH

22 For expenses necessary for the United States Geo-
23 logical Survey to perform surveys, investigations, and re-
24 search covering topography, geology, hydrology, biology,
25 and the mineral and water resources of the United States,

1 its territories and possessions, and other areas as author-
2 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
3 to their mineral and water resources; give engineering su-
4 pervision to power permittees and Federal Energy Regu-
5 latory Commission licensees; administer the minerals ex-
6 ploration program (30 U.S.C. 641); conduct inquiries into
7 the economic conditions affecting mining and materials
8 processing industries (30 U.S.C. 3, 21a, and 1603; 50
9 U.S.C. 98g(1)) and related purposes as authorized by law;
10 and to publish and disseminate data relative to the fore-
11 going activities; \$1,085,167,000, to remain available until
12 September 30, 2018; of which \$71,237,189 shall remain
13 available until expended for satellite operations; and of
14 which \$7,280,000 shall be available until expended for de-
15 ferred maintenance and capital improvement projects that
16 exceed \$100,000 in cost: *Provided*, That none of the funds
17 provided for the ecosystem research activity shall be used
18 to conduct new surveys on private property, unless specifi-
19 cally authorized in writing by the property owner: *Pro-*
20 *vided further*, That no part of this appropriation shall be
21 used to pay more than one-half the cost of topographic
22 mapping or water resources data collection and investiga-
23 tions carried on in cooperation with States and municipali-
24 ties.

1 ADMINISTRATIVE PROVISIONS

2 From within the amount appropriated for activities
3 of the United States Geological Survey such sums as are
4 necessary shall be available for contracting for the fur-
5 nishing of topographic maps and for the making of geo-
6 physical or other specialized surveys when it is administra-
7 tively determined that such procedures are in the public
8 interest; construction and maintenance of necessary build-
9 ings and appurtenant facilities; acquisition of lands for
10 gauging stations and observation wells; expenses of the
11 United States National Committee for Geological
12 Sciences; and payment of compensation and expenses of
13 persons employed by the Survey duly appointed to rep-
14 resent the United States in the negotiation and adminis-
15 tration of interstate compacts: *Provided*, That activities
16 funded by appropriations herein made may be accom-
17 plished through the use of contracts, grants, or coopera-
18 tive agreements as defined in section 6302 of title 31,
19 United States Code: *Provided further*, That the United
20 States Geological Survey may enter into contracts or coop-
21 erative agreements directly with individuals or indirectly
22 with institutions or nonprofit organizations, without re-
23 gard to 41 U.S.C. 6101, for the temporary or intermittent
24 services of students or recent graduates, who shall be con-
25 sidered employees for the purpose of chapters 57 and 81

1 of title 5, United States Code, relating to compensation
2 for travel and work injuries, and chapter 171 of title 28,
3 United States Code, relating to tort claims, but shall not
4 be considered to be Federal employees for any other pur-
5 poses.

6 BUREAU OF OCEAN ENERGY MANAGEMENT

7 OCEAN ENERGY MANAGEMENT

8 For expenses necessary for granting leases, ease-
9 ments, rights-of-way and agreements for use for oil and
10 gas, other minerals, energy, and marine-related purposes
11 on the Outer Continental Shelf and approving operations
12 related thereto, as authorized by law; for environmental
13 studies, as authorized by law; for implementing other laws
14 and to the extent provided by Presidential or Secretarial
15 delegation; and for matching grants or cooperative agree-
16 ments, \$169,560,000, of which \$74,616,000, is to remain
17 available until September 30, 2018 and of which
18 \$94,944,000 is to remain available until expended: *Pro-*
19 *vided*, That this total appropriation shall be reduced by
20 amounts collected by the Secretary and credited to this
21 appropriation from additions to receipts resulting from in-
22 creases to lease rental rates in effect on August 5, 1993,
23 and from cost recovery fees from activities conducted by
24 the Bureau of Ocean Energy Management pursuant to the
25 Outer Continental Shelf Lands Act, including studies, as-

1 sessments, analysis, and miscellaneous administrative ac-
2 tivities: *Provided further*, That the sum herein appro-
3 priated shall be reduced as such collections are received
4 during the fiscal year, so as to result in a final fiscal year
5 2017 appropriation estimated at not more than
6 \$74,616,000: *Provided further*, That not to exceed \$3,000
7 shall be available for reasonable expenses related to pro-
8 moting volunteer beach and marine cleanup activities.

9 BUREAU OF SAFETY AND ENVIRONMENTAL
10 ENFORCEMENT
11 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
12 (INCLUDING RESCISSION OF FUNDS)

13 For expenses necessary for the regulation of oper-
14 ations related to leases, easements, rights-of-way and
15 agreements for use for oil and gas, other minerals, energy,
16 and marine-related purposes on the Outer Continental
17 Shelf, as authorized by law; for enforcing and imple-
18 menting laws and regulations as authorized by law and
19 to the extent provided by Presidential or Secretarial dele-
20 gation; and for matching grants or cooperative agree-
21 ments, \$136,772,000, of which \$93,242,000 is to remain
22 available until September 30, 2018 and of which
23 \$43,530,000 is to remain available until expended: *Pro-*
24 *vided*, That this total appropriation shall be reduced by
25 amounts collected by the Secretary and credited to this

1 appropriation from additions to receipts resulting from in-
2 creases to lease rental rates in effect on August 5, 1993,
3 and from cost recovery fees from activities conducted by
4 the Bureau of Safety and Environmental Enforcement
5 pursuant to the Outer Continental Shelf Lands Act, in-
6 cluding studies, assessments, analysis, and miscellaneous
7 administrative activities: *Provided further*, That the sum
8 herein appropriated shall be reduced as such collections
9 are received during the fiscal year, so as to result in a
10 final fiscal year 2017 appropriation estimated at not more
11 than \$93,242,000.

12 For an additional amount, \$53,000,000, to remain
13 available until expended, to be reduced by amounts col-
14 lected by the Secretary and credited to this appropriation,
15 which shall be derived from non-refundable inspection fees
16 collected in fiscal year 2017, as provided in this Act: *Pro-*
17 *vided*, That to the extent that amounts realized from such
18 inspection fees exceed \$53,000,000, the amounts realized
19 in excess of \$53,000,000 shall be credited to this appro-
20 priation and remain available until expended: *Provided*
21 *further*, That for fiscal year 2017, not less than 50 percent
22 of the inspection fees expended by the Bureau of Safety
23 and Environmental Enforcement will be used to fund per-
24 sonnel and mission-related costs to expand capacity and
25 expedite the orderly development, subject to environmental

1 safeguards, of the Outer Continental Shelf pursuant to the
2 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
3 seq.), including the review of applications for permits to
4 drill.

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

7 OIL SPILL RESEARCH

8 For necessary expenses to carry out title I, section
9 1016, title IV, sections 4202 and 4303, title VII, and title
10 VIII, section 8201 of the Oil Pollution Act of 1990,
11 \$14,899,000, which shall be derived from the Oil Spill Li-
12 ability Trust Fund, to remain available until expended.

13 OFFICE OF SURFACE MINING RECLAMATION AND

14 ENFORCEMENT

15 REGULATION AND TECHNOLOGY

16 For necessary expenses to carry out the provisions
17 of the Surface Mining Control and Reclamation Act of
18 1977, Public Law 95–87, \$121,017,000, to remain avail-
19 able until September 30, 2018: *Provided*, That appropria-
20 tions for the Office of Surface Mining Reclamation and
21 Enforcement may provide for the travel and per diem ex-
22 penses of State and tribal personnel attending Office of
23 Surface Mining Reclamation and Enforcement sponsored
24 training.

1 In addition, for costs to review, administer, and en-
2 force permits issued by the Office pursuant to section 507
3 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
4 main available until expended: *Provided*, That fees as-
5 sessed and collected by the Office pursuant to such section
6 507 shall be credited to this account as discretionary off-
7 setting collections, to remain available until expended:
8 *Provided further*, That the sum herein appropriated from
9 the general fund shall be reduced as collections are re-
10 ceived during the fiscal year, so as to result in a fiscal
11 year 2017 appropriation estimated at not more than
12 \$121,017,000.

13 ABANDONED MINE RECLAMATION FUND

14 For necessary expenses to carry out title IV of the
15 Surface Mining Control and Reclamation Act of 1977,
16 Public Law 95–87, \$27,163,000, to be derived from re-
17 ceipts of the Abandoned Mine Reclamation Fund and to
18 remain available until expended: *Provided*, That pursuant
19 to Public Law 97–365, the Department of the Interior is
20 authorized to use up to 20 percent from the recovery of
21 the delinquent debt owed to the United States Government
22 to pay for contracts to collect these debts: *Provided fur-*
23 *ther*, That funds made available under title IV of Public
24 Law 95–87 may be used for any required non-Federal
25 share of the cost of projects funded by the Federal Gov-

1 ernment for the purpose of environmental restoration re-
2 lated to treatment or abatement of acid mine drainage
3 from abandoned mines: *Provided further*, That such
4 projects must be consistent with the purposes and prior-
5 ities of the Surface Mining Control and Reclamation Act:
6 *Provided further*, That amounts provided under this head-
7 ing may be used for the travel and per diem expenses of
8 State and tribal personnel attending Office of Surface
9 Mining Reclamation and Enforcement sponsored training.

10 In addition, \$105,000,000, to remain available until
11 expended, for grants to States for reclamation of aban-
12 doned mine lands and other related activities in accord-
13 ance with the terms and conditions in the explanatory
14 statement described in section 4 (in the matter preceding
15 division A of this consolidated Act): *Provided*, That such
16 additional amount shall be used for economic and commu-
17 nity development in conjunction with the priorities in sec-
18 tion 403(a) of the Surface Mining Control and Reclama-
19 tion Act of 1977 (30 U.S.C. 1233(a)): *Provided further*,
20 That of such additional amount, \$75,000,000 shall be dis-
21 tributed in equal amounts to the 3 Appalachian States
22 with the greatest amount of unfunded needs to meet the
23 priorities described in paragraphs (1) and (2) of such sec-
24 tion, and \$30,000,000 shall be distributed in equal
25 amounts to the 3 Appalachian States with the subsequent

1 greatest amount of unfunded needs to meet such prior-
2 ities: *Provided further*, That such additional amount shall
3 be allocated to States within 60 days after the date of
4 enactment of this Act.

5 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
6 EDUCATION

7 OPERATION OF INDIAN PROGRAMS

8 (INCLUDING TRANSFER OF FUNDS)

9 For expenses necessary for the operation of Indian
10 programs, as authorized by law, including the Snyder Act
11 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
12 termination and Education Assistance Act of 1975 (25
13 U.S.C. 450 et seq.), the Education Amendments of 1978
14 (25 U.S.C. 2001–2019), and the Tribally Controlled
15 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
16 \$2,339,346,000, to remain available until September 30,
17 2018, except as otherwise provided herein; of which not
18 to exceed \$8,500 may be for official reception and rep-
19 resentation expenses; of which not to exceed \$74,773,000
20 shall be for welfare assistance payments: *Provided*, That
21 in cases of designated Federal disasters, the Secretary
22 may exceed such cap, from the amounts provided herein,
23 to provide for disaster relief to Indian communities af-
24 fected by the disaster: *Provided further*, That federally rec-
25 ognized Indian tribes and tribal organizations of federally

1 recognized Indian tribes may use their tribal priority allo-
2 cations for unmet welfare assistance costs: *Provided fur-*
3 *ther*, That not to exceed \$652,362,000 for school oper-
4 ations costs of Bureau-funded schools and other education
5 programs shall become available on July 1, 2017, and
6 shall remain available until September 30, 2018: *Provided*
7 *further*, That not to exceed \$49,122,000 shall remain
8 available until expended for housing improvement, road
9 maintenance, attorney fees, litigation support, land
10 records improvement, and the Navajo-Hopi Settlement
11 Program: *Provided further*, That notwithstanding any
12 other provision of law, including but not limited to the
13 Indian Self-Determination Act of 1975 (25 U.S.C. 450f
14 et seq.) and section 1128 of the Education Amendments
15 of 1978 (25 U.S.C. 2008), not to exceed \$80,165,000
16 within and only from such amounts made available for
17 school operations shall be available for administrative cost
18 grants associated with grants approved prior to July 1,
19 2017: *Provided further*, That any forestry funds allocated
20 to a federally recognized tribe which remain unobligated
21 as of September 30, 2018, may be transferred during fis-
22 cal year 2019 to an Indian forest land assistance account
23 established for the benefit of the holder of the funds within
24 the holder's trust fund account: *Provided further*, That
25 any such unobligated balances not so transferred shall ex-

1 pire on September 30, 2019: *Provided further*, That in
2 order to enhance the safety of Bureau field employees, the
3 Bureau may use funds to purchase uniforms or other iden-
4 tifying articles of clothing for personnel.

5 CONTRACT SUPPORT COSTS

6 For payments to tribes and tribal organizations for
7 contract support costs associated with Indian Self-Deter-
8 mination and Education Assistance Act agreements with
9 the Bureau of Indian Affairs for fiscal year 2017, such
10 sums as may be necessary, which shall be available for
11 obligation through September 30, 2018: *Provided*, That
12 notwithstanding any other provision of law, no amounts
13 made available under this heading shall be available for
14 transfer to another budget account.

15 CONSTRUCTION

16 (INCLUDING TRANSFER OF FUNDS)

17 For construction, repair, improvement, and mainte-
18 nance of irrigation and power systems, buildings, utilities,
19 and other facilities, including architectural and engineer-
20 ing services by contract; acquisition of lands, and interests
21 in lands; and preparation of lands for farming, and for
22 construction of the Navajo Indian Irrigation Project pur-
23 suant to Public Law 87-483, \$192,017,000, to remain
24 available until expended: *Provided*, That such amounts as
25 may be available for the construction of the Navajo Indian

1 Irrigation Project may be transferred to the Bureau of
2 Reclamation: *Provided further*, That not to exceed 6 per-
3 cent of contract authority available to the Bureau of In-
4 dian Affairs from the Federal Highway Trust Fund may
5 be used to cover the road program management costs of
6 the Bureau: *Provided further*, That any funds provided for
7 the Safety of Dams program pursuant to 25 U.S.C. 13
8 shall be made available on a nonreimbursable basis: *Pro-*
9 *vided further*, That for fiscal year 2017, in implementing
10 new construction, replacement facilities construction, or
11 facilities improvement and repair project grants in excess
12 of \$100,000 that are provided to grant schools under Pub-
13 lic Law 100–297, the Secretary of the Interior shall use
14 the Administrative and Audit Requirements and Cost
15 Principles for Assistance Programs contained in 43 CFR
16 part 12 as the regulatory requirements: *Provided further*,
17 That such grants shall not be subject to section 12.61 of
18 43 CFR; the Secretary and the grantee shall negotiate and
19 determine a schedule of payments for the work to be per-
20 formed: *Provided further*, That in considering grant appli-
21 cations, the Secretary shall consider whether such grantee
22 would be deficient in assuring that the construction
23 projects conform to applicable building standards and
24 codes and Federal, tribal, or State health and safety
25 standards as required by 25 U.S.C. 2005(b), with respect

1 to organizational and financial management capabilities:
2 *Provided further*, That if the Secretary declines a grant
3 application, the Secretary shall follow the requirements
4 contained in 25 U.S.C. 2504(f): *Provided further*, That
5 any disputes between the Secretary and any grantee con-
6 cerning a grant shall be subject to the disputes provision
7 in 25 U.S.C. 2507(e): *Provided further*, That in order to
8 ensure timely completion of construction projects, the Sec-
9 retary may assume control of a project and all funds re-
10 lated to the project, if, within 18 months of the date of
11 enactment of this Act, any grantee receiving funds appro-
12 priated in this Act or in any prior Act, has not completed
13 the planning and design phase of the project and com-
14 menced construction: *Provided further*, That this appro-
15 priation may be reimbursed from the Office of the Special
16 Trustee for American Indians appropriation for the appro-
17 priate share of construction costs for space expansion
18 needed in agency offices to meet trust reform implementa-
19 tion.

20 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
21 MISCELLANEOUS PAYMENTS TO INDIANS

22 For payments and necessary administrative expenses
23 for implementation of Indian land and water claim settle-
24 ments pursuant to Public Laws 99-264, 100-580, 101-
25 618, 111-11, 111-291, and 114-322, and for implemen-

1 tation of other land and water rights settlements,
2 \$45,045,000, to remain available until expended.

3 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

4 For the cost of guaranteed loans and insured loans,
5 \$8,757,000, of which \$1,182,000 is for administrative ex-
6 penses, 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 \$120,050,595.

13 ADMINISTRATIVE PROVISIONS

14 (INCLUDING RESCISSION OF FUNDS)

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

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

24 Notwithstanding any other provision of law, no funds
25 available to the Bureau of Indian Affairs for central office

1 oversight and Executive Direction and Administrative
2 Services (except executive direction and administrative
3 services funding for Tribal Priority Allocations, regional
4 offices, and facilities operations and maintenance) shall be
5 available for contracts, grants, compacts, or cooperative
6 agreements with the Bureau of Indian Affairs under the
7 provisions of the Indian Self-Determination Act or the
8 Tribal Self-Governance Act of 1994 (Public Law 103–
9 413).

10 In the event any tribe returns appropriations made
11 available by this Act to the Bureau of Indian Affairs, this
12 action shall not diminish the Federal Government’s trust
13 responsibility to that tribe, or the government-to-govern-
14 ment relationship between the United States and that
15 tribe, or that tribe’s ability to access future appropria-
16 tions.

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

23 No funds available to the Bureau of Indian Edu-
24 cation shall be used to support expanded grades for any
25 school or dormitory beyond the grade structure in place

1 or approved by the Secretary of the Interior at each school
2 in the Bureau of Indian Education school system as of
3 October 1, 1995, except that the Secretary of the Interior
4 may waive this prohibition to support expansion of up to
5 one additional grade when the Secretary determines such
6 waiver is needed to support accomplishment of the mission
7 of the Bureau of Indian Education. Appropriations made
8 available in this or any prior Act for schools funded by
9 the Bureau shall be available, in accordance with the Bu-
10 reau's funding formula, only to the schools in the Bureau
11 school system as of September 1, 1996, and to any school
12 or school program that was reinstated in fiscal year 2012.
13 Funds made available under this Act may not be used to
14 establish a charter school at a Bureau-funded school (as
15 that term is defined in section 1141 of the Education
16 Amendments of 1978 (25 U.S.C. 2021)), except that a
17 charter school that is in existence on the date of the enact-
18 ment of this Act and that has operated at a Bureau-fund-
19 ed school before September 1, 1999, may continue to oper-
20 ate during that period, but only if the charter school pays
21 to the Bureau a pro rata share of funds to reimburse the
22 Bureau for the use of the real and personal property (in-
23 cluding buses and vans), the funds of the charter school
24 are kept separate and apart from Bureau funds, and the
25 Bureau does not assume any obligation for charter school

1 programs of the State in which the school is located if
2 the charter school loses such funding. Employees of Bu-
3 reau-funded schools sharing a campus with a charter
4 school and performing functions related to the charter
5 school's operation and employees of a charter school shall
6 not be treated as Federal employees for purposes of chap-
7 ter 171 of title 28, United States Code.

8 Notwithstanding any other provision of law, including
9 section 113 of title I of appendix C of Public Law 106-
10 113, if in fiscal year 2003 or 2004 a grantee received indi-
11 rect and administrative costs pursuant to a distribution
12 formula based on section 5(f) of Public Law 101-301, the
13 Secretary shall continue to distribute indirect and admin-
14 istrative cost funds to such grantee using the section 5(f)
15 distribution formula.

16 Funds available under this Act may not be used to
17 establish satellite locations of schools in the Bureau school
18 system as of September 1, 1996, except that the Secretary
19 may waive this prohibition in order for an Indian tribe
20 to provide language and cultural immersion educational
21 programs for non-public schools located within the juris-
22 dictional area of the tribal government which exclusively
23 serve tribal members, do not include grades beyond those
24 currently served at the existing Bureau-funded school,
25 provide an educational environment with educator pres-

1 ence and academic facilities comparable to the Bureau-
2 funded school, comply with all applicable Tribal, Federal,
3 or State health and safety standards, and the Americans
4 with Disabilities Act, and demonstrate the benefits of es-
5 tablishing operations at a satellite location in lieu of incur-
6 ring extraordinary costs, such as for transportation or
7 other impacts to students such as those caused by busing
8 students extended distances: *Provided*, That no funds
9 available under this Act may be used to fund operations,
10 maintenance, rehabilitation, construction or other facili-
11 ties-related costs for such assets that are not owned by
12 the Bureau: *Provided further*, That the term “satellite
13 school” means a school location physically separated from
14 the existing Bureau school by more than 50 miles but that
15 forms part of the existing school in all other respects.

16 Of the prior year unobligated balances available for
17 the “Operation of Indian Programs” account, \$3,400,000
18 are permanently rescinded.

19 DEPARTMENTAL OFFICES

20 OFFICE OF THE SECRETARY

21 DEPARTMENTAL OPERATIONS

22 For necessary expenses for management of the De-
23 partment of the Interior, including the collection and dis-
24 bursement of royalties, fees, and other mineral revenue
25 proceeds, and for grants and cooperative agreements, as

1 authorized by law, \$271,074,000, to remain available until
2 September 30, 2018; of which not to exceed \$15,000 may
3 be for official reception and representation expenses; and
4 of which up to \$1,000,000 shall be available for workers
5 compensation payments and unemployment compensation
6 payments associated with the orderly closure of the United
7 States Bureau of Mines; and of which \$11,000,000 for
8 the Office of Valuation Services is to be derived from the
9 Land and Water Conservation Fund and shall remain
10 available until expended; and of which \$38,300,000 shall
11 remain available until expended for the purpose of mineral
12 revenue management activities: *Provided*, That notwith-
13 standing any other provision of law, \$15,000 under this
14 heading shall be available for refunds of overpayments in
15 connection with certain Indian leases in which the Sec-
16 retary concurred with the claimed refund due, to pay
17 amounts owed to Indian allottees or tribes, or to correct
18 prior unrecoverable erroneous payments.

19 ADMINISTRATIVE PROVISIONS

20 For fiscal year 2017, up to \$400,000 of the payments
21 authorized by chapter 69 of title 31, United States Code,
22 may be retained for administrative expenses of the Pay-
23 ments in Lieu of Taxes Program: *Provided*, That no pay-
24 ment shall be made pursuant to that chapter to otherwise
25 eligible units of local government if the computed amount

1 of the payment is less than \$100: *Provided further*, That
2 the Secretary may reduce the payment authorized by that
3 chapter for an individual county by the amount necessary
4 to correct prior year overpayments to that county: *Pro-*
5 *vided further*, That the amount needed to correct a prior
6 year underpayment to an individual county shall be paid
7 from any reductions for overpayments to other counties
8 and the amount necessary to cover any remaining under-
9 payment is hereby appropriated and shall be paid to indi-
10 vidual counties: *Provided further*, That in the event the
11 sums appropriated for any fiscal year for payments pursu-
12 ant to that chapter are less than the full payments to all
13 units of local government, then the payment to each local
14 government shall be made proportionally.

15 INSULAR AFFAIRS

16 ASSISTANCE TO TERRITORIES

17 For expenses necessary for assistance to territories
18 under the jurisdiction of the Department of the Interior
19 and other jurisdictions identified in section 104(e) of Pub-
20 lic Law 108–188, \$91,925,000, of which: (1) \$82,477,000
21 shall remain available until expended for territorial assist-
22 ance, including general technical assistance, maintenance
23 assistance, disaster assistance, coral reef initiative activi-
24 ties, and brown tree snake control and research; grants
25 to the judiciary in American Samoa for compensation and

1 expenses, as authorized by law (48 U.S.C. 1661(c));
2 grants to the Government of American Samoa, in addition
3 to current local revenues, for construction and support of
4 governmental functions; grants to the Government of the
5 Virgin Islands as authorized by law; grants to the Govern-
6 ment of Guam, as authorized by law; and grants to the
7 Government of the Northern Mariana Islands as author-
8 ized by law (Public Law 94–241; 90 Stat. 272); and (2)
9 \$9,448,000 shall be available until September 30, 2018,
10 for salaries and expenses of the Office of Insular Affairs:
11 *Provided*, That all financial transactions of the territorial
12 and local governments herein provided for, including such
13 transactions of all agencies or instrumentalities estab-
14 lished or used by such governments, may be audited by
15 the Government Accountability Office, at its discretion, in
16 accordance with chapter 35 of title 31, United States
17 Code: *Provided further*, That Northern Mariana Islands
18 Covenant grant funding shall be provided according to
19 those terms of the Agreement of the Special Representa-
20 tives on Future United States Financial Assistance for the
21 Northern Mariana Islands approved by Public Law 104–
22 134: *Provided further*, That the funds for the program of
23 operations and maintenance improvement are appro-
24 priated to institutionalize routine operations and mainte-
25 nance improvement of capital infrastructure with terri-

1 torial participation and cost sharing to be determined by
2 the Secretary based on the grantee's commitment to time-
3 ly maintenance of its capital assets: *Provided further*, That
4 any appropriation for disaster assistance under this head-
5 ing in this Act or previous appropriations Acts may be
6 used as non-Federal matching funds for the purpose of
7 hazard mitigation grants provided pursuant to section 404
8 of the Robert T. Stafford Disaster Relief and Emergency
9 Assistance Act (42 U.S.C. 5170c).

10 COMPACT OF FREE ASSOCIATION

11 For grants and necessary expenses, \$3,318,000, to
12 remain available until expended, as provided for in sec-
13 tions 221(a)(2) and 233 of the Compact of Free Associa-
14 tion for the Republic of Palau; and section 221(a)(2) of
15 the Compacts of Free Association for the Government of
16 the Republic of the Marshall Islands and the Federated
17 States of Micronesia, as authorized by Public Law 99-
18 658 and Public Law 108-188.

19 ADMINISTRATIVE PROVISIONS

20 (INCLUDING TRANSFER OF FUNDS)

21 At the request of the Governor of Guam, the Sec-
22 retary may transfer discretionary funds or mandatory
23 funds provided under section 104(e) of Public Law 108-
24 188 and Public Law 104-134, that are allocated for
25 Guam, to the Secretary of Agriculture for the subsidy cost

1 of direct or guaranteed loans, plus not to exceed three per-
2 cent of the amount of the subsidy transferred for the cost
3 of loan administration, for the purposes authorized by the
4 Rural Electrification Act of 1936 and section 306(a)(1)
5 of the Consolidated Farm and Rural Development Act for
6 construction and repair projects in Guam, and such funds
7 shall remain available until expended: *Provided*, That such
8 costs, including the cost of modifying such loans, shall be
9 as defined in section 502 of the Congressional Budget Act
10 of 1974: *Provided further*, That such loans or loan guaran-
11 tees may be made without regard to the population of the
12 area, credit elsewhere requirements, and restrictions on
13 the types of eligible entities under the Rural Electrifica-
14 tion Act of 1936 and section 306(a)(1) of the Consolidated
15 Farm and Rural Development Act: *Provided further*, That
16 any funds transferred to the Secretary of Agriculture shall
17 be in addition to funds otherwise made available to make
18 or guarantee loans under such authorities.

19 OFFICE OF THE SOLICITOR

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of the Solicitor,

22 \$65,769,000.

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Inspector
4 General, \$50,047,000.

5 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

6 INDIANS

7 FEDERAL TRUST PROGRAMS

8 (INCLUDING TRANSFER OF FUNDS)

9 For the operation of trust programs for Indians by
10 direct expenditure, contracts, cooperative agreements,
11 compacts, and grants, \$139,029,000, to remain available
12 until expended, of which not to exceed \$18,688,000 from
13 this or any other Act, may be available for historical ac-
14 counting: *Provided*, That funds for trust management im-
15 provements and litigation support may, as needed, be
16 transferred to or merged with the Bureau of Indian Af-
17 fairs and Bureau of Indian Education, "Operation of In-
18 dian Programs" account; the Office of the Solicitor, "Sala-
19 ries and Expenses" account; and the Office of the Sec-
20 retary, "Departmental Operations" account: *Provided fur-*
21 *ther*, That funds made available through contracts or
22 grants obligated during fiscal year 2017, as authorized by
23 the Indian Self-Determination Act of 1975 (25 U.S.C. 450
24 et seq.), shall remain available until expended by the con-
25 tractor or grantee: *Provided further*, That notwithstanding

1 any other provision of law, the Secretary shall not be re-
2 quired to provide a quarterly statement of performance for
3 any Indian trust account that has not had activity for at
4 least 15 months and has a balance of \$15 or less: *Provided*
5 *further*, That the Secretary shall issue an annual account
6 statement and maintain a record of any such accounts and
7 shall permit the balance in each such account to be with-
8 drawn upon the express written request of the account
9 holder: *Provided further*, That not to exceed \$50,000 is
10 available for the Secretary to make payments to correct
11 administrative errors of either disbursements from or de-
12 posits to Individual Indian Money or Tribal accounts after
13 September 30, 2002: *Provided further*, That erroneous
14 payments that are recovered shall be credited to and re-
15 main available in this account for this purpose: *Provided*
16 *further*, That the Secretary shall not be required to re-
17 concile Special Deposit Accounts with a balance of less than
18 \$500 unless the Office of the Special Trustee receives
19 proof of ownership from a Special Deposit Accounts claim-
20 ant: *Provided further*, That notwithstanding section 102
21 of the American Indian Trust Fund Management Reform
22 Act of 1994 (Public Law 103-412) or any other provision
23 of law, the Secretary may aggregate the trust accounts
24 of individuals whose whereabouts are unknown for a con-
25 tinuous period of at least five years and shall not be re-

1 quired to generate periodic statements of performance for
2 the individual accounts: *Provided further*, That with re-
3 spect to the eighth proviso, the Secretary shall continue
4 to maintain sufficient records to determine the balance of
5 the individual accounts, including any accrued interest and
6 income, and such funds shall remain available to the indi-
7 vidual account holders.

8 DEPARTMENT-WIDE PROGRAMS

9 WILDLAND FIRE MANAGEMENT

10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary expenses for fire preparedness, fire
12 suppression operations, fire science and research, emer-
13 gency rehabilitation, fuels management activities, and
14 rural fire assistance by the Department of the Interior,
15 \$942,671,000, to remain available until expended, of
16 which not to exceed \$8,427,000 shall be for the renovation
17 or construction of fire facilities: *Provided*, That such funds
18 are also available for repayment of advances to other ap-
19 propriation accounts from which funds were previously
20 transferred for such purposes: *Provided further*, That of
21 the funds provided \$180,000,000 is for hazardous fuels
22 management activities: *Provided further*, That of the funds
23 provided \$20,470,000 is for burned area rehabilitation:
24 *Provided further*, That persons hired pursuant to 43
25 U.S.C. 1469 may be furnished subsistence and lodging

1 without cost from funds available from this appropriation:
2 *Provided further*, That notwithstanding 42 U.S.C. 1856d,
3 sums received by a bureau or office of the Department
4 of the Interior for fire protection rendered pursuant to 42
5 U.S.C. 1856 et seq., protection of United States property,
6 may be credited to the appropriation from which funds
7 were expended to provide that protection, and are avail-
8 able without fiscal year limitation: *Provided further*, That
9 using the amounts designated under this title of this Act,
10 the Secretary of the Interior may enter into procurement
11 contracts, grants, or cooperative agreements, for fuels
12 management and resilient landscapes activities, and for
13 training and monitoring associated with such fuels man-
14 agement and resilient landscapes activities, on Federal
15 land, or on adjacent non-Federal land for activities that
16 benefit resources on Federal land: *Provided further*, That
17 the costs of implementing any cooperative agreement be-
18 tween the Federal Government and any non-Federal entity
19 may be shared, as mutually agreed on by the affected par-
20 ties: *Provided further*, That notwithstanding requirements
21 of the Competition in Contracting Act, the Secretary, for
22 purposes of fuels management and resilient landscapes ac-
23 tivities, may obtain maximum practicable competition
24 among: (1) local private, nonprofit, or cooperative entities;
25 (2) Youth Conservation Corps crews, Public Lands Corps

1 (Public Law 109–154), or related partnerships with State,
2 local, or nonprofit youth groups; (3) small or micro-busi-
3 nesses; or (4) other entities that will hire or train locally
4 a significant percentage, defined as 50 percent or more,
5 of the project workforce to complete such contracts: *Pro-*
6 *vided further*, That in implementing this section, the Sec-
7 retary shall develop written guidance to field units to en-
8 sure accountability and consistent application of the au-
9 thorities provided herein: *Provided further*, That funds ap-
10 propriated under this heading may be used to reimburse
11 the United States Fish and Wildlife Service and the Na-
12 tional Marine Fisheries Service for the costs of carrying
13 out their responsibilities under the Endangered Species
14 Act of 1973 (16 U.S.C. 1531 et seq.) to consult and con-
15 ference, as required by section 7 of such Act, in connection
16 with wildland fire management activities: *Provided further*,
17 That the Secretary of the Interior may use wildland fire
18 appropriations to enter into leases of real property with
19 local governments, at or below fair market value, to con-
20 struct capitalized improvements for fire facilities on such
21 leased properties, including but not limited to fire guard
22 stations, retardant stations, and other initial attack and
23 fire support facilities, and to make advance payments for
24 any such lease or for construction activity associated with
25 the lease: *Provided further*, That the Secretary of the Inte-

1 rior and the Secretary of Agriculture may authorize the
2 transfer of funds appropriated for wildland fire manage-
3 ment, in an aggregate amount not to exceed \$50,000,000,
4 between the Departments when such transfers would fa-
5 cilitate and expedite wildland fire management programs
6 and projects: *Provided further*, That funds provided for
7 wildfire suppression shall be available for support of Fed-
8 eral emergency response actions: *Provided further*, That
9 funds appropriated under this heading shall be available
10 for assistance to or through the Department of State in
11 connection with forest and rangeland research, technical
12 information, and assistance in foreign countries, and, with
13 the concurrence of the Secretary of State, shall be avail-
14 able to support forestry, wildland fire management, and
15 related natural resource activities outside the United
16 States and its territories and possessions, including tech-
17 nical assistance, education and training, and cooperation
18 with United States and international organizations.

19 FLAME WILDFIRE SUPPRESSION RESERVE FUND

20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses for large fire suppression op-
22 erations of the Department of the Interior and as a re-
23 serve fund for suppression and Federal emergency re-
24 sponse activities, \$65,000,000, to remain available until
25 expended: *Provided*, That such amounts are only available

1 for transfer to the “Wildland Fire Management” account
2 following a declaration by the Secretary in accordance
3 with section 502 of the FLAME Act of 2009 (43 U.S.C.
4 1748a): *Provided further*, That such amount is designated
5 by the Congress as an emergency requirement pursuant
6 to section 251(b)(2)(A)(i) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 CENTRAL HAZARDOUS MATERIALS FUND

9 For necessary expenses of the Department of the In-
10 terior and any of its component offices and bureaus for
11 the response action, including associated activities, per-
12 formed pursuant to the Comprehensive Environmental Re-
13 sponse, Compensation, and Liability Act (42 U.S.C. 9601
14 et seq.), \$10,010,000, to remain available until expended.

15 NATURAL RESOURCE DAMAGE ASSESSMENT AND
16 RESTORATION

17 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

18 To conduct natural resource damage assessment, res-
19 toration activities, and onshore oil spill preparedness by
20 the Department of the Interior necessary to carry out the
21 provisions of the Comprehensive Environmental Response,
22 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
23 the Federal Water Pollution Control Act (33 U.S.C. 1251
24 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701

1 et seq.), and 54 U.S.C. 100721 et seq., \$7,767,000, to
2 remain available until expended.

3 WORKING CAPITAL FUND

4 For the operation and maintenance of a departmental
5 financial and business management system, information
6 technology improvements of general benefit to the Depart-
7 ment, cybersecurity, and the consolidation of facilities and
8 operations throughout the Department, \$67,100,000, to
9 remain available until expended: *Provided*, That none of
10 the funds appropriated in this Act or any other Act may
11 be used to establish reserves in the Working Capital Fund
12 account other than for accrued annual leave and deprecia-
13 tion of equipment without prior approval of the Commit-
14 tees on Appropriations of the House of Representatives
15 and the Senate: *Provided further*, That the Secretary may
16 assess reasonable charges to State, local and tribal govern-
17 ment employees for training services provided by the Na-
18 tional Indian Program Training Center, other than train-
19 ing related to Public Law 93–638: *Provided further*, That
20 the Secretary may lease or otherwise provide space and
21 related facilities, equipment or professional services of the
22 National Indian Program Training Center to State, local
23 and tribal government employees or persons or organiza-
24 tions engaged in cultural, educational, or recreational ac-
25 tivities (as defined in section 3306(a) of title 40, United

1 States Code) at the prevailing rate for similar space, facili-
2 ties, equipment, or services in the vicinity of the National
3 Indian Program Training Center: *Provided further*, That
4 all funds received pursuant to the two preceding provisos
5 shall be credited to this account, shall be available until
6 expended, and shall be used by the Secretary for necessary
7 expenses of the National Indian Program Training Center:
8 *Provided further*, That the Secretary may enter into grants
9 and cooperative agreements to support the Office of Nat-
10 ural Resource Revenue's collection and disbursement of
11 royalties, fees, and other mineral revenue proceeds, as au-
12 thorized by law.

13 ADMINISTRATIVE PROVISION

14 There is hereby authorized for acquisition from avail-
15 able resources within the Working Capital Fund, aircraft
16 which may be obtained by donation, purchase or through
17 available excess surplus property: *Provided*, That existing
18 aircraft being replaced may be sold, with proceeds derived
19 or trade-in value used to offset the purchase price for the
20 replacement aircraft.

21 PAYMENTS IN LIEU OF TAXES

22 For necessary expenses for payments authorized by
23 chapter 69 of title 31, United States Code, \$465,000,000
24 shall be available for fiscal year 2017.

1 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR
2 (INCLUDING TRANSFERS OF FUNDS)

3 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

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

17 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

18 SEC. 102. The Secretary may authorize the expendi-
19 ture or transfer of any no year appropriation in this title,
20 in addition to the amounts included in the budget pro-
21 grams of the several agencies, for the suppression or emer-
22 gency prevention of wildland fires on or threatening lands
23 under the jurisdiction of the Department of the Interior;
24 for the emergency rehabilitation of burned-over lands
25 under its jurisdiction; for emergency actions related to po-

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

1 this authority until the Secretary determines that funds
2 appropriated for “wildland fire operations” and “FLAME
3 Wildfire Suppression Reserve Fund” shall be exhausted
4 within 30 days: *Provided further*, That all funds used pur-
5 suant to this section must be replenished by a supple-
6 mental appropriation, which must be requested as prompt-
7 ly as possible: *Provided further*, That such replenishment
8 funds shall be used to reimburse, on a pro rata basis, ac-
9 counts from which emergency funds were transferred.

10 AUTHORIZED USE OF FUNDS

11 SEC. 103. Appropriations made to the Department
12 of the Interior in this title shall be available for services
13 as authorized by section 3109 of title 5, United States
14 Code, when authorized by the Secretary, in total amount
15 not to exceed \$500,000; purchase and replacement of
16 motor vehicles, including specially equipped law enforce-
17 ment vehicles; hire, maintenance, and operation of air-
18 craft; hire of passenger motor vehicles; purchase of re-
19 prints; payment for telephone service in private residences
20 in the field, when authorized under regulations approved
21 by the Secretary; and the payment of dues, when author-
22 ized by the Secretary, for library membership in societies
23 or associations which issue publications to members only
24 or at a price to members lower than to subscribers who
25 are not members.

1 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

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

17 OUTER CONTINENTAL SHELF INSPECTION FEES

18 SEC. 107. (a) In fiscal year 2017, the Secretary shall
19 collect a nonrefundable inspection fee, which shall be de-
20 posited in the “Offshore Safety and Environmental En-
21 forcement” account, from the designated operator for fa-
22 cilities subject to inspection under 43 U.S.C. 1348(c).

23 (b) Annual fees shall be collected for facilities that
24 are above the waterline, excluding drilling rigs, and are

1 in place at the start of the fiscal year. Fees for fiscal year
2 2017 shall be:

3 (1) \$10,500 for facilities with no wells, but with
4 processing equipment or gathering lines;

5 (2) \$17,000 for facilities with 1 to 10 wells,
6 with any combination of active or inactive wells; and

7 (3) \$31,500 for facilities with more than 10
8 wells, with any combination of active or inactive
9 wells.

10 (c) Fees for drilling rigs shall be assessed for all in-
11 spections completed in fiscal year 2017. Fees for fiscal
12 year 2017 shall be:

13 (1) \$30,500 per inspection for rigs operating in
14 water depths of 500 feet or more; and

15 (2) \$16,700 per inspection for rigs operating in
16 water depths of less than 500 feet.

17 (d) The Secretary shall bill designated operators
18 under subsection (b) within 60 days, with payment re-
19 quired within 30 days of billing. The Secretary shall bill
20 designated operators under subsection (c) within 30 days
21 of the end of the month in which the inspection occurred,
22 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 EXHAUSTION OF ADMINISTRATIVE REVIEW

12 SEC. 111. Paragraph (1) of section 122(a) of division
13 E of Public Law 112–74 (125 Stat. 1013) is amended
14 by striking “through 2018,” in the first sentence and in-
15 serting “through 2020,”.

16 WILD LANDS FUNDING PROHIBITION

17 SEC. 112. None of the funds made available in this
18 Act or any other Act may be used to implement, admin-
19 ister, or enforce Secretarial Order No. 3310 issued by the
20 Secretary of the Interior on December 22, 2010: *Provided*,
21 That nothing in this section shall restrict the Secretary’s
22 authorities under sections 201 and 202 of the Federal
23 Land Policy and Management Act of 1976 (43 U.S.C.
24 1711 and 1712).

1 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

2 SEC. 113. Notwithstanding any other provision of
3 law, during fiscal year 2017, in carrying out work involv-
4 ing cooperation with State, local, and tribal governments
5 or any political subdivision thereof, Indian Affairs may
6 record obligations against accounts receivable from any
7 such entities, except that total obligations at the end of
8 the fiscal year shall not exceed total budgetary resources
9 available at the end of the fiscal year.

10 SAGE-GROUSE

11 SEC. 114. None of the funds made available by this
12 or any other Act may be used by the Secretary of the Inte-
13 rior to write or issue pursuant to section 4 of the Endan-
14 gered Species Act of 1973 (16 U.S.C. 1533)—

15 (1) a proposed rule for greater sage-grouse
16 (*Centrocercus urophasianus*);

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

19 BLUE RIDGE NATIONAL HERITAGE AREA AND ERIE

20 CANALWAY NATIONAL HERITAGE CORRIDOR

21 SEC. 115. (a) Section 140(i)(1) of Title I of Public
22 Law 108–108, as amended (54 U.S.C. 320101 note), is
23 further amended by striking “\$10,000,000” and inserting
24 “\$12,000,000”; and

1 (b) Section 810(a)(1) of Title VIII of Division B of
2 Appendix D of Public Law 106–554, as amended (54
3 U.S.C. 320101 note), is further amended by striking
4 “\$10,000,000” and inserting “\$12,000,000”.

5 HUMANE TRANSFER OF EXCESS ANIMALS

6 SEC. 116. Notwithstanding any other provision of
7 law, the Secretary of the Interior may transfer excess wild
8 horses or burros that have been removed from the public
9 lands to other Federal, State, and local government agen-
10 cies for use as work animals: *Provided*, That the Secretary
11 may make any such transfer immediately upon request of
12 such Federal, State, or local government agency: *Provided*
13 *further*, That any excess animal transferred under this
14 provision shall lose its status as a wild free-roaming horse
15 or burro as defined in the Wild Free-Roaming Horses and
16 Burros Act: *Provided further*, That any Federal, State, or
17 local government agency receiving excess wild horses or
18 burros as authorized in this section shall not: destroy the
19 horses or burros in a way that results in their destruction
20 into commercial products; sell or otherwise transfer the
21 horses or burros in a way that results in their destruction
22 for processing into commercial products; or euthanize the
23 horses or burros except upon the recommendation of a li-
24 censed veterinarian, in cases of severe injury, illness, or
25 advanced age.

1 and (b) shall be withheld from the Government of
2 Palau.

3 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
4 PROGRAM

5 SEC. 118. (a) Notwithstanding any other provision
6 of law relating to Federal grants and cooperative agree-
7 ments, the Secretary of the Interior is authorized to make
8 grants to, or enter into cooperative agreements with, pri-
9 vate nonprofit organizations designated by the Secretary
10 of Labor under title V of the Older Americans Act of 1965
11 to utilize the talents of older Americans in programs au-
12 thorized by other provisions of law administered by the
13 Secretary and consistent with such provisions of law.

14 (b) Prior to awarding any grant or agreement under
15 subsection (a), the Secretary shall ensure that the agree-
16 ment would not—

17 (1) result in the displacement of individuals
18 currently employed by the Department, including
19 partial displacement through reduction of non-over-
20 time hours, wages, or employment benefits;

21 (2) result in the use of an individual under the
22 Department of the Interior Experienced Services
23 Program for a job or function in a case in which a
24 Federal employee is in a layoff status from the same

1 or substantially equivalent job within the Depart-
2 ment; or

3 (3) affect existing contracts for services.

4 NATCHEZ NATIONAL HISTORICAL PARK

5 SEC. 119. The Secretary of the Interior is authorized
6 to acquire by donation or purchase from willing sellers,
7 any lands at the site of the historic Forks of the Road
8 Slave Market, as generally depicted on the map entitled
9 “Natchez National Historical Park—Proposed Boundary
10 Addition”, numbered 339/116045, and dated April 2016.
11 Upon acquisition of any land or interests in land, the Sec-
12 retary shall revise the boundary of Natchez National His-
13 torical Park to reflect the acquisition and the land shall
14 be managed in accordance with the laws and regulations
15 applicable to the park: *Provided*, That section 7 of Public
16 Law 100–479 is amended by inserting “land acquisition
17 and development as authorized in” after “carry out”.

18 SPECIAL RESOURCE STUDY TO PRESERVE CIVIL RIGHTS

19 SITES

20 SEC. 120. (a) STUDY.—The Secretary of the Interior
21 (referred to in this section as the “Secretary”) shall con-
22 duct a special resource study of significant civil rights
23 sites in the State of Mississippi, including—

1 (1) the home of the late civil rights activist
2 Medgar Evers, located at 2332 Margaret Walker Al-
3 exander Drive, Jackson, Mississippi;

4 (2) the Tallahatchie County Courthouse, located
5 at 100 North Court Street, Sumner, Mississippi;

6 (3) the site of Bryant's Store, located at the
7 intersection of County Road 518 and County Road
8 24, Money, Mississippi;

9 (4) the site of the former office of Dr. Gilbert
10 Mason, Sr., located at 670 Division Street, Biloxi,
11 Mississippi; and

12 (5) the Old Neshoba County Jail, located at
13 422 Myrtle Avenue, East, Philadelphia, Mississippi.

14 (b) CONTENTS.—In conducting the study under sub-
15 section (a), the Secretary shall—

16 (1) evaluate the national significance of each
17 site;

18 (2) determine the suitability and feasibility of
19 designating each site as a unit of the National Park
20 System;

21 (3)(A) take into consideration other alternatives
22 for preservation, protection, and interpretation of
23 each site by—

24 (i) Federal, State, or local governmental
25 entities; or

1 (ii) private or nonprofit organizations; and

2 (B) identify cost estimates for any Federal ac-
3 quisition, development, interpretation, operation, and
4 maintenance associated with the alternatives; and

5 (4) consult with interested Federal, State, and
6 local governmental entities, private and nonprofit or-
7 ganizations, and other individuals.

8 (c) APPLICABLE LAW.—The study under subsection
9 (a) shall be conducted in accordance with section 100507
10 of title 54, United States Code.

11 (d) STUDY RESULTS.—Not later than 3 years after
12 the date on which funds are initially made available for
13 the study under subsection (a), the Secretary shall submit
14 to the Committee on Natural Resources of the House of
15 Representatives and the Committee on Energy and Nat-
16 ural Resources of the Senate a report that describes—

17 (1) the results of the study; and

18 (2) any relevant conclusions and recommenda-
19 tions of the Secretary.

20 CONTINUOUS OPERATIONS

21 SEC. 121. Not later than 30 days after the date of
22 enactment of this Act, the Secretary of the Interior shall
23 amend the regulations issued under section 250.180 of
24 title 30, Code of Federal Regulations—

1 (1) by striking each reference to “180 days”
2 and inserting “year”;

3 (2) by striking each reference to “180th day”
4 and inserting “year”; and

5 (3) by striking each reference to “180-day pe-
6 riod” and inserting “1-year period”.

7 BUREAU OF LAND MANAGEMENT FOUNDATION

8 SEC. 122. (a) DEFINITIONS.—In this section:

9 (1) BOARD.—The term “Board” means the
10 Board of Directors of the Foundation established
11 under subsection (c).

12 (2) FOUNDATION.—The term “Foundation”
13 means the Bureau of Land Management Foundation
14 established by subsection (b)(1)(A).

15 (3) PUBLIC LAND.—The term “public land”
16 has the meaning given the term “public lands” in
17 section 103 of the Federal Land Policy and Manage-
18 ment Act of 1976 (43 U.S.C. 1702).

19 (4) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 (5) WILD FREE-ROAMING HORSES AND BUR-
22 ROS.—The term “wild free-roaming horses and bur-
23 ros” has the meaning given the term in section 2 of
24 Public Law 92–195 (commonly known as the “Wild

1 Free-Roaming Horses And Burros Act”) (16 U.S.C.
2 1332).

3 (b) ESTABLISHMENT AND PURPOSES.—

4 (1) ESTABLISHMENT.—

5 (A) IN GENERAL.—There is established a
6 foundation, to be known as the “Bureau of
7 Land Management Foundation”.

8 (B) LIMITATION.—The Foundation shall
9 not be considered to be an agency or establish-
10 ment of the United States.

11 (C) TAX EXEMPTION.—The Foundation
12 shall be considered to be a charitable and non-
13 profit corporation under section 501(c)(3) of
14 the Internal Revenue Code of 1986.

15 (2) PURPOSES.—The purposes of the Founda-
16 tion are—

17 (A) to encourage, accept, and administer
18 private gifts of money and real and personal
19 property for the benefit of, or in connection
20 with the activities and services of, the Bureau
21 of Land Management;

22 (B) to carry out activities that advance the
23 purposes for which public land is administered;

24 (C) to carry out and encourage edu-
25 cational, technical, scientific, and other assist-

1 ance or activities that support the mission of
2 the Bureau of Land Management; and

3 (D) to assist the Bureau of Land Manage-
4 ment with challenges that could be better ad-
5 dressed with the support of a foundation, in-
6 cluding—

7 (i) reclamation and conservation ac-
8 tivities;

9 (ii) activities relating to wild free-
10 roaming horses and burros; and

11 (iii) the stewardship of cultural and
12 archeological treasures on public land.

13 (c) BOARD OF DIRECTORS.—

14 (1) ESTABLISHMENT.—

15 (A) IN GENERAL.—The Foundation shall
16 be governed by a Board of Directors.

17 (B) COMPOSITION.—

18 (i) IN GENERAL.—The Board shall
19 consist of not more than 9 members.

20 (ii) EX-OFFICIO MEMBER.—The Di-
21 rector of the Bureau of Land Management
22 shall be an ex-officio, nonvoting member of
23 the Board.

24 (C) REQUIREMENTS.—

1 (i) CITIZENSHIP.—A member ap-
2 pointed to the Board shall be a citizen of
3 the United States.

4 (ii) EXPERTISE.—A majority of mem-
5 bers appointed to the Board shall have
6 education or experience relating to natural,
7 cultural, conservation, or other resource
8 management, law, or research.

9 (iii) DIVERSE POINTS OF VIEW.—To
10 the maximum extent practicable, the mem-
11 bers of the Board shall represent diverse
12 points of view.

13 (2) DATE OF INITIAL APPOINTMENT.—Not
14 later than 1 year after the date of enactment of this
15 Act, the Secretary shall appoint the initial members
16 of the Board.

17 (3) TERMS.—

18 (A) IN GENERAL.—Except as provided in
19 subparagraph (B), a member of the Board shall
20 be appointed for a term of 6 years.

21 (B) INITIAL APPOINTMENTS.—The Sec-
22 retary shall stagger the initial appointments to
23 the Board, as the Secretary determines to be
24 appropriate, in a manner that ensures that—

1 (i) 1/3 of the members shall serve for
2 a term of 2 years;

3 (ii) 1/3 of the members shall serve for
4 a term of 4 years; and

5 (iii) 1/3 of the members shall serve for
6 a term of 6 years.

7 (C) VACANCIES.—A vacancy on the Board
8 shall be filled—

9 (i) not later than 60 days after the
10 date of the vacancy;

11 (ii) in the manner in which the origi-
12 nal appointment was made; and

13 (iii) for the remainder of the term of
14 the member vacating the Board.

15 (D) REMOVAL FOR FAILURE TO ATTEND
16 MEETINGS.—

17 (i) IN GENERAL.—A member of the
18 Board may be removed from the Board by
19 a majority vote of the Board, if the indi-
20 vidual fails to attend 3 consecutive regu-
21 larly scheduled meetings of the Board.

22 (ii) REQUIREMENTS.—A vacancy as
23 the result of a removal under clause (i)
24 shall be filled in accordance with subpara-
25 graph (C).

1 (E) LIMITATION.—A member of the Board
2 shall not serve more than 12 consecutive years
3 on the Board.

4 (4) CHAIRPERSON.—

5 (A) IN GENERAL.—The Board shall elect a
6 Chairperson from among the members of the
7 Board.

8 (B) TERM.—The Chairperson of the
9 Board—

10 (i) shall serve as Chairperson for a 2-
11 year term; and

12 (ii) may be reelected as Chairperson
13 while serving as a member of the Board.

14 (5) QUORUM.—A majority of the voting mem-
15 bers of the Board shall constitute a quorum for the
16 transaction of business of the Board.

17 (6) MEETINGS.—The Board shall meet—

18 (A) at the call of the Chairperson; but

19 (B) not less than once each calendar year.

20 (7) REIMBURSEMENT OF EXPENSES.—

21 (A) IN GENERAL.—Serving as a member of
22 the Board shall not constitute employment by
23 the Federal Government for any purpose.

24 (B) REIMBURSEMENT.—A member of the
25 Board shall serve without pay, other than reim-

1 bursement for the actual and necessary trav-
2 eling and subsistence expenses incurred in the
3 performance of the duties of the member for
4 the Foundation, in accordance with section
5 5703 of title 5, United States Code.

6 (8) GENERAL POWERS.—The Board may—

7 (A) appoint officers and employees in ac-
8 cordance with paragraph (9);

9 (B) adopt a constitution and bylaws con-
10 sistent with the purposes of the Foundation and
11 this section; and

12 (C) carry out any other activities that may
13 be necessary to function and to carry out this
14 section.

15 (9) OFFICERS AND EMPLOYEES.—

16 (A) IN GENERAL.—No officer or employee
17 may be appointed to the Foundation until the
18 date on which the Board determines that the
19 Foundation has sufficient funds to pay for the
20 service of the officer or employee.

21 (B) LIMITATION.—Appointment as an offi-
22 cer or employee of the Foundation shall not
23 constitute employment by the Federal Govern-
24 ment.

1 (10) LIMITATION AND CONFLICTS OF INTER-
2 EST.—

3 (A) PROHIBITION ON POLITICAL ACTIV-
4 ITY.—The Foundation shall not participate or
5 intervene in a political campaign on behalf of
6 any candidate for public office.

7 (B) LIMITATION ON PARTICIPATION.—No
8 member of the Board or officer or employee of
9 the Foundation shall participate, directly or in-
10 directly, in the consideration or determination
11 of any question before the Foundation that af-
12 fects—

13 (i) the financial interests of the mem-
14 ber of the Board, officer, or employee; or

15 (ii) the interests of any corporation
16 partnership, entity, or organization in
17 which the member of the Board, officer, or
18 employee—

19 (I) is an officer, director, or
20 trustee; or

21 (II) has any direct or indirect fi-
22 nancial interest.

23 (d) POWERS AND OBLIGATIONS.—

24 (1) IN GENERAL.—The Foundation—

25 (A) shall have perpetual succession; and

1 (B) may conduct business throughout the
2 several States, territories, and possessions of
3 the United States.

4 (2) NOTICE; SERVICE OF PROCESS.—

5 (A) DESIGNATED AGENT.—The Founda-
6 tion shall at all times maintain a designated
7 agent in the District of Columbia authorized to
8 accept service of process for the Foundation.

9 (B) SERVICE OF PROCESS.—The serving of
10 notice to, or service of process on, the agent re-
11 quired under this paragraph, or mailed to the
12 business address of the agent, shall be deemed
13 to be notice to, or the service of process on, the
14 Foundation.

15 (3) SEAL.—The Foundation shall have an offi-
16 cial seal, to be selected by the Board, which shall be
17 judicially noticed.

18 (4) POWERS.—To carry out the purposes of the
19 Foundation, the Foundation shall have, in addition
20 to powers otherwise authorized by this section, the
21 usual powers of a not-for-profit corporation in the
22 District of Columbia, including the power—

23 (A) to accept, receive, solicit, hold, admin-
24 ister, and use any gift, devise, or bequest, abso-
25 lutely or in trust, of real or personal property,

1 or any income from, or other interest in, the
2 property;

3 (B) to acquire by donation, gift, devise,
4 purchase, or exchange, and to dispose of, any
5 real or personal property or interest in the
6 property;

7 (C) to sell, donate, lease, invest, reinvest,
8 retain, or otherwise dispose of any property or
9 income from property, unless limited by the in-
10 strument of transfer;

11 (D) to borrow money and issue bonds, de-
12 bentures, or other debt instruments;

13 (E) to sue and be sued, and complain and
14 defend itself in any court of competent jurisdic-
15 tion, except that the members of the Board
16 shall not be held personally liable, except in a
17 case of gross negligence;

18 (F)(i) to enter into contracts or other
19 agreements with public agencies, private organi-
20 zations, and persons; and

21 (ii) to make such payments as may be
22 necessary to carry out the purposes of the
23 contracts or agreements; and

1 (G) to carry out any activity necessary and
2 proper to advance the purposes of the Founda-
3 tion.

4 (5) REAL PROPERTY.—

5 (A) IN GENERAL.—For purposes of this
6 section, an interest in real property shall in-
7 clude mineral and water rights, rights-of-way,
8 and easements, appurtenant or in gross.

9 (B) ACCEPTANCE.—A gift, devise, or be-
10 quest of real property may be accepted by the
11 Foundation, regardless of whether the property
12 is encumbered, restricted, or subject to bene-
13 ficial interests of a private person, if any cur-
14 rent or future interest in the property is for the
15 benefit of the Foundation.

16 (C) DECLINING GIFTS.—The Foundation
17 may, at the discretion of the Foundation, de-
18 cline any gift, devise, or bequest of real prop-
19 erty.

20 (D) PROHIBITION ON CONDEMNATION.—
21 No land, water, or interest in land or water,
22 that is owned by the Foundation shall be sub-
23 ject to condemnation by any State, political
24 subdivision of a State, or agent or instrumen-

1 tality of a State or political subdivision of a
2 State.

3 (e) ADMINISTRATIVE SERVICES AND SUPPORT.—

4 (1) FUNDING.—

5 (A) IN GENERAL.—For the purposes of as-
6 sisting the Foundation in establishing an office
7 and meeting initial administrative, project, and
8 other expenses, the Secretary may provide to
9 the Foundation, from funds appropriated under
10 subsection (j), such sums as are necessary for
11 fiscal years 2017 and 2018.

12 (B) AVAILABILITY OF FUNDS.—Funds
13 made available under subparagraph (A) shall
14 remain available to the Foundation until ex-
15 pended for authorized purposes.

16 (2) ADMINISTRATIVE EXPENSES.—

17 (A) IN GENERAL.—The Secretary may
18 provide to the Foundation personnel, facilities,
19 equipment, and other administrative services,
20 subject to such limitations, terms, and condi-
21 tions as the Secretary may establish.

22 (B) REIMBURSEMENT.—The Foundation
23 may reimburse the Secretary for any support
24 provided under subparagraph (A), in whole or
25 in part, and any reimbursement received by the

1 Secretary under this subparagraph shall be de-
2 posited in the Treasury to the credit of the ap-
3 propriations then current and chargeable for
4 the cost of providing the services.

5 (f) VOLUNTEERS.—The Secretary may accept, with-
6 out regard to the civil service classification laws (including
7 regulations), the services of the Foundation, the Board,
8 and the officers, employees, and agents of the Foundation,
9 without compensation from the Department of the Inte-
10 rior, as volunteers for the performance of the functions
11 under section 307(d) of the Federal Land Policy and Man-
12 agement Act of 1976 (43 U.S.C. 1737(d)).

13 (g) AUDITS AND REPORT REQUIREMENTS.—

14 (1) AUDITS.—For purposes of section 10101 of
15 title 36, United States Code, the Foundation shall
16 be considered to be a private corporation established
17 under Federal law.

18 (2) ANNUAL REPORTS.—At the end of each fis-
19 cal year, the Board shall submit to Congress a re-
20 port that describes the proceedings and activities of
21 the Foundation during that fiscal year, including a
22 full and complete statement of the receipts, expendi-
23 tures, and investments.

24 (h) UNITED STATES RELEASE FROM LIABILITY.—

1 (1) IN GENERAL.—The United States shall not
2 be liable for any debt, default, act, or omission of
3 the Foundation.

4 (2) FULL FAITH AND CREDIT.—The full faith
5 and credit of the United States shall not extend to
6 any obligation of the Foundation.

7 (i) LIMITATION ON AUTHORITY.—Nothing in this
8 section authorizes the Foundation to perform any function
9 the authority for which is provided to the Bureau of Land
10 Management under any other provision of law.

11 (j) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated such sums as are nec-
13 essary to carry out this section.

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, \$713,823,000, to remain avail-
13 able until September 30, 2018: *Provided*, That of the
14 funds included under this heading, \$4,100,000 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, \$7,350,000 are perma-
20 nently rescinded: *Provided further*, That no amounts may
21 be rescinded pursuant to the preceding proviso from
22 amounts made available in the first proviso for Research:
23 National Priorities: *Provided further*, That such rescission
24 shall be applied to program project areas, to the extent

1 practicable, to reflect changes to funding projections due
2 to routine attrition during fiscal year 2017.

3 ENVIRONMENTAL PROGRAMS AND MANAGEMENT
4 (INCLUDING RESCISSION OF FUNDS)

5 For environmental programs and management, in-
6 cluding necessary expenses, not otherwise provided for, for
7 personnel and related costs and travel expenses; hire of
8 passenger motor vehicles; hire, maintenance, and oper-
9 ation of aircraft; purchase of reprints; library member-
10 ships in societies or associations which issue publications
11 to members only or at a price to members lower than to
12 subscribers who are not members; administrative costs of
13 the brownfields program under the Small Business Liabil-
14 ity Relief and Brownfields Revitalization Act of 2002; and
15 not to exceed \$9,000 for official reception and representa-
16 tion expenses, \$2,619,799,000, to remain available until
17 September 30, 2018: *Provided*, That of the funds included
18 under this heading, \$12,700,000 shall be for Environ-
19 mental Protection: National Priorities as specified in the
20 explanatory statement described in section 4 (in the mat-
21 ter preceding division A of this consolidated Act): *Provided*
22 *further*, That of the funds included under this heading,
23 \$435,857,000 shall be for Geographic Programs specified
24 in the explanatory statement described in section 4 (in the
25 matter preceding division A of this consolidated Act): *Pro-*

1 *vided further*, That of the unobligated balances from ap-
2 propriations made available under this heading,
3 \$21,800,000 are permanently rescinded: *Provided further*,
4 That no amounts may be rescinded pursuant to the pre-
5 ceding proviso from amounts made available in the first
6 proviso for Environmental Protection: National Priorities,
7 from amounts made available in the second proviso for Ge-
8 ographic Programs, or from the National Estuary Pro-
9 gram (33 U.S.C. 1330): *Provided further*, That such re-
10 scission shall be applied to program project areas, to the
11 extent practicable, to reflect changes to funding projec-
12 tions due to routine attrition during fiscal year 2017.

13 In addition, \$3,000,000 to remain available until ex-
14 pended, for necessary expenses of activities described in
15 section 26(b)(1) of the Toxic Substances Control Act (15
16 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursu-
17 ant to that section of that Act and deposited in the “TSCA
18 Service Fee Fund” as discretionary offsetting receipts in
19 fiscal year 2017 shall be retained and used for necessary
20 salaries and expenses in this appropriation and shall re-
21 main available until expended: *Provided further*, That the
22 sum herein appropriated in this paragraph from the gen-
23 eral fund for fiscal year 2017 shall be reduced by the
24 amount of discretionary offsetting receipts received during
25 fiscal year 2017, so as to result in a final fiscal year 2017

1 appropriation from the general fund estimated at not more
2 than \$0: *Provided further*, That to the extent that amounts
3 realized from such receipts exceed \$3,000,000, those
4 amount in excess of \$3,000,000 shall be deposited in the
5 “TSCA Service Fee Fund” as discretionary offsetting re-
6 ceipts in fiscal year 2017, shall be retained and used for
7 necessary salaries and expenses in this account, and shall
8 remain available until expended: *Provided further*, That of
9 the funds included in the first paragraph under this head-
10 ing, the Chemical Risk Review and Reduction program
11 project shall be allocated for this fiscal year, excluding the
12 amount of any fees appropriated, not less than the amount
13 of appropriations for that program project for fiscal year
14 2014.

15 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM
16 FUND

17 For necessary expenses to carry out section 3024 of
18 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
19 ing the development, operation, maintenance, and upgrad-
20 ing of the hazardous waste electronic manifest system es-
21 tablished by such section, \$3,178,000, to remain available
22 until September 30, 2019.

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 Act of 1978, \$41,489,000, to remain available
2 until September 30, 2018.

3 BUILDINGS AND FACILITIES

4 For construction, repair, improvement, extension, al-
5 teration, and purchase of fixed equipment or facilities of,
6 or for use by, the Environmental Protection Agency,
7 \$34,467,000, to remain available until expended.

8 HAZARDOUS SUBSTANCE SUPERFUND
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses to carry out the Comprehen-
11 sive Environmental Response, Compensation, and Liabil-
12 ity Act of 1980 (CERCLA), including sections 111(c)(3),
13 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
14 \$1,088,769,000, to remain available until expended, con-
15 sisting of such sums as are available in the Trust Fund
16 on September 30, 2016, as authorized by section 517(a)
17 of the Superfund Amendments and Reauthorization Act
18 of 1986 (SARA) and up to \$1,088,769,000 as a payment
19 from general revenues to the Hazardous Substance Super-
20 fund for purposes as authorized by section 517(b) of
21 SARA: *Provided*, That funds appropriated under this
22 heading may be allocated to other Federal agencies in ac-
23 cordance with section 111(a) of CERCLA: *Provided fur-*
24 *ther*, That of the funds appropriated under this heading,
25 \$8,778,000 shall be paid to the “Office of Inspector Gen-

1 eral” appropriation to remain available until September
2 30, 2018, and \$15,496,000 shall be paid to the “Science
3 and Technology” appropriation to remain available until
4 September 30, 2018.

5 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
6 PROGRAM

7 For necessary expenses to carry out leaking under-
8 ground storage tank cleanup activities authorized by sub-
9 title I of the Solid Waste Disposal Act, \$91,941,000, to
10 remain available until expended, of which \$66,572,000
11 shall be for carrying out leaking underground storage tank
12 cleanup activities authorized by section 9003(h) of the
13 Solid Waste Disposal Act; \$25,369,000 shall be for car-
14 rying out the other provisions of the Solid Waste Disposal
15 Act specified in section 9508(e) of the Internal Revenue
16 Code: *Provided*, That the Administrator is authorized to
17 use appropriations made available under this heading to
18 implement section 9013 of the Solid Waste Disposal Act
19 to provide financial assistance to federally recognized In-
20 dian tribes for the development and implementation of
21 programs to manage underground storage tanks.

22 INLAND OIL SPILL PROGRAMS

23 For expenses necessary to carry out the Environ-
24 mental Protection Agency’s responsibilities under the Oil
25 Pollution Act of 1990, \$18,209,000, to be derived from

1 the Oil Spill Liability trust fund, to remain available until
2 expended.

3 STATE AND TRIBAL ASSISTANCE GRANTS

4 For environmental programs and infrastructure as-
5 sistance, including capitalization grants for State revol-
6 ving funds and performance partnership grants,
7 \$3,527,161,000, to remain available until expended, of
8 which—

9 (1) \$1,393,887,000 shall be for making capital-
10 ization grants for the Clean Water State Revolving
11 Funds under title VI of the Federal Water Pollution
12 Control Act; and of which \$863,233,000 shall be for
13 making capitalization grants for the Drinking Water
14 State Revolving Funds under section 1452 of the
15 Safe Drinking Water Act: *Provided*, That for fiscal
16 year 2017, to the extent there are sufficient eligible
17 project applications and projects are consistent with
18 State Intended Use Plans, not less than 10 percent
19 of the funds made available under this title to each
20 State for Clean Water State Revolving Fund capital-
21 ization grants shall be used by the State for projects
22 to address green infrastructure, water or energy effi-
23 ciency improvements, or other environmentally inno-
24 vative activities: *Provided further*, That for fiscal
25 year 2017, funds made available under this title to

1 each State for Drinking Water State Revolving
2 Fund capitalization grants may, at the discretion of
3 each State, be used for projects to address green in-
4 frastructure, water or energy efficiency improve-
5 ments, or other environmentally innovative activities:
6 *Provided further,* That notwithstanding section
7 603(d)(7) of the Federal Water Pollution Control
8 Act, the limitation on the amounts in a State water
9 pollution control revolving fund that may be used by
10 a State to administer the fund shall not apply to
11 amounts included as principal in loans made by such
12 fund in fiscal year 2017 and prior years where such
13 amounts represent costs of administering the fund
14 to the extent that such amounts are or were deemed
15 reasonable by the Administrator, accounted for sepa-
16 rately from other assets in the fund, and used for
17 eligible purposes of the fund, including administra-
18 tion: *Provided further,* That for fiscal year 2017,
19 notwithstanding the provisions of sections 201(g)(1),
20 (h), and (l) of the Federal Water Pollution Control
21 Act, grants under title II of the Federal Water Pol-
22 lution Control Act for American Samoa, Guam, the
23 Commonwealth of the Northern Marianas, the
24 United States Virgin Islands, and the District of Co-
25 lumbia may also be made for the purpose of pro-

1 viding assistance: (1) solely for facility plans, design
2 activities, or plans, specification, and estimates for
3 any proposed project for the construction of treat-
4 ment works; and (2) for the construction, repair, or
5 replacement of privately owned treatment works
6 serving one or more principal residences or small
7 commercial establishments: *Provided further*, That
8 for fiscal year 2017, notwithstanding the provisions
9 of 201(g)(1), (h), and (l) and section 518(c) of the
10 Federal Water Pollution Control Act, funds reserved
11 by the Administrator for grants under section 518(c)
12 of the Federal Water Pollution Control Act may also
13 be used to provide assistance: (1) solely for facility
14 plans, design activities, or plans, specifications, and
15 estimates for any proposed project for the construc-
16 tion of treatment works; and (2) for the construc-
17 tion, repair, or replacement of privately owned treat-
18 ment works serving one or more principal residences
19 or small commercial establishments; Funds reserved
20 under section 518(c) of such Act shall be available
21 for grants only to Indian tribes, as defined in section
22 518(h) of such Act and former Indian reservations
23 in Oklahoma (as defined by the Secretary of the In-
24 terior) and Native Villages (as defined in Public
25 Law 92–203): *Provided further*, That for fiscal year

1 2017, notwithstanding any provision of the Clean
2 Water Act and regulations issued pursuant thereof,
3 up to a total of \$2,000,000 of the funds reserved by
4 the Administrator for grants under section 518(c) of
5 the Federal Water Pollution Control Act may also be
6 used for grants for training, technical assistance,
7 and educational programs relating to the operation
8 and management of the treatment works specified in
9 section 518(c) of such Act; Funds reserved under
10 section 518(c) of such Act shall be available for
11 grants only to Indian tribes, as defined in section
12 518(h) of such Act and former Indian reservations
13 in Oklahoma (as determined by the Secretary of the
14 Interior) and Native Villages (as defined in Public
15 Law 92-203): *Provided further*, That for fiscal year
16 2017, notwithstanding the limitation on amounts in
17 section 518(c) of the Federal Water Pollution Con-
18 trol Act, up to a total of 2 percent of the funds ap-
19 propriated, or \$30,000,000, whichever is greater,
20 and notwithstanding the limitation on amounts in
21 section 1452(i) of the Safe Drinking Water Act, up
22 to a total of 2 percent of the funds appropriated, or
23 \$20,000,000, whichever is greater, for State Revolv-
24 ing Funds under such Acts may be reserved by the
25 Administrator for grants under section 518(c) and

1 section 1452(i) of such Acts: *Provided further*, That
2 for fiscal year 2017, notwithstanding the amounts
3 specified in section 205(c) of the Federal Water Pol-
4 lution Control Act, up to 1.5 percent of the aggre-
5 gate funds appropriated for the Clean Water State
6 Revolving Fund program under the Act less any
7 sums reserved under section 518(c) of the Act, may
8 be reserved by the Administrator for grants made
9 under title II of the Federal Water Pollution Control
10 Act for American Samoa, Guam, the Commonwealth
11 of the Northern Marianas, and United States Virgin
12 Islands: *Provided further*, That for fiscal year 2017,
13 notwithstanding the limitations on amounts specified
14 in section 1452(j) of the Safe Drinking Water Act,
15 up to 1.5 percent of the funds appropriated for the
16 Drinking Water State Revolving Fund programs
17 under the Safe Drinking Water Act may be reserved
18 by the Administrator for grants made under section
19 1452(j) of the Safe Drinking Water Act: *Provided*
20 *further*, That 10 percent of the funds made available
21 under this title to each State for Clean Water State
22 Revolving Fund capitalization grants and 20 percent
23 of the funds made available under this title to each
24 State for Drinking Water State Revolving Fund cap-
25 italization grants shall be used by the State to pro-

1 vide additional subsidy to eligible recipients in the
2 form of forgiveness of principal, negative interest
3 loans, or grants (or any combination of these), and
4 shall be so used by the State only where such funds
5 are provided as initial financing for an eligible re-
6 cipient or to buy, refinance, or restructure the debt
7 obligations of eligible recipients where such debt was
8 incurred on or after the date of enactment of this
9 Act, or where such debt was incurred prior to the
10 date of enactment of this Act if the State, with con-
11 currence from the Administrator, determines that
12 such funds could be used to help address a threat
13 to public health from heightened exposure to lead in
14 drinking water or if a Federal or State emergency
15 declaration has been issued due to a threat to public
16 health from heightened exposure to lead in a munic-
17 ipal drinking water supply before the date of enact-
18 ment of this Act: *Provided further*, That in a State
19 in which such an emergency declaration has been
20 issued, the State may use more than 20 percent of
21 the funds made available under this title to the
22 State for Drinking Water State Revolving Fund cap-
23 italization grants to provide additional subsidy to eli-
24 gible recipients;

1 (2) \$10,000,000 shall be for architectural, engi-
2 neering, planning, design, construction and related
3 activities in connection with the construction of high
4 priority water and wastewater facilities in the area
5 of the United States-Mexico Border, after consulta-
6 tion with the appropriate border commission: *Pro-*
7 *vided*, That no funds provided by this appropriations
8 Act to address the water, wastewater and other crit-
9 ical infrastructure needs of the colonias in the
10 United States along the United States-Mexico bor-
11 der shall be made available to a county or municipal
12 government unless that government has established
13 an enforceable local ordinance, or other zoning rule,
14 which prevents in that jurisdiction the development
15 or construction of any additional colonia areas, or
16 the development within an existing colonia the con-
17 struction of any new home, business, or other struc-
18 ture which lacks water, wastewater, or other nec-
19 essary infrastructure;

20 (3) \$20,000,000 shall be for grants to the State
21 of Alaska to address drinking water and wastewater
22 infrastructure needs of rural and Alaska Native Vil-
23 lages: *Provided*, That of these funds: (A) the State
24 of Alaska shall provide a match of 25 percent; (B)
25 no more than 5 percent of the funds may be used

1 for administrative and overhead expenses; and (C)
2 the State of Alaska shall make awards consistent
3 with the Statewide priority list established in con-
4 junction with the Agency and the U.S. Department
5 of Agriculture for all water, sewer, waste disposal,
6 and similar projects carried out by the State of Alas-
7 ka that are funded under section 221 of the Federal
8 Water Pollution Control Act (33 U.S.C. 1301) or
9 the Consolidated Farm and Rural Development Act
10 (7 U.S.C. 1921 et seq.) which shall allocate not less
11 than 25 percent of the funds provided for projects
12 in regional hub communities;

13 (4) \$80,000,000 shall be to carry out section
14 104(k) of the Comprehensive Environmental Re-
15 sponse, Compensation, and Liability Act of 1980
16 (CERCLA), including grants, interagency agree-
17 ments, and associated program support costs: *Pro-*
18 *vided*, That not more than 25 percent of the amount
19 appropriated to carry out section 104(k) of
20 CERCLA shall be used for site characterization, as-
21 sessment, and remediation of facilities described in
22 section 101(39)(D)(ii)(II) of CERCLA: *Provided*
23 *further*, That at least 10 percent shall be allocated
24 for assistance in persistent poverty counties: *Pro-*
25 *vided further*, That for purposes of this section, the

1 term “persistent poverty counties” means any coun-
2 ty that has had 20 percent or more of its population
3 living in poverty over the past 30 years, as measured
4 by the 1990 and 2000 decennial censuses and the
5 most recent Small Area Income and Poverty Esti-
6 mates;

7 (5) \$60,000,000 shall be for grants under title
8 VII, subtitle G of the Energy Policy Act of 2005;

9 (6) \$30,000,000 shall be for targeted airshed
10 grants in accordance with the terms and conditions
11 of the explanatory statement described in section 4
12 (in the matter preceding division A of this consoli-
13 dated Act);

14 (7) \$4,000,000 shall be to carry out the water
15 quality program authorized in section 5004(d) of the
16 Water Infrastructure Improvements for the Nation
17 Act (Public Law 114–322); and

18 (8) \$1,066,041,000 shall be for grants, includ-
19 ing associated program support costs, to States, fed-
20 erally recognized tribes, interstate agencies, tribal
21 consortia, and air pollution control agencies for
22 multi-media or single media pollution prevention,
23 control and abatement and related activities, includ-
24 ing activities pursuant to the provisions set forth
25 under this heading in Public Law 104–134, and for

1 making grants under section 103 of the Clean Air
2 Act for particulate matter monitoring and data col-
3 lection activities subject to terms and conditions
4 specified by the Administrator, of which:
5 \$47,745,000 shall be for carrying out section 128 of
6 CERCLA; \$9,646,000 shall be for Environmental
7 Information Exchange Network grants, including as-
8 sociated program support costs; \$1,498,000 shall be
9 for grants to States under section 2007(f)(2) of the
10 Solid Waste Disposal Act, which shall be in addition
11 to funds appropriated under the heading “Leaking
12 Underground Storage Tank Trust Fund Program”
13 to carry out the provisions of the Solid Waste Dis-
14 posal Act specified in section 9508(c) of the Internal
15 Revenue Code other than section 9003(h) of the
16 Solid Waste Disposal Act; \$17,848,000 of the funds
17 available for grants under section 106 of the Federal
18 Water Pollution Control Act shall be for State par-
19 ticipation in national- and State-level statistical sur-
20 veys of water resources and enhancements to State
21 monitoring programs.

22 WATER INFRASTRUCTURE FINANCE AND INNOVATION
23 PROGRAM ACCOUNT

24 For the cost of direct loans and for the cost of guar-
25 anteed loans, as authorized by the Water Infrastructure

1 Finance and Innovation Act of 2014, \$8,000,000, to re-
2 main available until expended: *Provided*, That such costs,
3 including the cost of modifying such loans, shall be as de-
4 fined in section 502 of the Congressional Budget Act of
5 1974: *Provided further*, That these funds are available to
6 subsidize gross obligations for the principal amount of di-
7 rect loans, including capitalized interest, and total loan
8 principal, including capitalized interest, any part of which
9 is to be guaranteed, not to exceed \$976,000,000: *Provided*
10 *further*, That amounts made available under this heading
11 in this Act are in addition to amounts appropriated or oth-
12 erwise made available for the Water Infrastructure Fi-
13 nance and Innovation Program for fiscal year 2017.

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, \$2,000,000, to remain available
22 until September 30, 2018.

1 mental Protection Agency may assess fees under section
2 33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2017.

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 not
24 exceed \$150,000 per project.

1 For fiscal year 2017, 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 2017 to provide
10 grants to implement the Southeastern New England Wa-
11 tershed Restoration Program.

12 Notwithstanding the limitation on amounts in section
13 320(i) of the Federal Water Pollution Control Act, funds
14 made available under this title for the National Estuary
15 Program shall be used for the development, implementa-
16 tion, and monitoring of comprehensive conservation and
17 management plans.

18 Of the unobligated balances available for “State and
19 Tribal Assistance Grants” account, \$61,198,000 are per-
20 manently rescinded: *Provided*, That no amounts may be
21 rescinded from amounts that were designated by the Con-
22 gress as an emergency requirement pursuant to the Con-
23 current Resolution on the Budget or the Balanced Budget
24 and Emergency Deficit Control Act of 1985 or from
25 amounts that were made available by subsection (a) of sec-

1 tion 196 of the Continuing Appropriations Act, 2017 (divi-
2 sion C of Public Law 114–223), as amended by the Fur-
3 ther Continuing and Security Assistance Appropriations
4 Act, 2017 (Public Law 114–254).

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

6 For necessary expenses of forest and rangeland re-
7 search as authorized by law, \$288,514,000, to remain
8 available through September 30, 2020: *Provided*, That of
9 the funds provided, \$77,000,000 is for the forest inventory
10 and analysis program.

11 STATE AND PRIVATE FORESTRY
12 (INCLUDING RESCISSION OF FUNDS)

13 For necessary expenses of cooperating with and pro-
14 viding technical and financial assistance to States, terri-
15 tories, possessions, and others, and for forest health man-
16 agement, including treatments of pests, pathogens, and
17 invasive or noxious plants and for restoring and rehabili-
18 tating forests damaged by pests or invasive plants, cooper-
19 ative forestry, and education and land conservation activi-
20 ties and conducting an international program as author-
21 ized, \$228,923,000, to remain available through Sep-
22 tember 30, 2020, as authorized by law; of which
23 \$62,347,000 is to be derived from the Land and Water
24 Conservation Fund to be used for the Forest Legacy Pro-
25 gram, to remain available until expended.

1 Of the unobligated balances from amounts made
2 available for the Forest Legacy Program and derived from
3 the Land and Water Conservation Fund, \$12,002,000 is
4 hereby permanently rescinded from projects with cost sav-
5 ings or failed or partially failed projects that had funds
6 returned.

7 NATIONAL FOREST SYSTEM

8 (INCLUDING TRANSFERS OF FUNDS)

9 For necessary expenses of the Forest Service, not
10 otherwise provided for, for management, protection, im-
11 provement, and utilization of the National Forest System,
12 \$1,513,318,000, to remain available through September
13 30, 2020: *Provided*, That of the funds provided,
14 \$40,000,000 shall be deposited in the Collaborative Forest
15 Landscape Restoration Fund for ecological restoration
16 treatments as authorized by 16 U.S.C. 7303(f): *Provided*
17 *further*, That of the funds provided, \$367,805,000 shall
18 be for forest products: *Provided further*, That of the funds
19 provided, up to \$81,941,000 is for the Integrated Re-
20 source Restoration pilot program for Region 1, Region 3
21 and Region 4: *Provided further*, That of the funds pro-
22 vided for forest products, up to \$65,560,000 may be trans-
23 ferred to support the Integrated Resource Restoration
24 pilot program in the preceding proviso: *Provided further*,
25 That the Secretary of Agriculture may transfer to the Sec-

1 retary of the Interior any unobligated funds appropriated
2 in a previous fiscal year for operation of the Valles Caldera
3 National Preserve: *Provided further*, That notwithstanding
4 section 33 of the Bankhead Jones Farm Tenant Act (7
5 U.S.C. 1012), the Secretary of Agriculture, in calculating
6 a fee for grazing on a National Grassland, may provide
7 a credit of up to 50 percent of the calculated fee to a Graz-
8 ing Association or direct permittee for a conservation
9 practice approved by the Secretary in advance of the fiscal
10 year in which the cost of the conservation practice is in-
11 curred. And, that the amount credited shall remain avail-
12 able to the Grazing Association or the direct permittee,
13 as appropriate, in the fiscal year in which the credit is
14 made and each fiscal year thereafter for use on the project
15 for conservation practices approved by the Secretary.

16 CAPITAL IMPROVEMENT AND MAINTENANCE

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Forest Service, not
19 otherwise provided for, \$364,014,000, to remain available
20 through September 30, 2020, for construction, capital im-
21 provement, maintenance and acquisition of buildings and
22 other facilities and infrastructure; and for construction,
23 reconstruction, decommissioning of roads that are no
24 longer needed, including unauthorized roads that are not
25 part of the transportation system, and maintenance of for-

1 est roads and trails by the Forest Service as authorized
2 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
3 *vided*, That \$40,000,000 shall be designated for urgently
4 needed road decommissioning, road and trail repair and
5 maintenance and associated activities, and removal of fish
6 passage barriers, especially in areas where Forest Service
7 roads may be contributing to water quality problems in
8 streams and water bodies which support threatened, en-
9 dangered, or sensitive species or community water sources:
10 *Provided further*, That funds becoming available in fiscal
11 year 2017 under the Act of March 4, 1913 (16 U.S.C.
12 501) shall be transferred to the General Fund of the
13 Treasury and shall not be available for transfer or obliga-
14 tion for any other purpose unless the funds are appro-
15 priated: *Provided further*, That of the funds provided for
16 decommissioning of roads, up to \$14,743,000 may be
17 transferred to the “National Forest System” to support
18 the Integrated Resource Restoration pilot program.

19 LAND ACQUISITION

20 For expenses necessary to carry out the provisions
21 of chapter 2003 of title 54, United States Code, including
22 administrative expenses, and for acquisition of land or wa-
23 ters, or interest therein, in accordance with statutory au-
24 thority applicable to the Forest Service, \$54,415,000, to

1 be derived from the Land and Water Conservation Fund
2 and to remain available until expended.

3 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
4 ACTS

5 For acquisition of lands within the exterior bound-
6 aries of the Cache, Uinta, and Wasatch National Forests,
7 Utah; the Toiyabe National Forest, Nevada; and the An-
8 geles, San Bernardino, Sequoia, and Cleveland National
9 Forests, California, as authorized by law, \$950,000, to be
10 derived from forest receipts.

11 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

12 For acquisition of lands, such sums, to be derived
13 from funds deposited by State, county, or municipal gov-
14 ernments, public school districts, or other public school au-
15 thorities, and for authorized expenditures from funds de-
16 posited by non-Federal parties pursuant to Land Sale and
17 Exchange Acts, pursuant to the Act of December 4, 1967
18 (16 U.S.C. 484a), to remain available through September
19 30, 2020, (16 U.S.C. 516–617a, 555a; Public Law 96–
20 586; Public Law 76–589, 76–591; and Public Law 78–
21 310).

22 RANGE BETTERMENT FUND

23 For necessary expenses of range rehabilitation, pro-
24 tection, and improvement, 50 percent of all moneys re-
25 ceived during the prior fiscal year, as fees for grazing do-

1 mestic livestock on lands in National Forests in the 16
2 Western States, pursuant to section 401(b)(1) of Public
3 Law 94–579, to remain available through September 30,
4 2020, of which not to exceed 6 percent shall be available
5 for administrative expenses associated with on-the-ground
6 range rehabilitation, protection, and improvements.

7 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
8 RANGELAND RESEARCH

9 For expenses authorized by 16 U.S.C. 1643(b),
10 \$45,000, to remain available through September 30, 2020,
11 to be derived from the fund established pursuant to the
12 above Act.

13 MANAGEMENT OF NATIONAL FOREST LANDS FOR
14 SUBSISTENCE USES

15 For necessary expenses of the Forest Service to man-
16 age Federal lands in Alaska for subsistence uses under
17 title VIII of the Alaska National Interest Lands Conserva-
18 tion Act (Public Law 96–487), \$2,500,000, to remain
19 available through September 30, 2020.

20 WILDLAND FIRE MANAGEMENT

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses for forest fire presuppression
23 activities on National Forest System lands, for emergency
24 fire suppression on or adjacent to such lands or other
25 lands under fire protection agreement, hazardous fuels

1 management on or adjacent to such lands, emergency re-
2 habilitation of burned-over National Forest System lands
3 and water, and for State and volunteer fire assistance,
4 \$2,833,415,000, to remain available through September
5 30, 2020: *Provided*, That such funds including unobli-
6 gated balances under this heading, are available for repay-
7 ment of advances from other appropriations accounts pre-
8 viously transferred for such purposes: *Provided further*,
9 That such funds shall be available to reimburse State and
10 other cooperating entities for services provided in response
11 to wildfire and other emergencies or disasters to the extent
12 such reimbursements by the Forest Service for non-fire
13 emergencies are fully repaid by the responsible emergency
14 management agency: *Provided further*, That funds pro-
15 vided shall be available for emergency rehabilitation and
16 restoration, hazardous fuels management activities, sup-
17 port to Federal emergency response, and wildfire suppres-
18 sion activities of the Forest Service: *Provided further*, That
19 of the funds provided, \$390,000,000 is for hazardous fuels
20 management activities, \$19,795,000 is for research activi-
21 ties and to make competitive research grants pursuant to
22 the Forest and Rangeland Renewable Resources Research
23 Act, (16 U.S.C. 1641 et seq.), \$78,000,000 is for State
24 fire assistance, and \$15,000,000 is for volunteer fire as-
25 sistance under section 10 of the Cooperative Forestry As-

1 sistance Act of 1978 (16 U.S.C. 2106): *Provided further,*
2 That amounts in this paragraph may be transferred to
3 the “National Forest System”, and “Forest and Range-
4 land Research” accounts to fund forest and rangeland re-
5 search, vegetation and watershed management, heritage
6 site rehabilitation, and wildlife and fish habitat manage-
7 ment and restoration: *Provided further,* That the costs of
8 implementing any cooperative agreement between the Fed-
9 eral Government and any non-Federal entity may be
10 shared, as mutually agreed on by the affected parties: *Pro-*
11 *vided further,* That up to \$15,000,000 of the funds pro-
12 vided herein may be used by the Secretary of Agriculture
13 to enter into procurement contracts or cooperative agree-
14 ments or to issue grants for hazardous fuels management
15 activities and for training or monitoring associated with
16 such hazardous fuels management activities on Federal
17 land or on non-Federal land if the Secretary determines
18 such activities benefit resources on Federal land: *Provided*
19 *further,* That funds made available to implement the Com-
20 munity Forest Restoration Act, Public Law 106–393, title
21 VI, shall be available for use on non-Federal lands in ac-
22 cordance with authorities made available to the Forest
23 Service under the “State and Private Forestry” appro-
24 priation: *Provided further,* That the Secretary of the Inte-
25 rior and the Secretary of Agriculture may authorize the

1 transfer of funds appropriated for wildland fire manage-
2 ment, in an aggregate amount not to exceed \$50,000,000,
3 between the Departments when such transfers would fa-
4 cilitate and expedite wildland fire management programs
5 and projects: *Provided further*, That of the funds provided
6 for hazardous fuels management, not to exceed
7 \$15,000,000 may be used to make grants, using any au-
8 thorities available to the Forest Service under the “State
9 and Private Forestry” appropriation, for the purpose of
10 creating incentives for increased use of biomass from Na-
11 tional Forest System lands: *Provided further*, That funds
12 designated for wildfire suppression, including funds trans-
13 ferred from the “FLAME Wildfire Suppression Reserve
14 Fund”, shall be assessed for cost pools on the same basis
15 as such assessments are calculated against other agency
16 programs: *Provided further*, That of the funds for haz-
17 ardous fuels management, up to \$24,000,000 may be
18 transferred to the “National Forest System” to support
19 the Integrated Resource Restoration pilot program.

20 FLAME WILDFIRE SUPPRESSION RESERVE FUND

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses for large fire suppression op-
23 erations of the Department of Agriculture and as a reserve
24 fund for suppression and Federal emergency response ac-
25 tivities, \$342,000,000, to remain available until expended:

1 *Provided*, That such amounts are only available for trans-
2 fer to the “Wildland Fire Management” account following
3 a declaration by the Secretary in accordance with section
4 502 of the FLAME Act of 2009 (43 U.S.C. 1748a): *Pro-*
5 *vided further*, That such amount is designated by the Con-
6 gress as an emergency requirement pursuant to section
7 251(b)(2)(A)(i) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

10 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

11 Appropriations to the Forest Service for the current
12 fiscal year shall be available for: (1) purchase of passenger
13 motor vehicles; acquisition of passenger motor vehicles
14 from excess sources, and hire of such vehicles; purchase,
15 lease, operation, maintenance, and acquisition of aircraft
16 to maintain the operable fleet for use in Forest Service
17 wildland fire programs and other Forest Service programs;
18 notwithstanding other provisions of law, existing aircraft
19 being replaced may be sold, with proceeds derived or
20 trade-in value used to offset the purchase price for the
21 replacement aircraft; (2) services pursuant to 7 U.S.C.
22 2225, and not to exceed \$100,000 for employment under
23 5 U.S.C. 3109; (3) purchase, erection, and alteration of
24 buildings and other public improvements (7 U.S.C. 2250);
25 (4) acquisition of land, waters, and interests therein pur-

1 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
2 Volunteers in the National Forest Act of 1972 (16 U.S.C.
3 558a, 558d, and 558a note); (6) the cost of uniforms as
4 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
5 lection contracts in accordance with 31 U.S.C. 3718(c).

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

19 Notwithstanding any other provision of this Act, the
20 Forest Service may transfer unobligated balances of dis-
21 cretionary funds appropriated to the Forest Service by
22 this Act to or within the Wildland Fire Management Ac-
23 count, or reprogram funds within the Wildland Fire Man-
24 agement Account, to be used for the purposes of haz-
25 ardous fuels management and emergency rehabilitation of

1 burned-over National Forest System lands and water,
2 such transferred funds shall remain available through Sep-
3 tember 30, 2020: *Provided*, That none of the funds trans-
4 ferred pursuant to this section shall be available for obli-
5 gation without written notification to and the prior ap-
6 proval of the Committees on Appropriations of both
7 Houses of Congress: *Provided further*, That this section
8 does not apply to funds appropriated to the FLAME Wild-
9 fire Suppression Reserve Fund or funds derived from the
10 Land and Water Conservation Fund.

11 Funds appropriated to the Forest Service shall be
12 available for assistance to or through the Agency for Inter-
13 national Development in connection with forest and range-
14 land research, technical information, and assistance in for-
15 eign countries, and shall be available to support forestry
16 and related natural resource activities outside the United
17 States and its territories and possessions, including tech-
18 nical assistance, education and training, and cooperation
19 with United States, private, and international organiza-
20 tions. The Forest Service, acting for the International
21 Program, may sign direct funding agreements with foreign
22 governments and institutions as well as other domestic
23 agencies (including the United States Agency for Inter-
24 national Development, the Department of State, and the
25 Millennium Challenge Corporation), United States private

1 sector firms, institutions and organizations to provide
2 technical assistance and training programs overseas on
3 forestry and rangeland management.

4 Funds appropriated to the Forest Service shall be
5 available for expenditure or transfer to the Department
6 of the Interior, Bureau of Land Management, for removal,
7 preparation, and adoption of excess wild horses and burros
8 from National Forest System lands, and for the perform-
9 ance of cadastral surveys to designate the boundaries of
10 such lands.

11 None of the funds made available to the Forest Serv-
12 ice in this Act or any other Act with respect to any fiscal
13 year shall be subject to transfer under the provisions of
14 section 702(b) of the Department of Agriculture Organic
15 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
16 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
17 Law 107–171 (7 U.S.C. 8316(b)).

18 None of the funds available to the Forest Service may
19 be reprogrammed without the advance approval of the
20 House and Senate Committees on Appropriations in ac-
21 cordance with the reprogramming procedures contained in
22 the explanatory statement described in section 4 (in the
23 matter preceding division A of this consolidated Act).

24 Not more than \$82,000,000 of funds available to the
25 Forest Service shall be transferred to the Working Capital

1 Fund of the Department of Agriculture and not more than
2 \$14,500,000 of funds available to the Forest Service shall
3 be transferred to the Department of Agriculture for De-
4 partment Reimbursable Programs, commonly referred to
5 as Greenbook charges. Nothing in this paragraph shall
6 prohibit or limit the use of reimbursable agreements re-
7 quested by the Forest Service in order to obtain services
8 from the Department of Agriculture's National Informa-
9 tion Technology Center and the Department of Agri-
10 culture's International Technology Service.

11 Of the funds available to the Forest Service, up to
12 \$5,000,000 shall be available for priority projects within
13 the scope of the approved budget, which shall be carried
14 out by the Youth Conservation Corps and shall be carried
15 out under the authority of the Public Lands Corps Act
16 of 1993, Public Law 103-82, as amended by Public Lands
17 Corps Healthy Forests Restoration Act of 2005, Public
18 Law 109-154.

19 Of the funds available to the Forest Service, \$4,000
20 is available to the Chief of the Forest Service for official
21 reception and representation expenses.

22 Pursuant to sections 405(b) and 410(b) of Public
23 Law 101-593, of the funds available to the Forest Service,
24 up to \$3,000,000 may be advanced in a lump sum to the
25 National Forest Foundation to aid conservation partner-

1 ship projects in support of the Forest Service mission,
2 without regard to when the Foundation incurs expenses,
3 for projects on or benefitting National Forest System
4 lands or related to Forest Service programs: *Provided*,
5 That of the Federal funds made available to the Founda-
6 tion, no more than \$300,000 shall be available for admin-
7 istrative expenses: *Provided further*, That the Foundation
8 shall obtain, by the end of the period of Federal financial
9 assistance, private contributions to match on at least one-
10 for-one basis funds made available by the Forest Service:
11 *Provided further*, That the Foundation may transfer Fed-
12 eral funds to a Federal or a non-Federal recipient for a
13 project at the same rate that the recipient has obtained
14 the non-Federal matching funds.

15 Pursuant to section 2(b)(2) of Public Law 98-244,
16 up to \$3,000,000 of the funds available to the Forest
17 Service may be advanced to the National Fish and Wildlife
18 Foundation in a lump sum to aid cost-share conservation
19 projects, without regard to when expenses are incurred,
20 on or benefitting National Forest System lands or related
21 to Forest Service programs: *Provided*, That such funds
22 shall be matched on at least a one-for-one basis by the
23 Foundation or its sub-recipients: *Provided further*, That
24 the Foundation may transfer Federal funds to a Federal
25 or non-Federal recipient for a project at the same rate

1 that the recipient has obtained the non-Federal matching
2 funds.

3 Funds appropriated to the Forest Service shall be
4 available for interactions with and providing technical as-
5 sistance to rural communities and natural resource-based
6 businesses for sustainable rural development purposes.

7 Funds appropriated to the Forest Service shall be
8 available for payments to counties within the Columbia
9 River Gorge National Scenic Area, pursuant to section
10 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-
11 663.

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

16 Funds available to the Forest Service, not to exceed
17 \$65,000,000, shall be assessed for the purpose of per-
18 forming fire, administrative and other facilities mainte-
19 nance and decommissioning. Such assessments shall occur
20 using a square foot rate charged on the same basis the
21 agency uses to assess programs for payment of rent, utili-
22 ties, and other support services.

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

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

10 An eligible individual who is employed in any project
11 funded under title V of the Older Americans Act of 1965
12 (42 U.S.C. 3056 et seq.) and administered by the Forest
13 Service shall be considered to be a Federal employee for
14 purposes of chapter 171 of title 28, United States Code.

15 Notwithstanding any other provision of this Act,
16 through the Office of Budget and Program Analysis, the
17 Forest Service shall report no later than 30 business days
18 following the close of each fiscal quarter all current and
19 prior year unobligated balances, by fiscal year, budget line
20 item and account, to the House and Senate Committees
21 on Appropriations.

22 The following unobligated balances identified by the
23 following accounts are hereby rescinded: Forest and
24 Rangeland Research, \$815,000; National Forest System,
25 \$2,000,000; and State and Private Forestry, \$3,500,000.

1 DEPARTMENT OF HEALTH AND HUMAN
2 SERVICES
3 INDIAN HEALTH SERVICE
4 INDIAN HEALTH SERVICES

5 For expenses necessary to carry out the Act of Au-
6 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
7 tion and Education Assistance Act, the Indian Health
8 Care Improvement Act, and titles II and III of the Public
9 Health Service Act with respect to the Indian Health Serv-
10 ice, \$3,694,462,000, together with payments received dur-
11 ing the fiscal year pursuant to 42 U.S.C. 238(b) and
12 238b, for services furnished by the Indian Health Service:
13 *Provided*, That funds made available to tribes and tribal
14 organizations through contracts, grant agreements, or any
15 other agreements or compacts authorized by the Indian
16 Self-Determination and Education Assistance Act of 1975
17 (25 U.S.C. 450), shall be deemed to be obligated at the
18 time of the grant or contract award and thereafter shall
19 remain available to the tribe or tribal organization without
20 fiscal year limitation: *Provided further*, That \$2,000,000
21 shall be available for grants or contracts with public or
22 private institutions to provide alcohol or drug treatment
23 services to Indians, including alcohol detoxification serv-
24 ices: *Provided further*, That \$928,830,000 for Purchased/
25 Referred Care, including \$53,000,000 for the Indian Cat-

1 astrophic Health Emergency Fund, shall remain available
2 until expended: *Provided further*, That of the funds pro-
3 vided, up to \$36,000,000 shall remain available until ex-
4 pended for implementation of the loan repayment program
5 under section 108 of the Indian Health Care Improvement
6 Act: *Provided further*, That of the funds provided,
7 \$11,000,000 shall remain available until expended to sup-
8 plement funds available for operational costs at tribal clin-
9 ics operated under an Indian Self-Determination and Edu-
10 cation Assistance Act compact or contract where health
11 care is delivered in space acquired through a full service
12 lease, which is not eligible for maintenance and improve-
13 ment and equipment funds from the Indian Health Serv-
14 ice, and \$29,000,000 shall be for costs related to or result-
15 ing from accreditation emergencies, of which up to
16 \$4,000,000 may be used to supplement amounts otherwise
17 available for Purchased and Referred Care: *Provided fur-*
18 *ther*, That the amounts collected by the Federal Govern-
19 ment as authorized by sections 104 and 108 of the Indian
20 Health Care Improvement Act (25 U.S.C. 1613a and
21 1616a) during the preceding fiscal year for breach of con-
22 tracts shall be deposited to the Fund authorized by section
23 108A of the Act (25 U.S.C. 1616a-1) and shall remain
24 available until expended and, notwithstanding section
25 108A(c) of the Act (25 U.S.C. 1616a-1(c)), funds shall

1 be available to make new awards under the loan repay-
2 ment and scholarship programs under sections 104 and
3 108 of the Act (25 U.S.C. 1613a and 1616a): *Provided*
4 *further*, That the amounts made available within this ac-
5 count for the Substance Abuse and Suicide Prevention
6 Program, for the Domestic Violence Prevention Program,
7 for the Zero Suicide Initiative, for aftercare pilots at
8 Youth Regional Treatment Centers, to improve collections
9 from public and private insurance at Indian Health Serv-
10 ice and tribally operated facilities, and for accreditation
11 emergencies shall be allocated at the discretion of the Di-
12 rector of the Indian Health Service and shall remain avail-
13 able until expended: *Provided further*, That funds provided
14 in this Act may be used for annual contracts and grants
15 that fall within 2 fiscal years, provided the total obligation
16 is recorded in the year the funds are appropriated: *Pro-*
17 *vided further*, That the amounts collected by the Secretary
18 of Health and Human Services under the authority of title
19 IV of the Indian Health Care Improvement Act shall re-
20 main available until expended for the purpose of achieving
21 compliance with the applicable conditions and require-
22 ments of titles XVIII and XIX of the Social Security Act,
23 except for those related to the planning, design, or con-
24 struction of new facilities: *Provided further*, That funding
25 contained herein for scholarship programs under the In-

1 dian Health Care Improvement Act (25 U.S.C. 1613)
2 shall remain available until expended: *Provided further*,
3 That amounts received by tribes and tribal organizations
4 under title IV of the Indian Health Care Improvement Act
5 shall be reported and accounted for and available to the
6 receiving tribes and tribal organizations until expended:
7 *Provided further*, That the Bureau of Indian Affairs may
8 collect from the Indian Health Service, tribes and tribal
9 organizations operating health facilities pursuant to Pub-
10 lic Law 93-638, such individually identifiable health infor-
11 mation relating to disabled children as may be necessary
12 for the purpose of carrying out its functions under the
13 Individuals with Disabilities Education Act (20 U.S.C.
14 1400, et seq.): *Provided further*, That the Indian Health
15 Care Improvement Fund may be used, as needed, to carry
16 out activities typically funded under the Indian Health Fa-
17 cilities account.

18 CONTRACT SUPPORT COSTS

19 For payments to tribes and tribal organizations for
20 contract support costs associated with Indian Self-Deter-
21 mination and Education Assistance Act agreements with
22 the Indian Health Service for fiscal year 2017, such sums
23 as may be necessary: *Provided*, That notwithstanding any
24 other provision of law, no amounts made available under

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

3 INDIAN HEALTH FACILITIES

4 For construction, repair, maintenance, improvement,
5 and equipment of health and related auxiliary facilities,
6 including quarters for personnel; preparation of plans,
7 specifications, and drawings; acquisition of sites, purchase
8 and erection of modular buildings, and purchases of trail-
9 ers; and for provision of domestic and community sanita-
10 tion facilities for Indians, as authorized by section 7 of
11 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
12 Self-Determination Act, and the Indian Health Care Im-
13 provement Act, and for expenses necessary to carry out
14 such Acts and titles II and III of the Public Health Serv-
15 ice Act with respect to environmental health and facilities
16 support activities of the Indian Health Service,
17 \$545,424,000, to remain available until expended: *Pro-*
18 *vided*, That notwithstanding any other provision of law,
19 funds appropriated for the planning, design, construction,
20 renovation or expansion of health facilities for the benefit
21 of an Indian tribe or tribes may be used to purchase land
22 on which such facilities will be located: *Provided further*,
23 That not to exceed \$500,000 may be used by the Indian
24 Health Service to purchase TRANSAM equipment from
25 the Department of Defense for distribution to the Indian

1 Health Service and tribal facilities: *Provided further*, That
2 none of the funds appropriated to the Indian Health Serv-
3 ice may be used for sanitation facilities construction for
4 new homes funded with grants by the housing programs
5 of the United States Department of Housing and Urban
6 Development: *Provided further*, That not to exceed
7 \$2,700,000 from this account and the “Indian Health
8 Services” account may be used by the Indian Health Serv-
9 ice to obtain ambulances for the Indian Health Service
10 and tribal facilities in conjunction with an existing inter-
11 agency agreement between the Indian Health Service and
12 the General Services Administration: *Provided further*,
13 That not to exceed \$500,000 may be placed in a Demoli-
14 tion Fund, to remain available until expended, and be used
15 by the Indian Health Service for the demolition of Federal
16 buildings.

17 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

18 Appropriations provided in this Act to the Indian
19 Health Service shall be available for services as authorized
20 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
21 equivalent to the maximum rate payable for senior-level
22 positions under 5 U.S.C. 5376; hire of passenger motor
23 vehicles and aircraft; purchase of medical equipment; pur-
24 chase of reprints; purchase, renovation and erection of
25 modular buildings and renovation of existing facilities;

1 payments for telephone service in private residences in the
2 field, when authorized under regulations approved by the
3 Secretary; uniforms or allowances therefor as authorized
4 by 5 U.S.C. 5901–5902; and for expenses of attendance
5 at meetings that relate to the functions or activities of the
6 Indian Health Service: *Provided*, That in accordance with
7 the provisions of the Indian Health Care Improvement
8 Act, non-Indian patients may be extended health care at
9 all tribally administered or Indian Health Service facili-
10 ties, subject to charges, and the proceeds along with funds
11 recovered under the Federal Medical Care Recovery Act
12 (42 U.S.C. 2651–2653) shall be credited to the account
13 of the facility providing the service and shall be available
14 without fiscal year limitation: *Provided further*, That not-
15 withstanding any other law or regulation, funds trans-
16 ferred from the Department of Housing and Urban Devel-
17 opment to the Indian Health Service shall be administered
18 under Public Law 86–121, the Indian Sanitation Facilities
19 Act and Public Law 93–638: *Provided further*, That funds
20 appropriated to the Indian Health Service in this Act, ex-
21 cept those used for administrative and program direction
22 purposes, shall not be subject to limitations directed at
23 curtailing Federal travel and transportation: *Provided fur-*
24 *ther*, That none of the funds made available to the Indian
25 Health Service in this Act shall be used for any assess-

1 ments or charges by the Department of Health and
2 Human Services unless identified in the budget justifica-
3 tion and provided in this Act, or approved by the House
4 and Senate Committees on Appropriations through the re-
5 programming process: *Provided further*, That notwith-
6 standing any other provision of law, funds previously or
7 herein made available to a tribe or tribal organization
8 through a contract, grant, or agreement authorized by
9 title I or title V of the Indian Self-Determination and
10 Education Assistance Act of 1975 (25 U.S.C. 450), may
11 be deobligated and reobligated to a self-determination con-
12 tract under title I, or a self-governance agreement under
13 title V of such Act and thereafter shall remain available
14 to the tribe or tribal organization without fiscal year limi-
15 tation: *Provided further*, That none of the funds made
16 available to the Indian Health Service in this Act shall
17 be used to implement the final rule published in the Fed-
18 eral Register on September 16, 1987, by the Department
19 of Health and Human Services, relating to the eligibility
20 for the health care services of the Indian Health Service
21 until the Indian Health Service has submitted a budget
22 request reflecting the increased costs associated with the
23 proposed final rule, and such request has been included
24 in an appropriations Act and enacted into law: *Provided*
25 *further*, That with respect to functions transferred by the

1 Indian Health Service to tribes or tribal organizations, the
2 Indian Health Service is authorized to provide goods and
3 services to those entities on a reimbursable basis, includ-
4 ing payments in advance with subsequent adjustment, and
5 the reimbursements received therefrom, along with the
6 funds received from those entities pursuant to the Indian
7 Self-Determination Act, may be credited to the same or
8 subsequent appropriation account from which the funds
9 were originally derived, with such amounts to remain
10 available until expended: *Provided further*, That reim-
11 bursements for training, technical assistance, or services
12 provided by the Indian Health Service will contain total
13 costs, including direct, administrative, and overhead asso-
14 ciated with the provision of goods, services, or technical
15 assistance: *Provided further*, That the appropriation struc-
16 ture for the Indian Health Service may not be altered
17 without advance notification to the House and Senate
18 Committees on Appropriations.

19 NATIONAL INSTITUTES OF HEALTH

20 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

21 SCIENCES

22 For necessary expenses for the National Institute of
23 Environmental Health Sciences in carrying out activities
24 set forth in section 311(a) of the Comprehensive Environ-
25 mental Response, Compensation, and Liability Act of

1 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
2 Superfund Amendments and Reauthorization Act of 1986,
3 \$77,349,000.

4 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

5 REGISTRY

6 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

7 HEALTH

8 For necessary expenses for the Agency for Toxic Sub-
9 stances and Disease Registry (ATSDR) in carrying out
10 activities set forth in sections 104(i) and 111(c)(4) of the
11 Comprehensive Environmental Response, Compensation,
12 and Liability Act of 1980 (CERCLA) and section 3019
13 of the Solid Waste Disposal Act, \$74,691,000, of which
14 up to \$1,000 per eligible employee of the Agency for Toxic
15 Substances and Disease Registry shall remain available
16 until expended for Individual Learning Accounts: *Pro-*
17 *vided*, That notwithstanding any other provision of law,
18 in lieu of performing a health assessment under section
19 104(i)(6) of CERCLA, the Administrator of ATSDR may
20 conduct other appropriate health studies, evaluations, or
21 activities, including, without limitation, biomedical testing,
22 clinical evaluations, medical monitoring, and referral to
23 accredited healthcare providers: *Provided further*, That in
24 performing any such health assessment or health study,
25 evaluation, or activity, the Administrator of ATSDR shall

1 not be bound by the deadlines in section 104(i)(6)(A) of
2 CERCLA: *Provided further*, That none of the funds appro-
3 priated under this heading shall be available for ATSDR
4 to issue in excess of 40 toxicological profiles pursuant to
5 section 104(i) of CERCLA during fiscal year 2017, and
6 existing profiles may be updated as necessary.

7 OTHER RELATED AGENCIES

8 EXECUTIVE OFFICE OF THE PRESIDENT

9 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

10 ENVIRONMENTAL QUALITY

11 For necessary expenses to continue functions as-
12 signed to the Council on Environmental Quality and Office
13 of Environmental Quality pursuant to the National Envi-
14 ronmental Policy Act of 1969, the Environmental Quality
15 Improvement Act of 1970, and Reorganization Plan No.
16 1 of 1977, and not to exceed \$750 for official reception
17 and representation expenses, \$3,000,000: *Provided*, That
18 notwithstanding section 202 of the National Environ-
19 mental Policy Act of 1970, the Council shall consist of
20 one member, appointed by the President, by and with the
21 advice and consent of the Senate, serving as chairman and
22 exercising all powers, functions, and duties of the Council.

1 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD
2 SALARIES AND EXPENSES

3 For necessary expenses in carrying out activities pur-
4 suant to section 112(r)(6) of the Clean Air Act, including
5 hire of passenger vehicles, uniforms or allowances there-
6 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
7 ices authorized by 5 U.S.C. 3109 but at rates for individ-
8 uals not to exceed the per diem equivalent to the maximum
9 rate payable for senior level positions under 5 U.S.C.
10 5376, \$11,000,000: *Provided*, That the Chemical Safety
11 and Hazard Investigation Board (Board) shall have not
12 more than three career Senior Executive Service positions:
13 *Provided further*, That notwithstanding any other provi-
14 sion of law, the individual appointed to the position of In-
15 spector General of the Environmental Protection Agency
16 (EPA) shall, by virtue of such appointment, also hold the
17 position of Inspector General of the Board: *Provided fur-*
18 *ther*, That notwithstanding any other provision of law, the
19 Inspector General of the Board shall utilize personnel of
20 the Office of Inspector General of EPA in performing the
21 duties of the Inspector General of the Board, and shall
22 not appoint any individuals to positions within the Board.

1 *vided further*, That \$200,000 shall be transferred to the
2 Office of Inspector General of the Department of the Inte-
3 rior, to remain available until expended, for audits and
4 investigations of the Office of Navajo and Hopi Indian Re-
5 location, consistent with the Inspector General Act of
6 1978 (5 U.S.C. App.).

7 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
8 CULTURE AND ARTS DEVELOPMENT
9 PAYMENT TO THE INSTITUTE

10 For payment to the Institute of American Indian and
11 Alaska Native Culture and Arts Development, as author-
12 ized by title XV of Public Law 99–498 (20 U.S.C. 56 part
13 A), \$15,212,000, to remain available until September 30,
14 2018: *Provided*, That of the funds made available under
15 this heading, not to exceed \$7,377,000 shall become avail-
16 able on July 1, 2017, and shall remain available until Sep-
17 tember 30, 2018.

18 SMITHSONIAN INSTITUTION
19 SALARIES AND EXPENSES

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

1 tions; conduct of education, training, and museum assist-
2 ance programs; maintenance, alteration, operation, lease
3 agreements of no more than 30 years, and protection of
4 buildings, facilities, and approaches; not to exceed
5 \$100,000 for services as authorized by 5 U.S.C. 3109; and
6 purchase, rental, repair, and cleaning of uniforms for em-
7 ployees, \$729,444,000, to remain available until Sep-
8 tember 30, 2018, except as otherwise provided herein; of
9 which not to exceed \$48,467,000 for the instrumentation
10 program, collections acquisition, exhibition reinstallation,
11 the National Museum of African American History and
12 Culture, and the repatriation of skeletal remains program
13 shall remain available until expended; and including such
14 funds as may be necessary to support American overseas
15 research centers: *Provided*, That funds appropriated here-
16 in are available for advance payments to independent con-
17 tractors performing research services or participating in
18 official Smithsonian presentations.

19 FACILITIES CAPITAL

20 For necessary expenses of repair, revitalization, and
21 alteration of facilities owned or occupied by the Smithso-
22 nian Institution, by contract or otherwise, as authorized
23 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
24 and for construction, including necessary personnel,
25 \$133,903,000, to remain available until expended, of

1 which not to exceed \$10,000 shall be for services as au-
2 thorized by 5 U.S.C. 3109.

3 NATIONAL GALLERY OF ART

4 SALARIES AND EXPENSES

5 For the upkeep and operations of the National Gal-
6 lery of Art, the protection and care of the works of art
7 therein, and administrative expenses incident thereto, as
8 authorized by the Act of March 24, 1937 (50 Stat. 51),
9 as amended by the public resolution of April 13, 1939
10 (Public Resolution 9, Seventy-sixth Congress), including
11 services as authorized by 5 U.S.C. 3109; payment in ad-
12 vance when authorized by the treasurer of the Gallery for
13 membership in library, museum, and art associations or
14 societies whose publications or services are available to
15 members only, or to members at a price lower than to the
16 general public; purchase, repair, and cleaning of uniforms
17 for guards, and uniforms, or allowances therefor, for other
18 employees as authorized by law (5 U.S.C. 5901–5902);
19 purchase or rental of devices and services for protecting
20 buildings and contents thereof, and maintenance, alter-
21 ation, improvement, and repair of buildings, approaches,
22 and grounds; and purchase of services for restoration and
23 repair of works of art for the National Gallery of Art by
24 contracts made, without advertising, with individuals,
25 firms, or organizations at such rates or prices and under

1 such terms and conditions as the Gallery may deem prop-
2 er, \$132,961,000, to remain available until September 30,
3 2018, of which not to exceed \$3,620,000 for the special
4 exhibition program shall remain available until expended.

5 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

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

19 JOHN F. KENNEDY CENTER FOR THE PERFORMING

20 ARTS

21 OPERATIONS AND MAINTENANCE

22 For necessary expenses for the operation, mainte-
23 nance and security of the John F. Kennedy Center for
24 the Performing Arts, \$22,260,000.

1 CAPITAL REPAIR AND RESTORATION

2 For necessary expenses for capital repair and restora-
3 tion of the existing features of the building and site of
4 the John F. Kennedy Center for the Performing Arts,
5 \$14,140,000, to remain available until expended.

6 WOODROW WILSON INTERNATIONAL CENTER FOR

7 SCHOLARS

8 SALARIES AND EXPENSES

9 For expenses necessary in carrying out the provisions
10 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
11 1356) including hire of passenger vehicles and services as
12 authorized by 5 U.S.C. 3109, \$10,500,000, to remain
13 available until September 30, 2018.

14 NATIONAL FOUNDATION ON THE ARTS AND THE

15 HUMANITIES

16 NATIONAL ENDOWMENT FOR THE ARTS

17 GRANTS AND ADMINISTRATION

18 For necessary expenses to carry out the National
19 Foundation on the Arts and the Humanities Act of 1965,
20 \$149,849,000 shall be available to the National Endow-
21 ment for the Arts for the support of projects and produc-
22 tions in the arts, including arts education and public out-
23 reach activities, through assistance to organizations and
24 individuals pursuant to section 5 of the Act, for program

1 support, and for administering the functions of the Act,
2 to remain available until expended.

3 NATIONAL ENDOWMENT FOR THE HUMANITIES

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 \$149,848,000, to remain available until expended, of
8 which \$139,148,000 shall be available for support of ac-
9 tivities in the humanities, pursuant to section 7(c) of the
10 Act and for administering the functions of the Act; and
11 \$10,700,000 shall be available to carry out the matching
12 grants program pursuant to section 10(a)(2) of the Act,
13 including \$8,500,000 for the purposes of section 7(h):
14 *Provided*, That appropriations for carrying out section
15 10(a)(2) shall be available for obligation only in such
16 amounts as may be equal to the total amounts of gifts,
17 bequests, devises of money, and other property accepted
18 by the chairman or by grantees of the National Endow-
19 ment for the Humanities under the provisions of sections
20 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
21 ceding fiscal years for which equal amounts have not pre-
22 viously been appropriated.

23 ADMINISTRATIVE PROVISIONS

24 None of the funds appropriated to the National
25 Foundation on the Arts and the Humanities may be used

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

16 COMMISSION OF FINE ARTS

17 SALARIES AND EXPENSES

18 For expenses of the Commission of Fine Arts under
19 chapter 91 of title 40, United States Code, \$2,762,000:
20 *Provided*, That the Commission is authorized to charge
21 fees to cover the full costs of its publications, and such
22 fees shall be credited to this account as an offsetting col-
23 lection, to remain available until expended without further
24 appropriation: *Provided further*, That the Commission is
25 authorized to accept gifts, including objects, papers, art-

1 work, drawings and artifacts, that pertain to the history
2 and design of the Nation's Capital or the history and ac-
3 tivities of the Commission of Fine Arts, for the purpose
4 of artistic display, study or education: *Provided further*,
5 That one-tenth of one percent of the funds provided under
6 this heading may be used for official reception and rep-
7 resentation expenses.

8 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

9 For necessary expenses as authorized by Public Law
10 99-190 (20 U.S.C. 956a), \$2,000,000.

11 ADVISORY COUNCIL ON HISTORIC PRESERVATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Advisory Council on
14 Historic Preservation (Public Law 89-665), \$6,493,000.

15 NATIONAL CAPITAL PLANNING COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the National Capital Plan-
18 ning Commission under chapter 87 of title 40, United
19 States Code, including services as authorized by 5 U.S.C.
20 3109, \$8,099,000: *Provided*, That one-quarter of 1 per-
21 cent of the funds provided under this heading may be used
22 for official reception and representational expenses associ-
23 ated with hosting international visitors engaged in the
24 planning and physical development of world capitals.

1 funds appropriated herein shall be deemed to satisfy the
2 criteria for issuing a permit contained in 40 U.S.C.
3 8906(a)(4) and (b).

4 WOMEN'S SUFFRAGE CENTENNIAL COMMISSION
5 SALARIES AND EXPENSES

6 For necessary expenses of the Women's Suffrage
7 Centennial Commission, as authorized by this Act,
8 \$2,000,000, to remain available until expended.

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, 2018, 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 2017.

22 CONTRACT SUPPORT COSTS, FISCAL YEAR 2017

23 LIMITATION

24 SEC. 406. Amounts provided by this Act for fiscal
25 year 2017 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 2017 with the Bureau of Indian
8 Affairs or the Indian Health Service: *Provided*, That such
9 amounts provided by this Act are not available for pay-
10 ment of claims for contract support costs for prior years,
11 or for repayments of payments for settlements or judg-
12 ments awarding contract support costs for prior years.

13 FOREST MANAGEMENT PLANS

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

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

4 PROHIBITION WITHIN NATIONAL MONUMENTS

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

15 LIMITATION ON TAKINGS

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

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

3 TIMBER SALE REQUIREMENTS

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

19 PROHIBITION ON NO-BID CONTRACTS

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

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

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

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

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

15 POSTING OF REPORTS

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

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

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

25 (2) the report contains proprietary information.

1 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 REPORT ON USE OF CLIMATE CHANGE FUNDS

10 SEC. 416. Not later than 120 days after the date on
11 which the President's fiscal year 2018 budget request is
12 submitted to the Congress, the President shall submit a
13 comprehensive report to the Committees on Appropria-
14 tions of the House of Representatives and the Senate de-
15 scribing in detail all Federal agency funding, domestic and
16 international, for climate change programs, projects, and
17 activities in fiscal years 2016 and 2017, including an ac-
18 counting of funding by agency with each agency identi-
19 fying climate change programs, projects, and activities
20 and associated costs by line item as presented in the Presi-
21 dent's Budget Appendix, and including citations and link-
22 ages where practicable to each strategic plan that is driv-
23 ing funding within each climate change program, project,
24 and activity listed in the report.

1 PROHIBITION ON USE OF FUNDS

2 SEC. 417. Notwithstanding any other provision of
3 law, none of the funds made available in this Act or any
4 other Act may be used to promulgate or implement any
5 regulation requiring the issuance of permits under title V
6 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
7 dioxide, nitrous oxide, water vapor, or methane emissions
8 resulting from biological processes associated with live-
9 stock production.

10 GREENHOUSE GAS REPORTING RESTRICTIONS

11 SEC. 418. Notwithstanding any other provision of
12 law, none of the funds made available in this or any other
13 Act may be used to implement any provision in a rule,
14 if that provision requires mandatory reporting of green-
15 house gas emissions from manure management systems.

16 MODIFICATION OF AUTHORITIES

17 SEC. 419. Section 8162(m)(3) of the Department of
18 Defense Appropriations Act, 2000 (40 U.S.C. 8903 note;
19 Public Law 106-79) is amended by striking “September
20 30, 2016” and inserting “September 30, 2017”.

21 FUNDING PROHIBITION

22 SEC. 420. None of the funds made available by this
23 or any other Act may be used to regulate the lead content
24 of ammunition, ammunition components, or fishing tackle

1 under the Toxic Substances Control Act (15 U.S.C. 2601
2 et seq.) or any other law.

3 EXTENSION OF GRAZING PERMITS

4 SEC. 421. The terms and conditions of section 325
5 of Public Law 108–108 (117 Stat. 1307), regarding graz-
6 ing permits issued by the Forest Service on any lands not
7 subject to administration under section 402 of the Federal
8 Lands Policy and Management Act (43 U.S.C. 1752),
9 shall remain in effect for fiscal year 2017.

10 STEWARDSHIP CONTRACTING AMENDMENTS

11 SEC. 422. Section 604(d) of the Healthy Forest Res-
12 toration Act of 2003 (16 U.S.C. 6591c(d)), as amended
13 by the Agricultural Act of 2014 (Public Law 113–79), is
14 further amended—

15 (1) in paragraph (5), by adding at the end the
16 following: “Notwithstanding the Materials Act of
17 1947 (30 U.S.C. 602(a)), the Director may enter
18 into an agreement or contract under subsection
19 (b).”; and

20 (2) in paragraph (7), by striking “and the Di-
21 rector”.

22 FUNDING PROHIBITION

23 SEC. 423. (a) None of the funds made available in
24 this Act may be used to maintain or establish a computer

1 network unless such network is designed to block access
2 to pornography websites.

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 CLARIFICATION OF EXEMPTIONS

8 SEC. 424. None of the funds made available in this
9 Act may be used to require a permit for the discharge
10 of dredged or fill material under the Federal Water Pollu-
11 tion Control Act (33 U.S.C. 1251, et seq.) for the activi-
12 ties identified in subparagraphs (A) and (C) of section
13 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

14 USE OF AMERICAN IRON AND STEEL

15 SEC. 425. (a)(1) None of the funds made available
16 by a State water pollution control revolving fund as au-
17 thorized by section 1452 of the Safe Drinking Water Act
18 (42 U.S.C. 300j-12) shall be used for a project for the
19 construction, alteration, maintenance, or repair of a public
20 water system or treatment works unless all of the iron and
21 steel products used in the project are produced in the
22 United States.

23 (2) In this section, the term “iron and steel” products
24 means the following products made primarily of iron or
25 steel: lined or unlined pipes and fittings, manhole covers

1 and other municipal castings, hydrants, tanks, flanges,
2 pipe clamps and restraints, valves, structural steel, rein-
3 forced precast concrete, and construction materials.

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

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

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

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

16 (c) If the Administrator receives a request for a waiv-
17 er under this section, the Administrator shall make avail-
18 able to the public on an informal basis a copy of the re-
19 quest and information available to the Administrator con-
20 cerning the request, and shall allow for informal public
21 input on the request for at least 15 days prior to making
22 a finding based on the request. The Administrator shall
23 make the request and accompanying information available
24 by electronic means, including on the official public Inter-
25 net Web site of the Environmental Protection Agency.

1 (d) This section shall be applied in a manner con-
2 sistent with United States obligations under international
3 agreements.

4 (e) The Administrator may retain up to 0.25 percent
5 of the funds appropriated in this Act for the Clean and
6 Drinking Water State Revolving Funds for carrying out
7 the provisions described in subsection (a)(1) for manage-
8 ment and oversight of the requirements of this section.

9 NATIONAL GALLERY OF ART

10 SEC. 426. Section 6301(2) of title 40, United States
11 Code, is amended—

12 (1) in the matter preceding subparagraph (A),
13 by striking “The National Gallery of Art” and in-
14 serting “(A) The National Gallery of Art”;

15 (2) by redesignating subparagraphs (A), (B),
16 and (C) as clauses (i), (ii), and (iii), respectively;
17 and

18 (3) by adding at the end the following new sub-
19 paragraph: “(B) All other buildings, service roads,
20 walks, and other areas within the exterior bound-
21 aries of any real estate or land or interest in land
22 (including temporary use) that the National Gallery
23 of Art acquires and that the Director of the Na-
24 tional Gallery of Art determines to be necessary for
25 the adequate protection of individuals or property in

1 the National Gallery of Art and suitable for adminis-
2 tration as a part of the National Gallery of Art.”.

3 MIDWAY ISLAND

4 SEC. 427. None of the funds made available by this
5 Act may be used to destroy any buildings or structures
6 on Midway Island that have been recommended by the
7 United States Navy for inclusion in the National Register
8 of Historic Places (54 U.S.C. 302101).

9 POLICIES RELATING TO BIOMASS ENERGY

10 SEC. 428. To support the key role that forests in the
11 United States can play in addressing the energy needs of
12 the United States, the Secretary of Energy, the Secretary
13 of Agriculture, and the Administrator of the Environ-
14 mental Protection Agency shall, consistent with their mis-
15 sions, jointly—

16 (1) ensure that Federal policy relating to forest
17 bioenergy—

18 (A) is consistent across all Federal depart-
19 ments and agencies; and

20 (B) recognizes the full benefits of the use
21 of forest biomass for energy, conservation, and
22 responsible forest management; and

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

1 (A) reflect the carbon-neutrality of forest
2 bioenergy and recognize biomass as a renewable
3 energy source, provided the use of forest bio-
4 mass for energy production does not cause con-
5 version of forests to non-forest use.

6 (B) encourage private investment through-
7 out the forest biomass supply chain, including
8 in—

- 9 (i) working forests;
10 (ii) harvesting operations;
11 (iii) forest improvement operations;
12 (iv) forest bioenergy production;
13 (v) wood products manufacturing; or
14 (vi) paper manufacturing;

15 (C) encourage forest management to im-
16 prove forest health; and

17 (D) recognize State initiatives to produce
18 and use forest biomass.

19 JOHN F. KENNEDY CENTER REAUTHORIZATION

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

23 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
24 There is authorized to be appropriated to the Board to

1 carry out section 4(a)(1)(H), \$22,260,000 for fiscal year
2 2017.

3 “(b) CAPITAL PROJECTS.—There is authorized to be
4 appropriated to the Board to carry out subparagraphs (F)
5 and (G) of section 4(a)(1), \$14,140,000 for fiscal year
6 2017.”.

7 BOUNDARY ADJUSTMENT, BOB MARSHALL WILDERNESS,
8 HELENA-LEWIS AND CLARK NATIONAL FOREST

9 SEC. 430. The boundary of the Patrick’s Basin Addi-
10 tion to the Bob Marshall Wilderness designated by section
11 3065(c)(1)(A) of the “Carl Levin and Howard P. ‘Buck’
12 McKeon National Defense Authorization Act for Fiscal
13 Year 2015” (Public Law 113–291; 128 Stat. 3835) is
14 modified to exclude approximately 603 acres of land as
15 generally depicted as items 1 and 2 on the map entitled
16 “Patrick’s Basin Addition to the Bob Marshall Wilder-
17 ness—Kenck Cabin and South Fork Sun River
18 Paekbridge Adjustments” and dated April 21, 2016,
19 which shall be on file and available for public inspection
20 in the appropriate offices of the Forest Service. The lands
21 excluded from the wilderness shall be added to and admin-
22 istered as part of the Rocky Mountain Front Conservation
23 Management Area established in section 3065(b).

1 INCORPORATION BY REFERENCE

2 SEC. 431. (a) The provisions of the following bills of
3 the 115th Congress are hereby enacted into law:

4 (1) H.R. 2104 (the Morley Nelson Snake River
5 Birds of Prey National Conservation Area Boundary
6 Modification Act of 2017), as introduced on April
7 20, 2017.

8 (2) S. 131 (the Alaska Mental Health Trust
9 Land Exchange Act of 2017), as ordered to be re-
10 ported on March 30, 2017, by the Committee on
11 Energy and Natural Resources of the Senate.

12 (3) S. 847 (the Women’s Suffrage Centennial
13 Commission Act), as introduced on April 5, 2017.

14 (b) In publishing this Act in slip form and in the
15 United States Statutes at Large pursuant to section 112
16 of title 1, United States Code, the Archivist of the United
17 States shall include after the date of approval at the end
18 an appendix setting forth the text of the bills referred to
19 in subsection (a).

20 This division may be cited as the “Department of the
21 Interior, Environment, and Related Agencies Appropria-
22 tions Act, 2017”.

1 **DIVISION H—DEPARTMENTS OF LABOR,**
2 **HEALTH AND HUMAN SERVICES, AND**
3 **EDUCATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2017**

5 TITLE I

6 DEPARTMENT OF LABOR

7 EMPLOYMENT AND TRAINING ADMINISTRATION

8 TRAINING AND EMPLOYMENT SERVICES

9 For necessary expenses of the Workforce Innovation
10 and Opportunity Act (referred to in this Act as “WIOA”),
11 the Second Chance Act of 2007, and the National Appren-
12 ticeship Act, \$3,338,699,000, plus reimbursements, shall
13 be available. Of the amounts provided:

14 (1) for grants to States for adult employment
15 and training activities, youth activities, and dis-
16 located worker employment and training activities,
17 \$2,709,832,000 as follows:

18 (A) \$815,556,000 for adult employment
19 and training activities, of which \$103,556,000
20 shall be available for the period July 1, 2017
21 through June 30, 2018, and of which
22 \$712,000,000 shall be available for the period
23 October 1, 2017 through June 30, 2018;

1 (B) \$873,416,000 for youth activities,
2 which shall be available for the period April 1,
3 2017 through June 30, 2018; and

4 (C) \$1,020,860,000 for dislocated worker
5 employment and training activities, of which
6 \$160,860,000 shall be available for the period
7 July 1, 2017 through June 30, 2018, and of
8 which \$860,000,000 shall be available for the
9 period October 1, 2017 through June 30, 2018:

10 *Provided*, That pursuant to section 128(a)(1) of the
11 WIOA, the amount available to the Governor for
12 statewide workforce investment activities shall not
13 exceed 15 percent of the amount allotted to the
14 State from each of the appropriations under the pre-
15 ceding subparagraphs: *Provided further*, That the
16 funds available for allotment to outlying areas to
17 carry out subtitle B of title I of the WIOA shall not
18 be subject to the requirements of section
19 127(b)(1)(B)(ii) of such Act; and

20 (2) for national programs, \$628,867,000 as fol-
21 lows:

22 (A) \$220,859,000 for the dislocated work-
23 ers assistance national reserve, of which
24 \$20,859,000 shall be available for the period
25 July 1, 2017 through September 30, 2018, and

1 of which \$200,000,000 shall be available for the
2 period October 1, 2017 through September 30,
3 2018: *Provided*, That funds provided to carry
4 out section 132(a)(2)(A) of the WIOA may be
5 used to provide assistance to a State for state-
6 wide or local use in order to address cases
7 where there have been worker dislocations
8 across multiple sectors or across multiple local
9 areas and such workers remain dislocated; co-
10 ordinate the State workforce development plan
11 with emerging economic development needs; and
12 train such eligible dislocated workers: *Provided*
13 *further*, That funds provided to carry out sec-
14 tions 168(b) and 169(c) of the WIOA may be
15 used for technical assistance and demonstration
16 projects, respectively, that provide assistance to
17 new entrants in the workforce and incumbent
18 workers: *Provided further*, That notwithstanding
19 section 168(b) of the WIOA, of the funds pro-
20 vided under this subparagraph, the Secretary of
21 Labor (referred to in this title as “Secretary”)
22 may reserve not more than 10 percent of such
23 funds to provide technical assistance and carry
24 out additional activities related to the transition
25 to the WIOA: *Provided further*, That, of the

1 funds provided under this subparagraph,
2 \$20,000,000 shall be made available for appli-
3 cations submitted in accordance with section
4 170 of the WIOA for training and employment
5 assistance for workers dislocated from coal
6 mines and coal-fired power plants;

7 (B) \$50,000,000 for Native American pro-
8 grams under section 166 of the WIOA, which
9 shall be available for the period July 1, 2017
10 through June 30, 2018;

11 (C) \$81,896,000 for migrant and seasonal
12 farmworker programs under section 167 of the
13 WIOA, including \$75,885,000 for formula
14 grants (of which not less than 70 percent shall
15 be for employment and training services),
16 \$5,517,000 for migrant and seasonal housing
17 (of which not less than 70 percent shall be for
18 permanent housing), and \$494,000 for other
19 discretionary purposes, which shall be available
20 for the period July 1, 2017 through June 30,
21 2018: *Provided*, That notwithstanding any
22 other provision of law or related regulation, the
23 Department of Labor shall take no action lim-
24 iting the number or proportion of eligible par-
25 ticipants receiving related assistance services or

1 discouraging grantees from providing such serv-
2 ices;

3 (D) \$84,534,000 for YouthBuild activities
4 as described in section 171 of the WIOA, which
5 shall be available for the period April 1, 2017
6 through June 30, 2018;

7 (E) \$2,500,000 for technical assistance ac-
8 tivities under section 168 of the WIOA, which
9 shall be available for the period July 1, 2017
10 through June 30, 2018;

11 (F) \$88,078,000 for ex-offender activities,
12 under the authority of section 169 of the WIOA
13 and section 212 of the Second Chance Act of
14 2007, which shall be available for the period
15 April 1, 2017 through June 30, 2018: *Provided,*
16 That of this amount, \$25,000,000 shall be for
17 competitive grants to national and regional
18 intermediaries for activities that prepare young
19 ex-offenders and school dropouts for employ-
20 ment, with a priority for projects serving high-
21 crime, high-poverty areas;

22 (G) \$6,000,000 for the Workforce Data
23 Quality Initiative, under the authority of section
24 169 of the WIOA, which shall be available for

1 the period July 1, 2017 through June 30,
2 2018; and

3 (H) \$95,000,000 to expand opportunities
4 relating to apprenticeship programs registered
5 under the National Apprenticeship Act, to be
6 available to the Secretary to carry out activities
7 through grants, cooperative agreements, con-
8 tracts and other arrangements, with States and
9 other appropriate entities, which shall be avail-
10 able for the period April 1, 2017 through June
11 30, 2018.

12 JOB CORPS

13 (INCLUDING TRANSFER OF FUNDS)

14 To carry out subtitle C of title I of the WIOA, includ-
15 ing Federal administrative expenses, the purchase and
16 hire of passenger motor vehicles, the construction, alter-
17 ation, and repairs of buildings and other facilities, and the
18 purchase of real property for training centers as author-
19 ized by the WIOA, \$1,704,155,000, plus reimbursements,
20 as follows:

21 (1) \$1,587,325,000 for Job Corps Operations,
22 which shall be available for the period July 1, 2017
23 through June 30, 2018;

24 (2) \$84,500,000 for construction, rehabilitation
25 and acquisition of Job Corps Centers, which shall be

1 available for the period July 1, 2017 through June
2 30, 2020, and which may include the acquisition,
3 maintenance, and repair of major items of equip-
4 ment: *Provided*, That the Secretary may transfer up
5 to 15 percent of such funds to meet the operational
6 needs of such centers or to achieve administrative ef-
7 ficiencies: *Provided further*, That any funds trans-
8 ferred pursuant to the preceding proviso shall not be
9 available for obligation after June 30, 2018: *Pro-*
10 *vided further*, That the Committees on Appropria-
11 tions of the House of Representatives and the Sen-
12 ate are notified at least 15 days in advance of any
13 transfer; and

14 (3) \$32,330,000 for necessary expenses of Job
15 Corps, which shall be available for obligation for the
16 period October 1, 2016 through September 30,
17 2017:

18 *Provided*, That no funds from any other appropriation
19 shall be used to provide meal services at or for Job Corps
20 centers.

21 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

22 AMERICANS

23 To carry out title V of the Older Americans Act of
24 1965 (referred to in this Act as “OAA”), \$400,000,000,
25 which shall be available for the period April 1, 2017

1 through June 30, 2018, and may be recaptured and reobli-
2 gated in accordance with section 517(c) of the OAA.

3 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

4 For payments during fiscal year 2017 of trade ad-
5 justment benefit payments and allowances under part I
6 of subchapter B of chapter 2 of title II of the Trade Act
7 of 1974, and section 246 of that Act; and for training,
8 employment and case management services, allowances for
9 job search and relocation, and related State administrative
10 expenses under part II of subchapter B of chapter 2 of
11 title II of the Trade Act of 1974, and including benefit
12 payments, allowances, training, employment and case
13 management services, and related State administration
14 provided pursuant to section 231(a) of the Trade Adjust-
15 ment Assistance Extension Act of 2011 and section 405(a)
16 of the Trade Preferences Extension Act of 2015,
17 \$849,000,000 together with such amounts as may be nec-
18 essary to be charged to the subsequent appropriation for
19 payments for any period subsequent to September 15,
20 2017: *Provided*, That notwithstanding section 502 of this
21 Act, any part of the appropriation provided under this
22 heading may remain available for obligation beyond the
23 current fiscal year pursuant to the authorities of section
24 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

1 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
2 SERVICE OPERATIONS

3 For authorized administrative expenses,
4 \$89,066,000, together with not to exceed \$3,434,625,000
5 which may be expended from the Employment Security
6 Administration Account in the Unemployment Trust Fund
7 (“the Trust Fund”), of which:

8 (1) \$2,687,600,000 from the Trust Fund is for
9 grants to States for the administration of State un-
10 employment insurance laws as authorized under title
11 III of the Social Security Act (including not less
12 than \$115,000,000 to conduct in-person reemploy-
13 ment and eligibility assessments and unemployment
14 insurance improper payment reviews, and to provide
15 reemployment services and referrals to training as
16 appropriate, for claimants of unemployment insur-
17 ance for ex-service members under 5 U.S.C. 8521 et.
18 seq. and for claimants of regular unemployment
19 compensation, including those who are profiled as
20 most likely to exhaust their benefits in each State,
21 and \$5,500,000 for continued support of the Unem-
22 ployment Insurance Integrity Center of Excellence),
23 the administration of unemployment insurance for
24 Federal employees and for ex-service members as
25 authorized under 5 U.S.C. 8501–8523, and the ad-

1 ministration of trade readjustment allowances, reem-
2 ployment trade adjustment assistance, and alter-
3 native trade adjustment assistance under the Trade
4 Act of 1974 and under section 231(a) of the Trade
5 Adjustment Assistance Extension Act of 2011 and
6 section 405(a) of the Trade Preferences Extension
7 Act of 2015, and shall be available for obligation by
8 the States through December 31, 2017, except that
9 funds used for automation shall be available for
10 Federal obligation through December 31, 2017, and
11 for State obligation through September 30, 2019, or,
12 if the automation is being carried out through con-
13 sortia of States, for State obligation through Sep-
14 tember 30, 2022, and for expenditure through Sep-
15 tember 30, 2023, and funds for competitive grants
16 awarded to States for improved operations and to
17 conduct in-person reemployment and eligibility as-
18 sessments and unemployment insurance improper
19 payment reviews and provide reemployment services
20 and referrals to training, as appropriate, shall be
21 available for Federal obligation through December
22 31, 2017, and for obligation by the States through
23 September 30, 2019, and funds for the Unemploy-
24 ment Insurance Integrity Center of Excellence shall
25 be available for obligation by the State through Sep-

1 tember 30, 2018, and funds used for unemployment
2 insurance workloads experienced by the States
3 through September 30, 2017 shall be available for
4 Federal obligation through December 31, 2017;

5 (2) \$14,897,000 from the Trust Fund is for na-
6 tional activities necessary to support the administra-
7 tion of the Federal-State unemployment insurance
8 system;

9 (3) \$650,000,000 from the Trust Fund, to-
10 gether with \$21,413,000 from the General Fund of
11 the Treasury, is for grants to States in accordance
12 with section 6 of the Wagner-Peyser Act, and shall
13 be available for Federal obligation for the period
14 July 1, 2017 through June 30, 2018;

15 (4) \$19,818,000 from the Trust Fund is for na-
16 tional activities of the Employment Service, includ-
17 ing administration of the work opportunity tax cred-
18 it under section 51 of the Internal Revenue Code of
19 1986, and the provision of technical assistance and
20 staff training under the Wagner-Peyser Act;

21 (5) \$62,310,000 from the Trust Fund is for the
22 administration of foreign labor certifications and re-
23 lated activities under the Immigration and Nation-
24 ality Act and related laws, of which \$48,028,000
25 shall be available for the Federal administration of

1 such activities, and \$14,282,000 shall be available
2 for grants to States for the administration of such
3 activities; and

4 (6) \$67,653,000 from the General Fund is to
5 provide workforce information, national electronic
6 tools, and one-stop system building under the Wag-
7 ner-Peyser Act and shall be available for Federal ob-
8 ligation for the period July 1, 2017 through June
9 30, 2018:

10 *Provided*, That to the extent that the Average Weekly In-
11 sured Unemployment (“AWIU”) for fiscal year 2017 is
12 projected by the Department of Labor to exceed
13 2,453,000, an additional \$28,600,000 from the Trust
14 Fund shall be available for obligation for every 100,000
15 increase in the AWIU level (including a pro rata amount
16 for any increment less than 100,000) to carry out title
17 III of the Social Security Act: *Provided further*, That
18 funds appropriated in this Act that are allotted to a State
19 to carry out activities under title III of the Social Security
20 Act may be used by such State to assist other States in
21 carrying out activities under such title III if the other
22 States include areas that have suffered a major disaster
23 declared by the President under the Robert T. Stafford
24 Disaster Relief and Emergency Assistance Act: *Provided*
25 *further*, That the Secretary may use funds appropriated

1 for grants to States under title III of the Social Security
2 Act to make payments on behalf of States for the use of
3 the National Directory of New Hires under section
4 453(j)(8) of such Act: *Provided further*, That the Sec-
5 retary may use funds appropriated for grants to States
6 under title III of the Social Security Act to make pay-
7 ments on behalf of States to the entity operating the State
8 Information Data Exchange System: *Provided further*,
9 That funds appropriated in this Act which are used to es-
10 tablish a national one-stop career center system, or which
11 are used to support the national activities of the Federal-
12 State unemployment insurance, employment service, or
13 immigration programs, may be obligated in contracts,
14 grants, or agreements with States and non-State entities:
15 *Provided further*, That States awarded competitive grants
16 for improved operations under title III of the Social Secu-
17 rity Act, or awarded grants to support the national activi-
18 ties of the Federal-State unemployment insurance system,
19 may award subgrants to other States and non-State enti-
20 ties under such grants, subject to the conditions applicable
21 to the grants: *Provided further*, That funds appropriated
22 under this Act for activities authorized under title III of
23 the Social Security Act and the Wagner-Peyser Act may
24 be used by States to fund integrated Unemployment In-
25 surance and Employment Service automation efforts, not-

1 withstanding cost allocation principles prescribed under
2 the final rule entitled “Uniform Administrative Require-
3 ments, Cost Principles, and Audit Requirements for Fed-
4 eral Awards” at part 200 of title 2, Code of Federal Regu-
5 lations: *Provided further*, That the Secretary, at the re-
6 quest of a State participating in a consortium with other
7 States, may reallocate funds allotted to such State under title
8 III of the Social Security Act to other States participating
9 in the consortium in order to carry out activities that ben-
10 efit the administration of the unemployment compensation
11 law of the State making the request: *Provided further*,
12 That the Secretary may collect fees for the costs associ-
13 ated with additional data collection, analyses, and report-
14 ing services relating to the National Agricultural Workers
15 Survey requested by State and local governments, public
16 and private institutions of higher education, and nonprofit
17 organizations and may utilize such sums, in accordance
18 with the provisions of 29 U.S.C. 9a, for the National Agri-
19 cultural Workers Survey infrastructure, methodology, and
20 data to meet the information collection and reporting
21 needs of such entities, which shall be credited to this ap-
22 propriation and shall remain available until September 30,
23 2018, for such purposes.

1 PENSION BENEFIT GUARANTY CORPORATION

2 PENSION BENEFIT GUARANTY CORPORATION FUND

3 The Pension Benefit Guaranty Corporation (“Cor-
4 poration”) is authorized to make such expenditures, in-
5 cluding financial assistance authorized by subtitle E of
6 title IV of the Employee Retirement Income Security Act
7 of 1974, within limits of funds and borrowing authority
8 available to the Corporation, and in accord with law, and
9 to make such contracts and commitments without regard
10 to fiscal year limitations, as provided by 31 U.S.C. 9104,
11 as may be necessary in carrying out the program, includ-
12 ing associated administrative expenses, through Sep-
13 tember 30, 2017, for the Corporation: *Provided*, That
14 none of the funds available to the Corporation for fiscal
15 year 2017 shall be available for obligations for administra-
16 tive expenses in excess of \$421,006,000: *Provided further*,
17 That an amount not to exceed an additional \$98,500,000
18 shall be available through September 30, 2021, for costs
19 associated with the acquisition, occupancy, and related
20 costs of headquarters space: *Provided further*, That to the
21 extent that the number of new plan participants in plans
22 terminated by the Corporation exceeds 100,000 in fiscal
23 year 2017, an amount not to exceed an additional
24 \$9,200,000 shall be available through September 30,
25 2018, for obligation for administrative expenses for every

1 20,000 additional terminated participants: *Provided fur-*
2 *ther*, That obligations in excess of the amounts provided
3 in this paragraph may be incurred for unforeseen and ex-
4 traordinary pretermination expenses or extraordinary mul-
5 tiemployer program related expenses after approval by the
6 Office of Management and Budget and notification of the
7 Committees on Appropriations of the House of Represent-
8 atives and the Senate.

9 WAGE AND HOUR DIVISION

10 SALARIES AND EXPENSES

11 For necessary expenses for the Wage and Hour Divi-
12 sion, including reimbursement to State, Federal, and local
13 agencies and their employees for inspection services ren-
14 dered, \$227,500,000.

15 OFFICE OF LABOR-MANAGEMENT STANDARDS

16 SALARIES AND EXPENSES

17 For necessary expenses for the Office of Labor-Man-
18 agement Standards, \$38,187,000.

19 OFFICE OF FEDERAL CONTRACT COMPLIANCE

20 PROGRAMS

21 SALARIES AND EXPENSES

22 For necessary expenses for the Office of Federal Con-
23 tract Compliance Programs, \$104,476,000.

1 OFFICE OF WORKERS' COMPENSATION PROGRAMS

2 SALARIES AND EXPENSES

3 For necessary expenses for the Office of Workers'
4 Compensation Programs, \$115,424,000, together with
5 \$2,177,000 which may be expended from the Special Fund
6 in accordance with sections 39(c), 44(d), and 44(j) of the
7 Longshore and Harbor Workers' Compensation Act.

8 SPECIAL BENEFITS

9 (INCLUDING TRANSFER OF FUNDS)

10 For the payment of compensation, benefits, and ex-
11 penses (except administrative expenses) accruing during
12 the current or any prior fiscal year authorized by 5 U.S.C.
13 81; continuation of benefits as provided for under the
14 heading "Civilian War Benefits" in the Federal Security
15 Agency Appropriation Act, 1947; the Employees' Com-
16 pensation Commission Appropriation Act, 1944; section
17 5(f) of the War Claims Act (50 U.S.C. App. 2004); obliga-
18 tions incurred under the War Hazards Compensation Act
19 (42 U.S.C. 1701 et seq.); and 50 percent of the additional
20 compensation and benefits required by section 10(h) of the
21 Longshore and Harbor Workers' Compensation Act,
22 \$220,000,000, together with such amounts as may be nec-
23 essary to be charged to the subsequent year appropriation
24 for the payment of compensation and other benefits for
25 any period subsequent to August 15 of the current year,

1 for deposit into and to assume the attributes of the Em-
2 ployees' Compensation Fund established under 5 U.S.C.
3 8147(a): *Provided*, That amounts appropriated may be
4 used under 5 U.S.C. 8104 by the Secretary to reimburse
5 an employer, who is not the employer at the time of injury,
6 for portions of the salary of a re-employed, disabled bene-
7 ficiary: *Provided further*, That balances of reimbursements
8 unobligated on September 30, 2016, shall remain available
9 until expended for the payment of compensation, benefits,
10 and expenses: *Provided further*, That in addition there
11 shall be transferred to this appropriation from the Postal
12 Service and from any other corporation or instrumentality
13 required under 5 U.S.C. 8147(c) to pay an amount for
14 its fair share of the cost of administration, such sums as
15 the Secretary determines to be the cost of administration
16 for employees of such fair share entities through Sep-
17 tember 30, 2017: *Provided further*, That of those funds
18 transferred to this account from the fair share entities to
19 pay the cost of administration of the Federal Employees'
20 Compensation Act, \$66,675,000 shall be made available
21 to the Secretary as follows:

- 22 (1) For enhancement and maintenance of auto-
23 mated data processing systems operations and tele-
24 communications systems, \$22,740,000;

1 (2) For automated workload processing oper-
2 ations, including document imaging, centralized mail
3 intake, and medical bill processing, \$22,968,000;

4 (3) For periodic roll disability management and
5 medical review, \$16,866,000;

6 (4) For program integrity, \$4,101,000; and

7 (5) The remaining funds shall be paid into the
8 Treasury as miscellaneous receipts:

9 *Provided further*, That the Secretary may require that any
10 person filing a notice of injury or a claim for benefits
11 under 5 U.S.C. 81, or the Longshore and Harbor Work-
12 ers' Compensation Act, provide as part of such notice and
13 claim, such identifying information (including Social Secu-
14 rity account number) as such regulations may prescribe.

15 SPECIAL BENEFITS FOR DISABLED COAL MINERS

16 For carrying out title IV of the Federal Mine Safety
17 and Health Act of 1977, as amended by Public Law 107-
18 275, \$61,319,000, to remain available until expended.

19 For making after July 31 of the current fiscal year,
20 benefit payments to individuals under title IV of such Act,
21 for costs incurred in the current fiscal year, such amounts
22 as may be necessary.

23 For making benefit payments under title IV for the
24 first quarter of fiscal year 2018, \$16,000,000, to remain
25 available until expended.

1 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

2 OCCUPATIONAL ILLNESS COMPENSATION FUND

3 For necessary expenses to administer the Energy
4 Employees Occupational Illness Compensation Program
5 Act, \$59,846,000, to remain available until expended: *Pro-*
6 *vided*, That the Secretary may require that any person fil-
7 ing a claim for benefits under the Act provide as part of
8 such claim such identifying information (including Social
9 Security account number) as may be prescribed.

10 BLACK LUNG DISABILITY TRUST FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 Such sums as may be necessary from the Black Lung
13 Disability Trust Fund (the “Fund”), to remain available
14 until expended, for payment of all benefits authorized by
15 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
16 enue Code of 1986; and repayment of, and payment of
17 interest on advances, as authorized by section 9501(d)(4)
18 of that Act. In addition, the following amounts may be
19 expended from the Fund for fiscal year 2017 for expenses
20 of operation and administration of the Black Lung Bene-
21 fits program, as authorized by section 9501(d)(5): not to
22 exceed \$38,246,000 for transfer to the Office of Workers’
23 Compensation Programs, “Salaries and Expenses”; not to
24 exceed \$31,994,000 for transfer to Departmental Manage-
25 ment, “Salaries and Expenses”; not to exceed \$330,000

1 for transfer to Departmental Management, “Office of In-
2 spector General”; and not to exceed \$356,000 for pay-
3 ments into miscellaneous receipts for the expenses of the
4 Department of the Treasury.

5 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
6 SALARIES AND EXPENSES

7 For necessary expenses for the Occupational Safety
8 and Health Administration, \$552,787,000, including not
9 to exceed \$100,850,000 which shall be the maximum
10 amount available for grants to States under section 23(g)
11 of the Occupational Safety and Health Act (the “Act”),
12 which grants shall be no less than 50 percent of the costs
13 of State occupational safety and health programs required
14 to be incurred under plans approved by the Secretary
15 under section 18 of the Act; and, in addition, notwith-
16 standing 31 U.S.C. 3302, the Occupational Safety and
17 Health Administration may retain up to \$499,000 per fis-
18 cal year of training institute course tuition and fees, other-
19 wise authorized by law to be collected, and may utilize
20 such sums for occupational safety and health training and
21 education: *Provided*, That notwithstanding 31 U.S.C.
22 3302, the Secretary is authorized, during the fiscal year
23 ending September 30, 2017, to collect and retain fees for
24 services provided to Nationally Recognized Testing Lab-
25 oratories, and may utilize such sums, in accordance with

1 the provisions of 29 U.S.C. 9a, to administer national and
2 international laboratory recognition programs that ensure
3 the safety of equipment and products used by workers in
4 the workplace: *Provided further*, That none of the funds
5 appropriated under this paragraph shall be obligated or
6 expended to prescribe, issue, administer, or enforce any
7 standard, rule, regulation, or order under the Act which
8 is applicable to any person who is engaged in a farming
9 operation which does not maintain a temporary labor
10 camp and employs 10 or fewer employees: *Provided fur-*
11 *ther*, That no funds appropriated under this paragraph
12 shall be obligated or expended to administer or enforce
13 any standard, rule, regulation, or order under the Act with
14 respect to any employer of 10 or fewer employees who is
15 included within a category having a Days Away, Re-
16 stricted, or Transferred (“DART”) occupational injury
17 and illness rate, at the most precise industrial classifica-
18 tion code for which such data are published, less than the
19 national average rate as such rates are most recently pub-
20 lished by the Secretary, acting through the Bureau of
21 Labor Statistics, in accordance with section 24 of the Act,
22 except—
23 (1) to provide, as authorized by the Act, con-
24 sultation, technical assistance, educational and train-
25 ing services, and to conduct surveys and studies;

1 (2) to conduct an inspection or investigation in
2 response to an employee complaint, to issue a cita-
3 tion for violations found during such inspection, and
4 to assess a penalty for violations which are not cor-
5 rected within a reasonable abatement period and for
6 any willful violations found;

7 (3) to take any action authorized by the Act
8 with respect to imminent dangers;

9 (4) to take any action authorized by the Act
10 with respect to health hazards;

11 (5) to take any action authorized by the Act
12 with respect to a report of an employment accident
13 which is fatal to one or more employees or which re-
14 sults in hospitalization of two or more employees,
15 and to take any action pursuant to such investiga-
16 tion authorized by the Act; and

17 (6) to take any action authorized by the Act
18 with respect to complaints of discrimination against
19 employees for exercising rights under the Act:

20 *Provided further*, That the foregoing proviso shall not
21 apply to any person who is engaged in a farming operation
22 which does not maintain a temporary labor camp and em-
23 ploys 10 or fewer employees: *Provided further*, That
24 \$10,537,000 shall be available for Susan Harwood train-

1 ing grants: *Provided further*, That not less than
2 \$3,500,000 shall be for Voluntary Protection Programs.

3 MINE SAFETY AND HEALTH ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses for the Mine Safety and
6 Health Administration, \$373,816,000, including purchase
7 and bestowal of certificates and trophies in connection
8 with mine rescue and first-aid work, and the hire of pas-
9 senger motor vehicles, including up to \$2,000,000 for
10 mine rescue and recovery activities and not less than
11 \$10,537,000 for State assistance grants: *Provided*, That
12 amounts available for State assistance grants may be used
13 for the purchase and maintenance of new equipment re-
14 quired by the final rule entitled “Lowering Miners’ Expo-
15 sure to Respirable Coal Mine Dust, Including Continuous
16 Personal Dust Monitors” published by the Department of
17 Labor in the Federal Register on May 1, 2014 (79 Fed.
18 Reg. 24813 et seq.), for operators that demonstrate finan-
19 cial need as determined by the Secretary: *Provided further*,
20 That notwithstanding 31 U.S.C. 3302, not to exceed
21 \$750,000 may be collected by the National Mine Health
22 and Safety Academy for room, board, tuition, and the sale
23 of training materials, otherwise authorized by law to be
24 collected, to be available for mine safety and health edu-
25 cation and training activities: *Provided further*, That not-

1 withstanding 31 U.S.C. 3302, the Mine Safety and Health
2 Administration is authorized to collect and retain up to
3 \$2,499,000 from fees collected for the approval and cer-
4 tification of equipment, materials, and explosives for use
5 in mines, and may utilize such sums for such activities:
6 *Provided further*, That the Secretary is authorized to ac-
7 cept lands, buildings, equipment, and other contributions
8 from public and private sources and to prosecute projects
9 in cooperation with other agencies, Federal, State, or pri-
10 vate: *Provided further*, That the Mine Safety and Health
11 Administration is authorized to promote health and safety
12 education and training in the mining community through
13 cooperative programs with States, industry, and safety as-
14 sociations: *Provided further*, That the Secretary is author-
15 ized to recognize the Joseph A. Holmes Safety Association
16 as a principal safety association and, notwithstanding any
17 other provision of law, may provide funds and, with or
18 without reimbursement, personnel, including service of
19 Mine Safety and Health Administration officials as offi-
20 cers in local chapters or in the national organization: *Pro-*
21 *vided further*, That any funds available to the Department
22 of Labor may be used, with the approval of the Secretary,
23 to provide for the costs of mine rescue and survival oper-
24 ations in the event of a major disaster.

1 BUREAU OF LABOR STATISTICS

2 SALARIES AND EXPENSES

3 For necessary expenses for the Bureau of Labor Sta-
4 tistics, including advances or reimbursements to State,
5 Federal, and local agencies and their employees for serv-
6 ices rendered, \$544,000,000, together with not to exceed
7 \$65,000,000 which may be expended from the Employ-
8 ment Security Administration account in the Unemploy-
9 ment Trust Fund.

10 OFFICE OF DISABILITY EMPLOYMENT POLICY

11 SALARIES AND EXPENSES

12 For necessary expenses for the Office of Disability
13 Employment Policy to provide leadership, develop policy
14 and initiatives, and award grants furthering the objective
15 of eliminating barriers to the training and employment of
16 people with disabilities, \$38,203,000.

17 DEPARTMENTAL MANAGEMENT

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses for Departmental Manage-
21 ment, including the hire of three passenger motor vehicles,
22 \$334,536,000, together with not to exceed \$308,000,
23 which may be expended from the Employment Security
24 Administration account in the Unemployment Trust
25 Fund: *Provided*, That \$59,825,000 for the Bureau of

1 International Labor Affairs shall be available for obliga-
2 tion through December 31, 2017: *Provided further*, That
3 funds available to the Bureau of International Labor Af-
4 fairs may be used to administer or operate international
5 labor activities, bilateral and multilateral technical assist-
6 ance, and microfinance programs, by or through contracts,
7 grants, subgrants and other arrangements: *Provided fur-*
8 *ther*, That not more than \$53,825,000 shall be for pro-
9 grams to combat exploitative child labor internationally
10 and not less than \$6,000,000 shall be used to implement
11 model programs that address worker rights issues through
12 technical assistance in countries with which the United
13 States has free trade agreements or trade preference pro-
14 grams: *Provided further*, That \$8,040,000 shall be used
15 for program evaluation and shall be available for obliga-
16 tion through September 30, 2018: *Provided further*, That
17 funds available for program evaluation may be used to ad-
18 minister grants for the purpose of evaluation: *Provided*
19 *further*, That grants made for the purpose of evaluation
20 shall be awarded through fair and open competition: *Pro-*
21 *vided further*, That funds available for program evaluation
22 may be transferred to any other appropriate account in
23 the Department for such purpose: *Provided further*, That
24 the Committees on Appropriations of the House of Rep-
25 resentatives and the Senate are notified at least 15 days

1 in advance of any transfer: *Provided further*, That the
2 funds available to the Women's Bureau may be used for
3 grants to serve and promote the interests of women in the
4 workforce: *Provided further*, That of the amounts made
5 available to the Women's Bureau, \$994,000 shall be used
6 for grants authorized by the Women in Apprenticeship
7 and Nontraditional Occupations Act.

8 VETERANS EMPLOYMENT AND TRAINING

9 Not to exceed \$234,041,000 may be derived from the
10 Employment Security Administration account in the Un-
11 employment Trust Fund to carry out the provisions of
12 chapters 41, 42, and 43 of title 38, United States Code,
13 of which:

14 (1) \$175,000,000 is for Jobs for Veterans State
15 grants under 38 U.S.C. 4102A(b)(5) to support dis-
16 abled veterans' outreach program specialists under
17 section 4103A of such title and local veterans' em-
18 ployment representatives under section 4104(b) of
19 such title, and for the expenses described in section
20 4102A(b)(5)(C), which shall be available for obliga-
21 tion by the States through December 31, 2017, and
22 not to exceed 3 percent for the necessary Federal ex-
23 penditures for data systems and contract support to
24 allow for the tracking of participant and perform-
25 ance information: *Provided*, That, in addition, such

1 funds may be used to support such specialists and
2 representatives in the provision of services to
3 transitioning members of the Armed Forces who
4 have participated in the Transition Assistance Pro-
5 gram and have been identified as in need of inten-
6 sive services, to members of the Armed Forces who
7 are wounded, ill, or injured and receiving treatment
8 in military treatment facilities or warrior transition
9 units, and to the spouses or other family caregivers
10 of such wounded, ill, or injured members;

11 (2) \$14,600,000 is for carrying out the Transi-
12 tion Assistance Program under 38 U.S.C. 4113 and
13 10 U.S.C. 1144: *Provided*, That, up to \$300,000 of
14 such funds may be used to enter into a cooperative
15 agreement with a State relating to a mobile applica-
16 tion to provide transition assistance to separating
17 service members, veterans and eligible spouses;

18 (3) \$41,027,000 is for Federal administration
19 of chapters 41, 42, and 43 of title 38, United States
20 Code; and

21 (4) \$3,414,000 is for the National Veterans'
22 Employment and Training Services Institute under
23 38 U.S.C. 4109:

24 *Provided*, That the Secretary may reallocate among the
25 appropriations provided under paragraphs (1) through (4)

1 above an amount not to exceed 3 percent of the appropria-
2 tion from which such reallocation is made.

3 In addition, from the General Fund of the Treasury,
4 \$45,000,000 is for carrying out programs to assist home-
5 less veterans and veterans at risk of homelessness who are
6 transitioning from certain institutions under sections
7 2021, 2021A, and 2023 of title 38, United States Code:
8 *Provided*, That notwithstanding subsections (c)(3) and (d)
9 of section 2023, the Secretary may award grants through
10 September 30, 2017, to provide services under such sec-
11 tion: *Provided further*, That services provided under sec-
12 tion 2023 may include, in addition to services to the indi-
13 viduals described in subsection (e) of such section, services
14 to veterans recently released from incarceration who are
15 at risk of homelessness.

16 IT MODERNIZATION

17 For necessary expenses for Department of Labor cen-
18 tralized infrastructure technology investment activities re-
19 lated to support systems and modernization, \$18,778,000,
20 which shall be available through September 30, 2018.

21 OFFICE OF INSPECTOR GENERAL

22 For salaries and expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, \$82,061,000, together with not to
25 exceed \$5,660,000 which may be expended from the Em-

1 ployment Security Administration account in the Unem-
2 ployment Trust Fund.

3 GENERAL PROVISIONS

4 SEC. 101. None of the funds appropriated by this Act
5 for the Job Corps shall be used to pay the salary and bo-
6 nuses of an individual, either as direct costs or any prora-
7 tion as an indirect cost, at a rate in excess of Executive
8 Level II.

9 (TRANSFER OF FUNDS)

10 SEC. 102. Not to exceed 1 percent of any discre-
11 tionary funds (pursuant to the Balanced Budget and
12 Emergency Deficit Control Act of 1985) which are appro-
13 priated for the current fiscal year for the Department of
14 Labor in this Act may be transferred between a program,
15 project, or activity, but no such program, project, or activ-
16 ity shall be increased by more than 3 percent by any such
17 transfer: *Provided*, That the transfer authority granted by
18 this section shall not be used to create any new program
19 or to fund any project or activity for which no funds are
20 provided in this Act: *Provided further*, That the Commit-
21 tees on Appropriations of the House of Representatives
22 and the Senate are notified at least 15 days in advance
23 of any transfer.

24 SEC. 103. In accordance with Executive Order
25 13126, none of the funds appropriated or otherwise made

1 available pursuant to this Act shall be obligated or ex-
2 pended for the procurement of goods mined, produced,
3 manufactured, or harvested or services rendered, in whole
4 or in part, by forced or indentured child labor in industries
5 and host countries already identified by the United States
6 Department of Labor prior to enactment of this Act.

7 (INCLUDING RESCISSION)

8 SEC. 104. Except as otherwise provided in this sec-
9 tion, none of the funds made available to the Department
10 of Labor for grants under section 414(c) of the American
11 Competitiveness and Workforce Improvement Act of 1998
12 (29 U.S.C. 2916a) may be used for any purpose other
13 than competitive grants for training individuals who are
14 older than 16 years of age and are not currently enrolled
15 in school within a local educational agency in the occupa-
16 tions and industries for which employers are using H-1B
17 visas to hire foreign workers, and the related activities
18 necessary to support such training: *Provided*, That of such
19 funds available before September 30, 2017 up to
20 \$20,000,000 shall be available for obligation through Sep-
21 tember 30, 2018 by the Employment and Training Admin-
22 istration of the Department of Labor to process foreign
23 labor certifications, including wage determinations and as-
24 sociated tasks and grants to States, submitted by employ-
25 ers to employ nonimmigrants described in section

1 101(a)(15)(H)(ii) of the Immigration and Nationality Act,
2 to the extent necessary to eliminate backlogs and delays:
3 *Provided further*, That of the unobligated funds available
4 under section 286(s)(2) of the Immigration and Nation-
5 ality Act (8 U.S.C. 1356(s)(2)), \$46,000,000 are perma-
6 nently rescinded.

7 SEC. 105. None of the funds made available by this
8 Act under the heading “Employment and Training Ad-
9 ministration” shall be used by a recipient or subrecipient
10 of such funds to pay the salary and bonuses of an indi-
11 vidual, either as direct costs or indirect costs, at a rate
12 in excess of Executive Level II. This limitation shall not
13 apply to vendors providing goods and services as defined
14 in Office of Management and Budget Circular A-133.
15 Where States are recipients of such funds, States may es-
16 tablish a lower limit for salaries and bonuses of those re-
17 ceiving salaries and bonuses from subrecipients of such
18 funds, taking into account factors including the relative
19 cost-of-living in the State, the compensation levels for
20 comparable State or local government employees, and the
21 size of the organizations that administer Federal pro-
22 grams involved including Employment and Training Ad-
23 ministration programs.

1 (TRANSFER OF FUNDS)

2 SEC. 106. (a) Notwithstanding section 102, the Sec-
3 retary may transfer funds made available to the Employ-
4 ment and Training Administration by this Act, either di-
5 rectly or through a set-aside, for technical assistance serv-
6 ices to grantees to “Program Administration” when it is
7 determined that those services will be more efficiently per-
8 formed by Federal employees: *Provided*, That this section
9 shall not apply to section 171 of the WIOA.

10 (b) Notwithstanding section 102, the Secretary may
11 transfer not more than 0.5 percent of each discretionary
12 appropriation made available to the Employment and
13 Training Administration by this Act to “Program Admin-
14 istration” in order to carry out program integrity activities
15 relating to any of the programs or activities that are fund-
16 ed under any such discretionary appropriations: *Provided*,
17 That funds transferred from under paragraphs (1) and
18 (2) of the “Office of Job Corps” account shall be available
19 under paragraph (3) of such account in order to carry out
20 program integrity activities relating to the Job Corps pro-
21 gram: *Provided further*, That funds transferred under this
22 subsection shall be available for obligation through Sep-
23 tember 30, 2018.

1 (TRANSFER OF FUNDS)

2 SEC. 107. (a) The Secretary may reserve not more
3 than 0.75 percent from each appropriation made available
4 in this Act identified in subsection (b) in order to carry
5 out evaluations of any of the programs or activities that
6 are funded under such accounts. Any funds reserved under
7 this section shall be transferred to “Departmental Man-
8 agement” for use by the Office of the Chief Evaluation
9 Officer within the Department of Labor, and shall be
10 available for obligation through September 30, 2018: *Pro-*
11 *vided*, That such funds shall only be available if the Chief
12 Evaluation Officer of the Department of Labor submits
13 a plan to the Committees on Appropriations of the House
14 of Representatives and the Senate describing the evalua-
15 tions to be carried out 15 days in advance of any transfer.

16 (b) The accounts referred to in subsection (a) are:
17 “Training and Employment Services”, “Job Corps”,
18 “Community Service Employment for Older Americans”,
19 “State Unemployment Insurance and Employment Service
20 Operations”, “Employee Benefits Security Administra-
21 tion”, “Office of Workers’ Compensation Programs”,
22 “Wage and Hour Division”, “Office of Federal Contract
23 Compliance Programs”, “Office of Labor Management
24 Standards”, “Occupational Safety and Health Adminis-
25 tration”, “Mine Safety and Health Administration”, “Of-

1 fice of Disability Employment Policy”, funding made
2 available to the “Bureau of International Labor Affairs”
3 and “Women’s Bureau” within the “Departmental Man-
4 agement, Salaries and Expenses” account, and “Veterans
5 Employment and Training”.

6 SEC. 108. Notwithstanding any other provision of
7 law, beginning October 1, 2016, the Secretary of Labor,
8 in consultation with the Secretary of Agriculture may se-
9 lect an entity to operate a Civilian Conservation Center
10 on a competitive basis in accordance with section 147 of
11 the WIOA, if the Secretary of Labor determines such Cen-
12 ter has had consistently low performance under the per-
13 formance accountability system in effect for the Job Corps
14 program prior to July 1, 2016, or with respect to expected
15 levels of performance established under section 159(c) of
16 such Act beginning July 1, 2016.

17 SEC. 109. (a) Section 7 of the Fair Labor Standards
18 Act of 1938 (29 U.S.C. 207) shall be applied as if the
19 following text is part of such section:

20 “(s)(1) The provisions of this section shall not apply
21 for a period of 2 years after the occurrence of a major
22 disaster to any employee—

23 “(A) employed to adjust or evaluate claims re-
24 sulting from or relating to such major disaster, by
25 an employer not engaged, directly or through an af-

1 filiate, in underwriting, selling, or marketing prop-
2 erty, casualty, or liability insurance policies or con-
3 tracts;

4 “(B) who receives from such employer on aver-
5 age weekly compensation of not less than \$591.00
6 per week or any minimum weekly amount estab-
7 lished by the Secretary, whichever is greater, for the
8 number of weeks such employee is engaged in any
9 of the activities described in subparagraph (C); and

10 “(C) whose duties include any of the following:

11 “(i) interviewing insured individuals, indi-
12 viduals who suffered injuries or other damages
13 or losses arising from or relating to a disaster,
14 witnesses, or physicians;

15 “(ii) inspecting property damage or review-
16 ing factual information to prepare damage esti-
17 mates;

18 “(iii) evaluating and making recommenda-
19 tions regarding coverage or compensability of
20 claims or determining liability or value aspects
21 of claims;

22 “(iv) negotiating settlements; or

23 “(v) making recommendations regarding
24 litigation.

1 “(2) The exemption in this subsection shall not affect
2 the exemption provided by section 13(a)(1).

3 “(3) For purposes of this subsection—

4 “(A) the term ‘major disaster’ means any dis-
5 aster or catastrophe declared or designated by any
6 State or Federal agency or department;

7 “(B) the term ‘employee employed to adjust or
8 evaluate claims resulting from or relating to such
9 major disaster’ means an individual who timely se-
10 cured or secures a license required by applicable law
11 to engage in and perform the activities described in
12 clauses (i) through (v) of paragraph (1)(C) relating
13 to a major disaster, and is employed by an employer
14 that maintains worker compensation insurance cov-
15 erage or protection for its employees, if required by
16 applicable law, and withholds applicable Federal,
17 State, and local income and payroll taxes from the
18 wages, salaries and any benefits of such employees;
19 and

20 “(C) the term ‘affiliate’ means a company that,
21 by reason of ownership or control of 25 percent or
22 more of the outstanding shares of any class of voting
23 securities of one or more companies, directly or indi-
24 rectly, controls, is controlled by, or is under common
25 control with, another company.”.

1 (b) This section shall be effective on the date of en-
2 actment of this Act.

3 (RESCISSION)

4 SEC. 110. Of the funds made available under the
5 heading “Employment and Training Administration—
6 Training and Employment Services” in division H of Pub-
7 lic Law 114–113, \$75,000,000 is rescinded, to be derived
8 from the amount made available in paragraph (2)(A)
9 under such heading for the period October 1, 2016,
10 through September 30, 2017.

11 SEC. 111. (a) FLEXIBILITY WITH RESPECT TO THE
12 CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE
13 SEAFOOD INDUSTRY.—

14 (1) IN GENERAL.—Subject to paragraph (2), if
15 a petition for H–2B nonimmigrants filed by an em-
16 ployer in the seafood industry is granted, the em-
17 ployer may bring the nonimmigrants described in
18 the petition into the United States at any time dur-
19 ing the 120-day period beginning on the start date
20 for which the employer is seeking the services of the
21 nonimmigrants without filing another petition.

22 (2) REQUIREMENTS FOR CROSSINGS AFTER
23 90TH DAY.—An employer in the seafood industry
24 may not bring H–2B nonimmigrants into the United
25 States after the date that is 90 days after the start

1 date for which the employer is seeking the services
2 of the nonimmigrants unless the employer—

3 (A) completes a new assessment of the
4 local labor market by—

5 (i) listing job orders in local news-
6 papers on 2 separate Sundays; and

7 (ii) posting the job opportunity on the
8 appropriate Department of Labor Elec-
9 tronic Job Registry and at the employer's
10 place of employment; and

11 (B) offers the job to an equally or better
12 qualified United States worker who—

13 (i) applies for the job; and

14 (ii) will be available at the time and
15 place of need.

16 (3) EXEMPTION FROM RULES WITH RESPECT
17 TO STAGGERING.—The Secretary of Labor shall not
18 consider an employer in the seafood industry who
19 brings H-2B nonimmigrants into the United States
20 during the 120-day period specified in paragraph (1)
21 to be staggering the date of need in violation of sec-
22 tion 655.20(d) of title 20, Code of Federal Regula-
23 tions, or any other applicable provision of law.

24 (b) H-2B NONIMMIGRANTS DEFINED.—In this sec-
25 tion, the term “H-2B nonimmigrants” means aliens ad-

1 mitted to the United States pursuant to section
2 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
3 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

4 SEC. 112. The determination of prevailing wage for
5 the purposes of the H-2B program shall be the greater
6 of—(1) the actual wage level paid by the employer to other
7 employees with similar experience and qualifications for
8 such position in the same location; or (2) the prevailing
9 wage level for the occupational classification of the posi-
10 tion in the geographic area in which the H-2B non-
11 immigrant will be employed, based on the best information
12 available at the time of filing the petition. In the deter-
13 mination of prevailing wage for the purposes of the H-
14 2B program, the Secretary shall accept private wage sur-
15 veys even in instances where Occupational Employment
16 Statistics survey data are available unless the Secretary
17 determines that the methodology and data in the provided
18 survey are not statistically supported.

19 SEC. 113. None of the funds in this Act shall be used
20 to enforce the definition of corresponding employment
21 found in 20 CFR 655.5 or the three-fourths guarantee
22 rule definition found in 20 CFR 655.20, or any references
23 thereto. Further, for the purpose of regulating admission
24 of temporary workers under the H-2B program, the defi-

1 nition of temporary need shall be that provided in 8 CFR
2 214.2(h)(6)(ii)(B).

3 This title may be cited as the “Department of Labor
4 Appropriations Act, 2017”.

1 TITLE II
2 DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES
4 HEALTH RESOURCES AND SERVICES ADMINISTRATION
5 PRIMARY HEALTH CARE

6 For carrying out titles II and III of the Public Health
7 Service Act (referred to in this Act as the “PHS Act”) *with respect to primary health care and the Native Hawaiian Health Care Act of 1988, \$1,491,522,000: Provided,*
8 *That no more than \$1,000,000 shall be available until expended for carrying out the provisions of section 224(o)*
9 *of the PHS Act: Provided further, That no more than*
10 *\$99,893,000 shall be available until expended for carrying*
11 *out the provisions of sections 224(g)–(n) and (q) of the*
12 *PHS Act, and for expenses incurred by the Department*
13 *of Health and Human Services (referred to in this Act*
14 *as “HHS”) pertaining to administrative claims made*
15 *under such law: Provided further, That of funds provided*
16 *for the Health Centers program, as defined by section 330*
17 *of the PHS Act, by this Act or any other Act for fiscal*
18 *year 2017, not less than \$100,000,000 shall be obligated*
19 *in fiscal year 2017 to support grants to expand medical*
20 *services, behavioral health, oral health, pharmacy, or vi-*
21 *sion services.*

1 HEALTH WORKFORCE

2 For carrying out titles III, VII, and VIII of the PHS
3 Act with respect to the health workforce, sections 1128E
4 and 1921 of the Social Security Act, and the Health Care
5 Quality Improvement Act of 1986, \$838,695,000: *Pro-*
6 *vided*, That sections 747(c)(2), 751(j)(2), 762(k), and the
7 proportional funding amounts in paragraphs (1) through
8 (4) of section 756(f) of the PHS Act shall not apply to
9 funds made available under this heading: *Provided further*,
10 That for any program operating under section 751 of the
11 PHS Act on or before January 1, 2009, the Secretary of
12 Health and Human Services (referred to in this title as
13 the “Secretary”) may hereafter waive any of the require-
14 ments contained in sections 751(d)(2)(A) and
15 751(d)(2)(B) of such Act for the full project period of a
16 grant under such section: *Provided further*, That no funds
17 shall be available for section 340G–1 of the PHS Act: *Pro-*
18 *vided further*, That fees collected for the disclosure of in-
19 formation under section 427(b) of the Health Care Quality
20 Improvement Act of 1986 and sections 1128E(d)(2) and
21 1921 of the Social Security Act shall be sufficient to re-
22 cover the full costs of operating the programs authorized
23 by such sections and shall remain available until expended
24 for the National Practitioner Data Bank: *Provided further*,
25 That funds transferred to this account to carry out section

1 846 and subpart 3 of part D of title III of the PHS Act
2 may be used to make prior year adjustments to awards
3 made under such sections.

4 MATERNAL AND CHILD HEALTH

5 For carrying out titles III, XI, XII, and XIX of the
6 PHS Act with respect to maternal and child health, title
7 V of the Social Security Act, and section 712 of the Amer-
8 ican Jobs Creation Act of 2004, \$848,617,000: *Provided*,
9 That notwithstanding sections 502(a)(1) and 502(b)(1) of
10 the Social Security Act, not more than \$80,593,000 shall
11 be available for carrying out special projects of regional
12 and national significance pursuant to section 501(a)(2) of
13 such Act and \$10,276,000 shall be available for projects
14 described in subparagraphs (A) through (F) of section
15 501(a)(3) of such Act.

16 RYAN WHITE HIV/AIDS PROGRAM

17 For carrying out title XXVI of the PHS Act with
18 respect to the Ryan White HIV/AIDS program,
19 \$2,318,781,000, of which \$1,970,881,000 shall remain
20 available to the Secretary through September 30, 2019,
21 for parts A and B of title XXVI of the PHS Act, and
22 of which not less than \$900,313,000 shall be for State
23 AIDS Drug Assistance Programs under the authority of
24 section 2616 or 311(c) of such Act.

1 HEALTH CARE SYSTEMS

2 For carrying out titles III and XII of the PHS Act
3 with respect to health care systems, and the Stem Cell
4 Therapeutic and Research Act of 2005, \$104,193,000, of
5 which \$122,000 shall be available until expended for facili-
6 ties renovations at the Gillis W. Long Hansen's Disease
7 Center.

8 RURAL HEALTH

9 For carrying out titles III and IV of the PHS Act
10 with respect to rural health, section 427(a) of the Federal
11 Coal Mine Health and Safety Act of 1969, and sections
12 711 and 1820 of the Social Security Act, \$156,060,000,
13 of which \$43,609,000 from general revenues, notwith-
14 standing section 1820(j) of the Social Security Act, shall
15 be available for carrying out the Medicare rural hospital
16 flexibility grants program: *Provided*, That of the funds
17 made available under this heading for Medicare rural hos-
18 pital flexibility grants, \$14,942,000 shall be available for
19 the Small Rural Hospital Improvement Grant Program
20 for quality improvement and adoption of health informa-
21 tion technology and up to \$1,000,000 shall be to carry
22 out section 1820(g)(6) of the Social Security Act, with
23 funds provided for grants under section 1820(g)(6) avail-
24 able for the purchase and implementation of telehealth
25 services, including pilots and demonstrations on the use

1 of electronic health records to coordinate rural veterans
2 care between rural providers and the Department of Vet-
3 erans Affairs electronic health record system: *Provided*
4 *further*, That notwithstanding section 338J(k) of the PHS
5 Act, \$10,000,000 shall be available for State Offices of
6 Rural Health.

7
8 FAMILY PLANNING

8 For carrying out the program under title X of the
9 PHS Act to provide for voluntary family planning
10 projects, \$286,479,000: *Provided*, That amounts provided
11 to said projects under such title shall not be expended for
12 abortions, that all pregnancy counseling shall be nondirec-
13 tive, and that such amounts shall not be expended for any
14 activity (including the publication or distribution of lit-
15 erature) that in any way tends to promote public support
16 or opposition to any legislative proposal or candidate for
17 public office.

18
19 PROGRAM MANAGEMENT

19 For program support in the Health Resources and
20 Services Administration, \$154,000,000: *Provided*, That
21 funds made available under this heading may be used to
22 supplement program support funding provided under the
23 headings “Primary Health Care”, “Health Workforce”,
24 “Maternal and Child Health”, “Ryan White HIV/AIDS
25 Program”, “Health Care Systems”, and “Rural Health”.

1 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

2 For payments from the Vaccine Injury Compensation
3 Program Trust Fund (the “Trust Fund”), such sums as
4 may be necessary for claims associated with vaccine-re-
5 lated injury or death with respect to vaccines administered
6 after September 30, 1988, pursuant to subtitle 2 of title
7 XXI of the PHS Act, to remain available until expended:
8 *Provided*, That for necessary administrative expenses, not
9 to exceed \$7,750,000 shall be available from the Trust
10 Fund to the Secretary.

11 CENTERS FOR DISEASE CONTROL AND PREVENTION

12 IMMUNIZATION AND RESPIRATORY DISEASES

13 For carrying out titles II, III, XVII, and XXI, and
14 section 2821 of the PHS Act, titles II and IV of the Immi-
15 gration and Nationality Act, and section 501 of the Ref-
16 ugee Education Assistance Act, with respect to immuniza-
17 tion and respiratory diseases, \$455,000,000.

18 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED

19 DISEASES, AND TUBERCULOSIS PREVENTION

20 For carrying out titles II, III, XVII, and XXIII of
21 the PHS Act with respect to HIV/AIDS, viral hepatitis,
22 sexually transmitted diseases, and tuberculosis prevention,
23 \$1,117,278,000.

1 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

2 For carrying out titles II, III, and XVII, and section
3 2821 of the PHS Act, titles II and IV of the Immigration
4 and Nationality Act, and section 501 of the Refugee Edu-
5 cation Assistance Act, with respect to emerging and
6 zoonotic infectious diseases, \$532,922,000.

7 CHRONIC DISEASE PREVENTION AND HEALTH

8 PROMOTION

9 For carrying out titles II, III, XI, XV, XVII, and
10 XIX of the PHS Act with respect to chronic disease pre-
11 vention and health promotion, \$777,646,000: *Provided*,
12 That funds appropriated under this account may be avail-
13 able for making grants under section 1509 of the PHS
14 Act for not less than 21 States, tribes, or tribal organiza-
15 tions: *Provided further*, That of the funds available under
16 this heading, \$10,000,000 shall be available to continue
17 and expand community specific extension and outreach
18 programs to combat obesity in counties with the highest
19 levels of obesity: *Provided further*, That the proportional
20 funding requirements under section 1503(a) of the PHS
21 Act shall not apply to funds made available under this
22 heading.

1 ty and Health Act, with respect to occupational safety and
2 health, \$335,200,000.

3 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

4 COMPENSATION PROGRAM

5 For necessary expenses to administer the Energy
6 Employees Occupational Illness Compensation Program
7 Act, \$55,358,000, to remain available until expended: *Pro-*
8 *vided*, That this amount shall be available consistent with
9 the provision regarding administrative expenses in section
10 151(b) of division B, title I of Public Law 106–554.

11 GLOBAL HEALTH

12 For carrying out titles II, III, and XVII of the PHS
13 Act with respect to global health, \$435,121,000, of which
14 \$128,421,000 for international HIV/AIDS shall remain
15 available through September 30, 2018: *Provided*, That
16 funds may be used for purchase and insurance of official
17 motor vehicles in foreign countries.

18 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to public health preparedness and re-
21 sponse, and for expenses necessary to support activities
22 related to countering potential biological, nuclear, radio-
23 logical, and chemical threats to civilian populations,
24 \$1,405,000,000, of which \$575,000,000 shall remain
25 available until expended for the Strategic National Stock-

1 pile: *Provided*, That in the event the Director of the Cen-
2 ters for Disease Control and Prevention (referred to in
3 this title as “CDC”) activates the Emergency Operations
4 Center, the Director of the CDC may detail CDC staff
5 without reimbursement for up to 90 days to support the
6 work of the CDC Emergency Operations Center, so long
7 as the Director provides a notice to the Committees on
8 Appropriations of the House of Representatives and the
9 Senate within 15 days of the use of this authority and
10 a full report within 30 days after use of this authority
11 which includes the number of staff and funding level bro-
12 ken down by the originating center and number of days
13 detailed: *Provided further*, That funds appropriated under
14 this heading may be used to support a contract for the
15 operation and maintenance of an aircraft in direct support
16 of activities throughout CDC to ensure the agency is pre-
17 pared to address public health preparedness emergencies.

18 BUILDINGS AND FACILITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For acquisition of real property, equipment, construc-
21 tion, demolition, and renovation of facilities, \$10,000,000,
22 which shall remain available until September 30, 2021:
23 *Provided*, That funds previously set-aside by CDC for re-
24 pair and upgrade of the Lake Lynn Experimental Mine
25 and Laboratory shall be used to acquire a replacement

1 mine safety research facility: *Provided further*, That in ad-
2 dition, the prior year unobligated balance of any amounts
3 assigned to former employees in accounts of CDC made
4 available for Individual Learning Accounts shall be cred-
5 ited to and merged with the amounts made available under
6 this heading to support the replacement of the mine safety
7 research facility.

8 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

9 For carrying out titles II, III, XVII and XIX, and
10 section 2821 of the PHS Act and for cross-cutting activi-
11 ties and program support for activities funded in other
12 appropriations included in this Act for the Centers for
13 Disease Control and Prevention, \$113,570,000: *Provided*,
14 That paragraphs (1) through (3) of subsection (b) of sec-
15 tion 2821 of the PHS Act shall not apply to funds appro-
16 priated under this heading and in all other accounts of
17 the CDC: *Provided further*, That employees of CDC or the
18 Public Health Service, both civilian and commissioned of-
19 ficers, detailed to States, municipalities, or other organiza-
20 tions under authority of section 214 of the PHS Act, or
21 in overseas assignments, shall be treated as non-Federal
22 employees for reporting purposes only and shall not be in-
23 cluded within any personnel ceiling applicable to the Agen-
24 cy, Service, or HHS during the period of detail or assign-
25 ment: *Provided further*, That CDC may use up to \$10,000

1 from amounts appropriated to CDC in this Act for official
2 reception and representation expenses when specifically
3 approved by the Director of CDC: *Provided further*, That
4 in addition, such sums as may be derived from authorized
5 user fees, which shall be credited to the appropriation
6 charged with the cost thereof: *Provided further*, That with
7 respect to the previous proviso, authorized user fees from
8 the Vessel Sanitation Program and the Respirator Certifi-
9 cation Program shall be available through September 30,
10 2018.

11 NATIONAL INSTITUTES OF HEALTH

12 NATIONAL CANCER INSTITUTE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to cancer, \$5,389,329,000, of which up
15 to \$50,000,000 may be used for facilities repairs and im-
16 provements at the National Cancer Institute—Frederick
17 Federally Funded Research and Development Center in
18 Frederick, Maryland: *Provided*, That of the
19 \$5,689,329,000 provided for in direct obligations under
20 this heading, \$5,389,329,000 is appropriated from the
21 general fund and \$300,000,000 was previously appro-
22 priated for fiscal year 2017 by section 194 of the Con-
23 tinuing Appropriations Act, 2017 (division C of Public
24 Law 114–223), as amended by the Further Continuing
25 and Security Assistance Appropriations Act, 2017 (Public

1 Law 114–254) to support cancer research pursuant to sec-
2 tion 1001 of the 21st Century Cures Act.

3 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

4 For carrying out section 301 and title IV of the PHS
5 Act with respect to cardiovascular, lung, and blood dis-
6 eases, and blood and blood products, \$3,206,589,000.

7 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL

8 RESEARCH

9 For carrying out section 301 and title IV of the PHS
10 Act with respect to dental and craniofacial diseases,
11 \$425,751,000.

12 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND

13 KIDNEY DISEASES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to diabetes and digestive and kidney dis-
16 ease, \$1,870,595,000.

17 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS

18 AND STROKE

19 For carrying out section 301 and title IV of the PHS
20 Act with respect to neurological disorders and stroke,
21 \$1,783,654,000.

1 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
2 DISEASES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to allergy and infectious diseases,
5 \$4,906,638,000.

6 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to general medical sciences,
9 \$2,650,838,000, of which \$824,443,000 shall be from
10 funds available under section 241 of the PHS Act: *Pro-*
11 *vided*, That not less than \$333,361,000 is provided for
12 the Institutional Development Awards program.

13 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
14 CHILD HEALTH AND HUMAN DEVELOPMENT

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to child health and human development,
17 \$1,380,295,000.

18 NATIONAL EYE INSTITUTE

19 For carrying out section 301 and title IV of the PHS
20 Act with respect to eye diseases and visual disorders,
21 \$732,618,000.

1 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
2 SCIENCES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to environmental health sciences,
5 \$714,261,000.

6 NATIONAL INSTITUTE ON AGING

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to aging, \$2,048,610,000.

9 NATIONAL INSTITUTE OF ARTHRITIS AND
10 MUSCULOSKELETAL AND SKIN DISEASES

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to arthritis and musculoskeletal and skin
13 diseases, \$557,851,000.

14 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
15 COMMUNICATION DISORDERS

16 For carrying out section 301 and title IV of the PHS
17 Act with respect to deafness and other communication dis-
18 orders, \$436,875,000.

19 NATIONAL INSTITUTE OF NURSING RESEARCH

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to nursing research, \$150,273,000.

1 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
2 ALCOHOLISM

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to alcohol abuse and alcoholism,
5 \$483,363,000.

6 NATIONAL INSTITUTE ON DRUG ABUSE

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to drug abuse, \$1,090,853,000.

9 NATIONAL INSTITUTE OF MENTAL HEALTH

10 For carrying out section 301 and title IV of the PHS
11 Act with respect to mental health, \$1,601,931,000.

12 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to human genome research,
15 \$528,566,000.

16 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
17 BIOENGINEERING

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to biomedical imaging and bioengineering
20 research, \$357,080,000.

21 NATIONAL CENTER FOR COMPLEMENTARY AND
22 INTEGRATIVE HEALTH

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to complementary and integrative health,
25 \$134,689,000.

1 NATIONAL INSTITUTE ON MINORITY HEALTH AND
2 HEALTH DISPARITIES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to minority health and health disparities
5 research, \$289,069,000.

6 JOHN E. FOGARTY INTERNATIONAL CENTER

7 For carrying out the activities of the John E. Fogarty
8 International Center (described in subpart 2 of part E of
9 title IV of the PHS Act), \$72,213,000.

10 NATIONAL LIBRARY OF MEDICINE

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to health information communications,
13 \$407,510,000: *Provided*, That of the amounts available for
14 improvement of information systems, \$4,000,000 shall be
15 available until September 30, 2018: *Provided further*, That
16 in fiscal year 2017, the National Library of Medicine may
17 enter into personal services contracts for the provision of
18 services in facilities owned, operated, or constructed under
19 the jurisdiction of the National Institutes of Health (re-
20 ferred to in this title as “NIH”).

21 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
22 SCIENCES

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to translational sciences, \$705,903,000:
25 *Provided*, That up to \$25,835,000 shall be available to im-

1 plement section 480 of the PHS Act, relating to the Cures
2 Acceleration Network: *Provided further*, That at least
3 \$516,120,000 is provided to the Clinical and Translational
4 Sciences Awards program.

5 OFFICE OF THE DIRECTOR

6 For carrying out the responsibilities of the Office of
7 the Director, NIH, \$1,665,183,000 (in addition to the
8 \$52,000,000 in the NIH Innovation Fund previously ap-
9 propriated for fiscal year 2017 pursuant to section 1001
10 of the 21st Century Cures Act, 2017 (division C of Public
11 Law 114–254)): *Provided*, That funding shall be available
12 for the purchase of not to exceed 29 passenger motor vehi-
13 cles for replacement only: *Provided further*, That all funds
14 credited to the NIH Management Fund shall remain avail-
15 able for one fiscal year after the fiscal year in which they
16 are deposited: *Provided further*, That \$165,000,000 shall
17 be for the National Children’s Study Follow-on: *Provided*
18 *further*, That \$682,856,000 shall be available for the Com-
19 mon Fund established under section 402A(c)(1) of the
20 PHS Act: *Provided further*, That of the funds provided,
21 \$10,000 shall be for official reception and representation
22 expenses when specifically approved by the Director of the
23 NIH: *Provided further*, That the Office of AIDS Research
24 within the Office of the Director of the NIH may spend
25 up to \$8,000,000 to make grants for construction or ren-

1 ovation of facilities as provided for in section
2 2354(a)(5)(B) of the PHS Act: *Provided further*, That up
3 to \$190,000,000 (in addition to the \$40,000,000 to sup-
4 port the Precision Medicine Initiative in the NIH Innova-
5 tion Fund previously appropriated for fiscal year 2017
6 pursuant to section 1001 of the 21st Century Cures Act
7 by section 194 of the Continuing Appropriations Act,
8 2017 (division C of Public Law 114–254)), of the funds
9 provided herein are available to support the trans-NIH
10 Precision Medicine Initiative.

11 In addition to other funds appropriated for the Com-
12 mon Fund established under section 402A(c) of the PHS
13 Act, \$12,600,000 is appropriated to the Common Fund
14 from the 10-year Pediatric Research Initiative Fund de-
15 scribed in section 9008 of title 26, United States Code,
16 for the purpose of carrying out section 402(b)(7)(B)(ii)
17 of the PHS Act (relating to pediatric research), as author-
18 ized in the Gabriella Miller Kids First Research Act.

19 BUILDINGS AND FACILITIES

20 For the study of, construction of, demolition of, ren-
21 ovation of, and acquisition of equipment for, facilities of
22 or used by NIH, including the acquisition of real property,
23 \$128,863,000, to remain available through September 30,
24 2021.

1 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

2 ADMINISTRATION

3 MENTAL HEALTH

4 For carrying out titles III, V, and XIX of the PHS
5 Act with respect to mental health, and the Protection and
6 Advocacy for Individuals with Mental Illness Act,
7 \$1,147,998,000: *Provided*, That notwithstanding section
8 520A(f)(2) of the PHS Act, no funds appropriated for car-
9 rying out section 520A shall be available for carrying out
10 section 1971 of the PHS Act: *Provided further*, That in
11 addition to amounts provided herein, \$21,039,000 shall be
12 available under section 241 of the PHS Act to carry out
13 subpart I of part B of title XIX of the PHS Act to fund
14 section 1920(b) technical assistance, national data, data
15 collection and evaluation activities, and further that the
16 total available under this Act for section 1920(b) activities
17 shall not exceed 5 percent of the amounts appropriated
18 for subpart I of part B of title XIX: *Provided further*, That
19 section 520E(b)(2) of the PHS Act shall not apply to
20 funds appropriated in this Act for fiscal year 2017: *Pro-*
21 *vided further*, That notwithstanding section 565(b)(1) of
22 the PHS Act, technical assistance may be provided to a
23 public entity to establish or operate a system of com-
24 prehensive community mental health services to children
25 with a serious emotional disturbance, without regard to

1 whether the public entity receives a grant under section
2 561(a) of such Act: *Provided further*, That States shall
3 expend at least 10 percent of the amount each receives
4 for carrying out section 1911 of the PHS Act to support
5 evidence-based programs that address the needs of individ-
6 uals with early serious mental illness, including psychotic
7 disorders, regardless of the age of the individual at onset:
8 *Provided further*, That none of the funds provided for sec-
9 tion 1911 of the PHS Act shall be subject to section 241
10 of such Act: *Provided further*, That of the funds made
11 available under this heading, \$15,000,000 shall be to
12 carry out section 224 of the Protecting Access to Medicare
13 Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa 22
14 note).

15 SUBSTANCE ABUSE TREATMENT

16 For carrying out titles III and V of the PHS Act
17 with respect to substance abuse treatment and title XIX
18 of such Act with respect to substance abuse treatment and
19 prevention, \$2,131,306,000: *Provided*, That in addition to
20 amounts provided herein, the following amounts shall be
21 available under section 241 of the PHS Act: (1)
22 \$79,200,000 to carry out subpart II of part B of title XIX
23 of the PHS Act to fund section 1935(b) technical assist-
24 ance, national data, data collection and evaluation activi-
25 ties, and further that the total available under this Act

1 for section 1935(b) activities shall not exceed 5 percent
2 of the amounts appropriated for subpart II of part B of
3 title XIX; and (2) \$2,000,000 to evaluate substance abuse
4 treatment programs: *Provided further*, That none of the
5 funds provided for section 1921 of the PHS Act shall be
6 subject to section 241 of such Act.

7 SUBSTANCE ABUSE PREVENTION

8 For carrying out titles III and V of the PHS Act
9 with respect to substance abuse prevention, \$223,219,000.

10 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

11 For program support and cross-cutting activities that
12 supplement activities funded under the headings “Mental
13 Health”, “Substance Abuse Treatment”, and “Substance
14 Abuse Prevention” in carrying out titles III, V, and XIX
15 of the PHS Act and the Protection and Advocacy for Indi-
16 viduals with Mental Illness Act in the Substance Abuse
17 and Mental Health Services Administration,
18 \$116,830,000: *Provided*, That in addition to amounts pro-
19 vided herein, \$31,428,000 shall be available under section
20 241 of the PHS Act to supplement funds available to
21 carry out national surveys on drug abuse and mental
22 health, to collect and analyze program data, and to con-
23 duct public awareness and technical assistance activities:
24 *Provided further*, That, in addition, fees may be collected
25 for the costs of publications, data, data tabulations, and

1 data analysis completed under title V of the PHS Act and
2 provided to a public or private entity upon request, which
3 shall be credited to this appropriation and shall remain
4 available until expended for such purposes: *Provided fur-*
5 *ther*, That amounts made available in this Act for carrying
6 out section 501(m) of the PHS Act shall remain available
7 through September 30, 2018: *Provided further*, That funds
8 made available under this heading may be used to supple-
9 ment program support funding provided under the head-
10 ings “Mental Health”, “Substance Abuse Treatment”,
11 and “Substance Abuse Prevention”.

12 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

13 HEALTHCARE RESEARCH AND QUALITY

14 For carrying out titles III and IX of the PHS Act,
15 part A of title XI of the Social Security Act, and section
16 1013 of the Medicare Prescription Drug, Improvement,
17 and Modernization Act of 2003, \$324,000,000: *Provided*,
18 That section 947(c) of the PHS Act shall not apply in
19 fiscal year 2017: *Provided further*, That in addition,
20 amounts received from Freedom of Information Act fees,
21 reimbursable and interagency agreements, and the sale of
22 data shall be credited to this appropriation and shall re-
23 main available until September 30, 2018.

1 CENTERS FOR MEDICARE AND MEDICAID SERVICES

2 GRANTS TO STATES FOR MEDICAID

3 For carrying out, except as otherwise provided, titles
4 XI and XIX of the Social Security Act, \$262,003,967,000,
5 to remain available until expended.

6 For making, after May 31, 2017, payments to States
7 under title XIX or in the case of section 1928 on behalf
8 of States under title XIX of the Social Security Act for
9 the last quarter of fiscal year 2017 for unanticipated costs
10 incurred for the current fiscal year, such sums as may be
11 necessary.

12 For making payments to States or in the case of sec-
13 tion 1928 on behalf of States under title XIX of the Social
14 Security Act for the first quarter of fiscal year 2018,
15 \$125,219,452,000, to remain available until expended.

16 Payment under such title XIX may be made for any
17 quarter with respect to a State plan or plan amendment
18 in effect during such quarter, if submitted in or prior to
19 such quarter and approved in that or any subsequent
20 quarter.

21 PAYMENTS TO HEALTH CARE TRUST FUNDS

22 For payment to the Federal Hospital Insurance
23 Trust Fund and the Federal Supplementary Medical In-
24 surance Trust Fund, as provided under sections 217(g),
25 1844, and 1860D-16 of the Social Security Act, sections

1 103(c) and 111(d) of the Social Security Amendments of
2 1965, section 278(d)(3) of Public Law 97-248, and for
3 administrative expenses incurred pursuant to section
4 201(g) of the Social Security Act, \$299,187,700,000.

5 In addition, for making matching payments under
6 section 1844 and benefit payments under section 1860D-
7 16 of the Social Security Act that were not anticipated
8 in budget estimates, such sums as may be necessary.

9 PROGRAM MANAGEMENT

10 For carrying out, except as otherwise provided, titles
11 XI, XVIII, XIX, and XXI of the Social Security Act, titles
12 XIII and XXVII of the PHS Act, the Clinical Laboratory
13 Improvement Amendments of 1988, and other responsibil-
14 ities of the Centers for Medicare and Medicaid Services,
15 not to exceed \$3,669,744,000, to be transferred from the
16 Federal Hospital Insurance Trust Fund and the Federal
17 Supplementary Medical Insurance Trust Fund, as author-
18 ized by section 201(g) of the Social Security Act; together
19 with all funds collected in accordance with section 353 of
20 the PHS Act and section 1857(e)(2) of the Social Security
21 Act, funds retained by the Secretary pursuant to section
22 302 of the Tax Relief and Health Care Act of 2006; and
23 such sums as may be collected from authorized user fees
24 and the sale of data, which shall be credited to this ac-
25 count and remain available until September 30, 2022: *Pro-*

1 *vided*, That all funds derived in accordance with 31 U.S.C.
2 9701 from organizations established under title XIII of
3 the PHS Act shall be credited to and available for carrying
4 out the purposes of this appropriation: *Provided further*,
5 That the Secretary is directed to collect fees in fiscal year
6 2017 from Medicare Advantage organizations pursuant to
7 section 1857(e)(2) of the Social Security Act and from eli-
8 gible organizations with risk-sharing contracts under sec-
9 tion 1876 of that Act pursuant to section 1876(k)(4)(D)
10 of that Act.

11 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

12 In addition to amounts otherwise available for pro-
13 gram integrity and program management, \$725,000,000,
14 to remain available through September 30, 2018, to be
15 transferred from the Federal Hospital Insurance Trust
16 Fund and the Federal Supplementary Medical Insurance
17 Trust Fund, as authorized by section 201(g) of the Social
18 Security Act, of which \$486,936,000 shall be for the Medi-
19 care Integrity Program at the Centers for Medicare and
20 Medicaid Services, including administrative costs, to con-
21 duct oversight activities for Medicare Advantage under
22 Part C and the Medicare Prescription Drug Program
23 under Part D of the Social Security Act and for activities
24 described in section 1893(b) of such Act, of which
25 \$82,132,000 shall be for the Department of Health and

1 Human Services Office of Inspector General to carry out
2 fraud and abuse activities authorized by section
3 1817(k)(3) of such Act, of which \$82,132,000 shall be for
4 the Medicaid and Children’s Health Insurance Program
5 (“CHIP”) program integrity activities, and of which
6 \$73,800,000 shall be for the Department of Justice to
7 carry out fraud and abuse activities authorized by section
8 1817(k)(3) of such Act: *Provided*, That the report re-
9 quired by section 1817(k)(5) of the Social Security Act
10 for fiscal year 2017 shall include measures of the oper-
11 ational efficiency and impact on fraud, waste, and abuse
12 in the Medicare, Medicaid, and CHIP programs for the
13 funds provided by this appropriation: *Provided further*,
14 That of the amount provided under this heading,
15 \$311,000,000 is provided to meet the terms of section
16 251(b)(2)(C)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985, as amended, and
18 \$414,000,000 is additional new budget authority specified
19 for purposes of section 251(b)(2)(C) of such Act: *Provided*
20 *further*, That the Secretary shall support the full cost of
21 the Senior Medicare Patrol program to combat health care
22 fraud and abuse from the funds provided to this account.

1 ADMINISTRATION FOR CHILDREN AND FAMILIES

2 PAYMENTS TO STATES FOR CHILD SUPPORT

3 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

4 For carrying out, except as otherwise provided, titles
5 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
6 and the Act of July 5, 1960, \$3,010,631,000, to remain
7 available until expended; and for such purposes for the
8 first quarter of fiscal year 2018, \$1,400,000,000, to re-
9 main available until expended.

10 For carrying out, after May 31 of the current fiscal
11 year, except as otherwise provided, titles I, IV–D, X, XI,
12 XIV, and XVI of the Social Security Act and the Act of
13 July 5, 1960, for the last 3 months of the current fiscal
14 year for unanticipated costs, incurred for the current fiscal
15 year, such sums as may be necessary.

16 LOW INCOME HOME ENERGY ASSISTANCE

17 For making payments under subsections (b) and (d)
18 of section 2602 of the Low Income Home Energy Assist-
19 ance Act of 1981, \$3,390,304,000: *Provided*, That all but
20 \$491,000,000 of this amount shall be allocated as though
21 the total appropriation for such payments for fiscal year
22 2017 was less than \$1,975,000,000: *Provided further*,
23 That notwithstanding section 2609A(a), of the amounts
24 appropriated under section 2602(b), not more than
25 \$2,988,000 of such amounts may be reserved by the Sec-

1 retary for technical assistance, training, and monitoring
2 of program activities for compliance with internal controls,
3 policies and procedures and may, in addition to the au-
4 thorities provided in section 2609A(a)(1), use such funds
5 through contracts with private entities that do not qualify
6 as nonprofit organizations.

7 REFUGEE AND ENTRANT ASSISTANCE

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses for refugee and entrant as-
10 sistance activities authorized by section 414 of the Immi-
11 gration and Nationality Act and section 501 of the Ref-
12 ugee Education Assistance Act of 1980, and for carrying
13 out section 462 of the Homeland Security Act of 2002,
14 section 235 of the William Wilberforce Trafficking Victims
15 Protection Reauthorization Act of 2008, the Trafficking
16 Victims Protection Act of 2000 (“TVPA”), and the Tor-
17 ture Victims Relief Act of 1998, \$1,674,691,000, of which
18 \$1,645,201,000 shall remain available through September
19 30, 2019 for carrying out such sections 414, 501, 462,
20 and 235: *Provided*, That amounts available under this
21 heading to carry out the TVPA shall also be available for
22 research and evaluation with respect to activities under
23 such Act: *Provided further*, That the limitation in section
24 205 of this Act regarding transfers increasing any appro-

1 priation shall apply to transfers to appropriations under
2 this heading by substituting “10 percent” for “3 percent”.

3 PAYMENTS TO STATES FOR THE CHILD CARE AND
4 DEVELOPMENT BLOCK GRANT

5 For carrying out the Child Care and Development
6 Block Grant Act of 2014 (“CCDBG Act”),
7 \$2,856,000,000 shall be used to supplement, not supplant
8 State general revenue funds for child care assistance for
9 low-income families: *Provided*, That technical assistance
10 under section 658I(a)(3) of such Act may be provided di-
11 rectly, or through the use of contracts, grants, cooperative
12 agreements, or interagency agreements: *Provided further*,
13 That all funds made available to carry out section 418
14 of the Social Security Act (42 U.S.C. 618), including
15 funds appropriated for that purpose in such section 418
16 or any other provision of law, shall be subject to the res-
17 ervation of funds authority in paragraphs (4) and (5) of
18 section 658O(a) of the CCDBG Act.

19 SOCIAL SERVICES BLOCK GRANT

20 For making grants to States pursuant to section
21 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
22 *vided*, That notwithstanding subparagraph (B) of section
23 404(d)(2) of such Act, the applicable percent specified
24 under such subparagraph for a State to carry out State

1 programs pursuant to title XX–A of such Act shall be 10
2 percent.

3 CHILDREN AND FAMILIES SERVICES PROGRAMS

4 For carrying out, except as otherwise provided, the
5 Runaway and Homeless Youth Act, the Head Start Act,
6 the Every Student Succeeds Act, the Child Abuse Preven-
7 tion and Treatment Act, sections 303 and 313 of the
8 Family Violence Prevention and Services Act, the Native
9 American Programs Act of 1974, title II of the Child
10 Abuse Prevention and Treatment and Adoption Reform
11 Act of 1978 (adoption opportunities), part B–1 of title IV
12 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
13 of the Social Security Act, and the Community Services
14 Block Grant Act (“CSBG Act”); for necessary administra-
15 tive expenses to carry out titles I, IV, V, X, XI, XIV, XVI,
16 and XX–A of the Social Security Act, the Act of July 5,
17 1960, the Low-Income Home Energy Assistance Act of
18 1981, the Child Care and Development Block Grant Act
19 of 2014, the Assets for Independence Act, title IV of the
20 Immigration and Nationality Act, and section 501 of the
21 Refugee Education Assistance Act of 1980; and for the
22 administration of prior year obligations made by the Ad-
23 ministration for Children and Families under the Develop-
24 mental Disabilities Assistance and Bill of Rights Act and
25 the Help America Vote Act of 2002, \$11,294,368,000, of

1 which \$37,943,000, to remain available through Sep-
2 tember 30, 2018, shall be for grants to States for adoption
3 and legal guardianship incentive payments, as defined by
4 section 473A of the Social Security Act and may be made
5 for adoptions and legal guardianships completed before
6 September 30, 2017: *Provided*, That \$9,253,095,000 shall
7 be for making payments under the Head Start Act: *Pro-*
8 *vided further*, That of the amount in the previous proviso,
9 \$8,588,095,000 shall be available for payments under sec-
10 tion 640 of the Head Start Act, of which \$80,000,000
11 shall be available for a cost of living adjustment notwith-
12 standing section 640(a)(3)(A) of such Act: *Provided fur-*
13 *ther*, That of the amount provided for making payments
14 under the Head Start Act, \$25,000,000 shall be available
15 for allocation by the Secretary to supplement activities de-
16 scribed in paragraphs (7)(B) and (9) of section 641(c) of
17 such Act under the Designation Renewal System, estab-
18 lished under the authority of sections 641(c)(7),
19 645A(b)(12) and 645A(d) of such Act: *Provided further*,
20 That notwithstanding such section 640, of the amount
21 provided for making payments under the Head Start Act,
22 and in addition to funds otherwise available under such
23 section 640, \$640,000,000 shall be available through
24 March 31, 2018 for Early Head Start programs as de-
25 scribed in section 645A of such Act, for conversion of

1 Head Start services to Early Head Start services as de-
2 scribed in section 645(a)(5)(A) of such Act, for discre-
3 tionary grants for high quality infant and toddler care
4 through Early Head Start-Child Care Partnerships, to en-
5 tities defined as eligible under section 645A(d) of such
6 Act, for training and technical assistance for such activi-
7 ties, and for up to \$14,000,000 in Federal costs of admin-
8 istration and evaluation, and, notwithstanding section
9 645A(c)(2) of such Act, these funds are available to serve
10 children under age 4: *Provided further*, That funds de-
11 scribed in the preceding two provisos shall not be included
12 in the calculation of “base grant” in subsequent fiscal
13 years, as such term is used in section 640(a)(7)(A) of such
14 Act: *Provided further*, That \$250,000,000 shall be avail-
15 able until December 31, 2017 for carrying out sections
16 9212 and 9213 of the Every Student Succeeds Act: *Pro-*
17 *vided further*, That, in accordance with section 9212(j) of
18 such Act, funds made available in the preceding proviso
19 may be allocated to the Department of Education to issue
20 continuation grants on behalf of the Secretary: *Provided*
21 *further*, That up to 3 percent of the funds in the second
22 preceding proviso shall be available for technical assist-
23 ance and evaluation related to grants awarded under such
24 section 9212: *Provided further*, That \$742,383,000 shall
25 be for making payments under the CSBG Act: *Provided*

1 *further*, That \$27,733,000 shall be for sections 680 and
2 678E(b)(2) of the CSBG Act, of which not less than
3 \$19,883,000 shall be for section 680(a)(2) and not less
4 than \$7,500,000 shall be for section 680(a)(3)(B) of such
5 Act: *Provided further*, That, notwithstanding section
6 675C(a)(3) of such Act, to the extent Community Services
7 Block Grant funds are distributed as grant funds by a
8 State to an eligible entity as provided under such Act, and
9 have not been expended by such entity, they shall remain
10 with such entity for carryover into the next fiscal year for
11 expenditure by such entity consistent with program pur-
12 poses: *Provided further*, That the Secretary shall establish
13 procedures regarding the disposition of intangible assets
14 and program income that permit such assets acquired
15 with, and program income derived from, grant funds au-
16 thorized under section 680 of the CSBG Act to become
17 the sole property of such grantees after a period of not
18 more than 12 years after the end of the grant period for
19 any activity consistent with section 680(a)(2)(A) of the
20 CSBG Act: *Provided further*, That intangible assets in the
21 form of loans, equity investments and other debt instru-
22 ments, and program income may be used by grantees for
23 any eligible purpose consistent with section 680(a)(2)(A)
24 of the CSBG Act: *Provided further*, That these procedures
25 shall apply to such grant funds made available after No-

1 vember 29, 1999: *Provided further*, That funds appro-
2 priated for section 680(a)(2) of the CSBG Act shall be
3 available for financing construction and rehabilitation and
4 loans or investments in private business enterprises owned
5 by community development corporations: *Provided further*,
6 That the Secretary shall issue performance standards for
7 entities receiving funds from State and territorial grantees
8 under the CSBG Act, and such States and territories shall
9 assure the implementation of such standards prior to Sep-
10 tember 30, 2017, and include information on such imple-
11 mentation in the report required by section 678E(a)(2)
12 of such Act: *Provided further*, That \$1,864,000 shall be
13 for a human services case management system for feder-
14 ally declared disasters, to include a comprehensive na-
15 tional case management contract and Federal costs of ad-
16 ministering the system: *Provided further*, That up to
17 \$2,000,000 shall be for improving the Public Assistance
18 Reporting Information System, including grants to States
19 to support data collection for a study of the system's effec-
20 tiveness.

21 PROMOTING SAFE AND STABLE FAMILIES

22 For carrying out, except as otherwise provided, sec-
23 tion 436 of the Social Security Act, \$325,000,000 and,
24 for carrying out, except as otherwise provided, section 437
25 of such Act, \$59,765,000: *Provided*, That notwithstanding

1 sections 438(c)(3)(A) and 436(b)(2) of such Act,
2 \$10,000,000 shall be available for such section 436(b)(2),
3 of which no funds shall be available for carrying out sec-
4 tions 438(c)(3)(A)(ii) and (iii) of such Act.

5 PAYMENTS FOR FOSTER CARE AND PERMANENCY

6 For carrying out, except as otherwise provided, title
7 IV–E of the Social Security Act, \$5,764,000,000.

8 For carrying out, except as otherwise provided, title
9 IV–E of the Social Security Act, for the first quarter of
10 fiscal year 2018, \$2,500,000,000.

11 For carrying out, after May 31 of the current fiscal
12 year, except as otherwise provided, section 474 of title IV–
13 E of the Social Security Act, for the last 3 months of the
14 current fiscal year for unanticipated costs, incurred for the
15 current fiscal year, such sums as may be necessary.

16 ADMINISTRATION FOR COMMUNITY LIVING

17 AGING AND DISABILITY SERVICES PROGRAMS

18 (INCLUDING TRANSFER OF FUNDS)

19 For carrying out, to the extent not otherwise pro-
20 vided, the Older Americans Act of 1965 (“OAA”), titles
21 III and XXIX of the PHS Act, sections 1252 and 1253
22 of the PHS Act, section 119 of the Medicare Improve-
23 ments for Patients and Providers Act of 2008, title XX–
24 B of the Social Security Act, the Developmental Disabil-
25 ities Assistance and Bill of Rights Act, parts 2 and 5 of

1 subtitle D of title II of the Help America Vote Act of
2 2002, the Assistive Technology Act of 1998, titles II and
3 VII (and section 14 with respect to such titles) of the Re-
4 habilitation Act of 1973, and for Department-wide coordi-
5 nation of policy and program activities that assist individ-
6 uals with disabilities, \$1,919,000,000, together with
7 \$47,115,000 to be transferred from the Federal Hospital
8 Insurance Trust Fund and the Federal Supplementary
9 Medical Insurance Trust Fund to carry out section 4360
10 of the Omnibus Budget Reconciliation Act of 1990: *Pro-*
11 *vided*, That amounts appropriated under this heading may
12 be used for grants to States under section 361 of the OAA
13 only for disease prevention and health promotion pro-
14 grams and activities which have been demonstrated
15 through rigorous evaluation to be evidence-based and ef-
16 fective: *Provided further*, That of amounts made available
17 under this heading to carry out sections 311, 331, and
18 336 of the OAA, up to one percent of such amounts shall
19 be available for developing and implementing evidence-
20 based practices for enhancing senior nutrition: *Provided*
21 *further*, That notwithstanding any other provision of this
22 Act, funds made available under this heading to carry out
23 section 311 of the OAA may be transferred to the Sec-
24 retary of Agriculture in accordance with such section: *Pro-*
25 *vided further*, That \$2,000,000 shall be for competitive

1 grants to support alternative financing programs that pro-
2 vide for the purchase of assistive technology devices, such
3 as a low-interest loan fund; an interest buy-down program;
4 a revolving loan fund; a loan guarantee; or an insurance
5 program: *Provided further*, That applicants shall provide
6 an assurance that, and information describing the manner
7 in which, the alternative financing program will expand
8 and emphasize consumer choice and control: *Provided fur-*
9 *ther*, That State agencies and community-based disability
10 organizations that are directed by and operated for indi-
11 viduals with disabilities shall be eligible to compete: *Pro-*
12 *vided further*, That none of the funds made available under
13 this heading may be used by an eligible system (as defined
14 in section 102 of the Protection and Advocacy for Individ-
15 uals with Mental Illness Act (42 U.S.C. 10802)) to con-
16 tinue to pursue any legal action in a Federal or State
17 court on behalf of an individual or group of individuals
18 with a developmental disability (as defined in section
19 102(8)(A) of the Developmental Disabilities and Assist-
20 ance and Bill of Rights Act of 2000 (20 U.S.C.
21 15002(8)(A)) that is attributable to a mental impairment
22 (or a combination of mental and physical impairments),
23 that has as the requested remedy the closure of State op-
24 erated intermediate care facilities for people with intellec-
25 tual or developmental disabilities, unless reasonable public

1 notice of the action has been provided to such individuals
2 (or, in the case of mental incapacitation, the legal guard-
3 ians who have been specifically awarded authority by the
4 courts to make healthcare and residential decisions on be-
5 half of such individuals) who are affected by such action,
6 within 90 days of instituting such legal action, which in-
7 forms such individuals (or such legal guardians) of their
8 legal rights and how to exercise such rights consistent with
9 current Federal Rules of Civil Procedure: *Provided further*,
10 That the limitations in the immediately preceding proviso
11 shall not apply in the case of an individual who is neither
12 competent to consent nor has a legal guardian, nor shall
13 the proviso apply in the case of individuals who are a ward
14 of the State or subject to public guardianship.

15 OFFICE OF THE SECRETARY

16 GENERAL DEPARTMENTAL MANAGEMENT

17 For necessary expenses, not otherwise provided, for
18 general departmental management, including hire of six
19 passenger motor vehicles, and for carrying out titles III,
20 XVII, XXI, and section 229 of the PHS Act, the United
21 States-Mexico Border Health Commission Act, and re-
22 search studies under section 1110 of the Social Security
23 Act, \$460,629,000, together with \$64,828,000 from the
24 amounts available under section 241 of the PHS Act to
25 carry out national health or human services research and

1 evaluation activities: *Provided*, That of this amount,
2 \$53,900,000 shall be for minority AIDS prevention and
3 treatment activities: *Provided further*, That of the funds
4 made available under this heading, \$101,000,000 shall be
5 for making competitive contracts and grants to public and
6 private entities to fund medically accurate and age appro-
7 priate programs that reduce teen pregnancy and for the
8 Federal costs associated with administering and evalu-
9 ating such contracts and grants, of which not more than
10 10 percent of the available funds shall be for training and
11 technical assistance, evaluation, outreach, and additional
12 program support activities, and of the remaining amount
13 75 percent shall be for replicating programs that have
14 been proven effective through rigorous evaluation to re-
15 duce teenage pregnancy, behavioral risk factors underlying
16 teenage pregnancy, or other associated risk factors, and
17 25 percent shall be available for research and demonstra-
18 tion grants to develop, replicate, refine, and test additional
19 models and innovative strategies for preventing teenage
20 pregnancy: *Provided further*, That of the amounts pro-
21 vided under this heading from amounts available under
22 section 241 of the PHS Act, \$6,800,000 shall be available
23 to carry out evaluations (including longitudinal evalua-
24 tions) of teenage pregnancy prevention approaches: *Pro-*
25 *vided further*, That of the funds made available under this

1 heading, \$15,000,000 shall be for making competitive
2 grants which exclusively implement education in sexual
3 risk avoidance (defined as voluntarily refraining from non-
4 marital sexual activity): *Provided further*, That funding for
5 such competitive grants for sexual risk avoidance shall use
6 medically accurate information referenced to peer-re-
7 viewed publications by educational, scientific, govern-
8 mental, or health organizations; implement an evidence-
9 based approach integrating research findings with prac-
10 tical implementation that aligns with the needs and de-
11 sired outcomes for the intended audience; and teach the
12 benefits associated with self-regulation, success sequenc-
13 ing for poverty prevention, healthy relationships, goal set-
14 ting, and resisting sexual coercion, dating violence, and
15 other youth risk behaviors such as underage drinking or
16 illicit drug use without normalizing teen sexual activity:
17 *Provided further*, That no more than 10 percent of the
18 funding for such competitive grants for sexual risk avoid-
19 ance shall be available for technical assistance and admin-
20 istrative costs of such programs: *Provided further*, That
21 funds provided in this Act for embryo adoption activities
22 may be used to provide to individuals adopting embryos,
23 through grants and other mechanisms, medical and ad-
24 ministrative services deemed necessary for such adoptions:

1 *Provided further*, That such services shall be provided con-
2 sistent with 42 CFR 59.5(a)(4).

3 OFFICE OF MEDICARE HEARINGS AND APPEALS

4 For expenses necessary for the Office of Medicare
5 Hearings and Appeals, \$107,381,000, to be transferred in
6 appropriate part from the Federal Hospital Insurance
7 Trust Fund and the Federal Supplementary Medical In-
8 surance Trust Fund.

9 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH

10 INFORMATION TECHNOLOGY

11 For expenses necessary for the Office of the National
12 Coordinator for Health Information Technology, including
13 grants, contracts, and cooperative agreements for the de-
14 velopment and advancement of interoperable health infor-
15 mation technology, \$60,367,000.

16 OFFICE OF INSPECTOR GENERAL

17 For expenses necessary for the Office of Inspector
18 General, including the hire of passenger motor vehicles for
19 investigations, in carrying out the provisions of the Inspec-
20 tor General Act of 1978, \$80,000,000: *Provided*, That of
21 such amount, necessary sums shall be available for pro-
22 viding protective services to the Secretary and inves-
23 tigating non-payment of child support cases for which non-
24 payment is a Federal offense under 18 U.S.C. 228.

1 OFFICE FOR CIVIL RIGHTS

2 For expenses necessary for the Office for Civil
3 Rights, \$38,798,000.

4 RETIREMENT PAY AND MEDICAL BENEFITS FOR
5 COMMISSIONED OFFICERS

6 For retirement pay and medical benefits of Public
7 Health Service Commissioned Officers as authorized by
8 law, for payments under the Retired Serviceman's Family
9 Protection Plan and Survivor Benefit Plan, and for med-
10 ical care of dependents and retired personnel under the
11 Dependents' Medical Care Act, such amounts as may be
12 required during the current fiscal year.

13 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
14 FUND

15 For expenses necessary to support activities related
16 to countering potential biological, nuclear, radiological,
17 chemical, and cybersecurity threats to civilian populations,
18 and for other public health emergencies, \$950,958,000, of
19 which \$511,700,000 shall remain available through Sep-
20 tember 30, 2018, for expenses necessary to support ad-
21 vanced research and development pursuant to section
22 319L of the PHS Act and other administrative expenses
23 of the Biomedical Advanced Research and Development
24 Authority: *Provided*, That funds provided under this head-
25 ing for the purpose of acquisition of security counter-

1 measures shall be in addition to any other funds available
2 for such purpose: *Provided further*, That products pur-
3 chased with funds provided under this heading may, at
4 the discretion of the Secretary, be deposited in the Stra-
5 tegic National Stockpile pursuant to section 319F-2 of
6 the PHS Act: *Provided further*, That \$5,000,000 of the
7 amounts made available to support emergency operations
8 shall remain available through September 30, 2019.

9 For expenses necessary for procuring security coun-
10 termeasures (as defined in section 319F-2(c)(1)(B) of the
11 PHS Act), \$510,000,000, to remain available until ex-
12 pended.

13 For an additional amount for expenses necessary to
14 prepare for or respond to an influenza pandemic,
15 \$57,000,000; of which \$40,000,000 shall be available until
16 expended, for activities including the development and
17 purchase of vaccine, antivirals, necessary medical supplies,
18 diagnostics, and other surveillance tools: *Provided*, That
19 notwithstanding section 496(b) of the PHS Act, funds
20 may be used for the construction or renovation of privately
21 owned facilities for the production of pandemic influenza
22 vaccines and other biologics, if the Secretary finds such
23 construction or renovation necessary to secure sufficient
24 supplies of such vaccines or biologics.

1 (TRANSFER OF FUNDS)

2 SEC. 205. Not to exceed 1 percent of any discre-
3 tionary funds (pursuant to the Balanced Budget and
4 Emergency Deficit Control Act of 1985) which are appro-
5 priated for the current fiscal year for HHS in this Act
6 may be transferred between appropriations, but no such
7 appropriation shall be increased by more than 3 percent
8 by any such transfer: *Provided*, That the transfer author-
9 ity granted by this section shall not be used to create any
10 new program or to fund any project or activity for which
11 no funds are provided in this Act: *Provided further*, That
12 the Committees on Appropriations of the House of Rep-
13 resentatives and the Senate are notified at least 15 days
14 in advance of any transfer.

15 SEC. 206. In lieu of the timeframe specified in section
16 338E(c)(2) of the PHS Act, terminations described in
17 such section may occur up to 60 days after the execution
18 of a contract awarded in fiscal year 2017 under section
19 338B of such Act.

20 SEC. 207. None of the funds appropriated in this Act
21 may be made available to any entity under title X of the
22 PHS Act unless the applicant for the award certifies to
23 the Secretary that it encourages family participation in
24 the decision of minors to seek family planning services and

1 that it provides counseling to minors on how to resist at-
2 tempts to coerce minors into engaging in sexual activities.

3 SEC. 208. Notwithstanding any other provision of
4 law, no provider of services under title X of the PHS Act
5 shall be exempt from any State law requiring notification
6 or the reporting of child abuse, child molestation, sexual
7 abuse, rape, or incest.

8 SEC. 209. None of the funds appropriated by this Act
9 (including funds appropriated to any trust fund) may be
10 used to carry out the Medicare Advantage program if the
11 Secretary denies participation in such program to an oth-
12 erwise eligible entity (including a Provider Sponsored Or-
13 ganization) because the entity informs the Secretary that
14 it will not provide, pay for, provide coverage of, or provide
15 referrals for abortions: *Provided*, That the Secretary shall
16 make appropriate prospective adjustments to the capita-
17 tion payment to such an entity (based on an actuarially
18 sound estimate of the expected costs of providing the serv-
19 ice to such entity's enrollees): *Provided further*, That noth-
20 ing in this section shall be construed to change the Medi-
21 care program's coverage for such services and a Medicare
22 Advantage organization described in this section shall be
23 responsible for informing enrollees where to obtain infor-
24 mation about all Medicare covered services.

1 SEC. 210. None of the funds made available in this
2 title may be used, in whole or in part, to advocate or pro-
3 mote gun control.

4 SEC. 211. The Secretary shall make available through
5 assignment not more than 60 employees of the Public
6 Health Service to assist in child survival activities and to
7 work in AIDS programs through and with funds provided
8 by the Agency for International Development, the United
9 Nations International Children's Emergency Fund or the
10 World Health Organization.

11 SEC. 212. In order for HHS to carry out inter-
12 national health activities, including HIV/AIDS and other
13 infectious disease, chronic and environmental disease, and
14 other health activities abroad during fiscal year 2017:

15 (1) The Secretary may exercise authority equiv-
16 alent to that available to the Secretary of State in
17 section 2(c) of the State Department Basic Authori-
18 ties Act of 1956. The Secretary shall consult with
19 the Secretary of State and relevant Chief of Mission
20 to ensure that the authority provided in this section
21 is exercised in a manner consistent with section 207
22 of the Foreign Service Act of 1980 and other appli-
23 cable statutes administered by the Department of
24 State.

1 (2) The Secretary is authorized to provide such
2 funds by advance or reimbursement to the Secretary
3 of State as may be necessary to pay the costs of ac-
4 quisition, lease, alteration, renovation, and manage-
5 ment of facilities outside of the United States for
6 the use of HHS. The Department of State shall co-
7 operate fully with the Secretary to ensure that HHS
8 has secure, safe, functional facilities that comply
9 with applicable regulation governing location, set-
10 back, and other facilities requirements and serve the
11 purposes established by this Act. The Secretary is
12 authorized, in consultation with the Secretary of
13 State, through grant or cooperative agreement, to
14 make available to public or nonprofit private institu-
15 tions or agencies in participating foreign countries,
16 funds to acquire, lease, alter, or renovate facilities in
17 those countries as necessary to conduct programs of
18 assistance for international health activities, includ-
19 ing activities relating to HIV/AIDS and other infec-
20 tious diseases, chronic and environmental diseases,
21 and other health activities abroad.

22 (3) The Secretary is authorized to provide to
23 personnel appointed or assigned by the Secretary to
24 serve abroad, allowances and benefits similar to
25 those provided under chapter 9 of title I of the For-

1 (TRANSFER OF FUNDS)

2 SEC. 214. Of the amounts made available in this Act
3 for NIH, the amount for research related to the human
4 immunodeficiency virus, as jointly determined by the Di-
5 rector of NIH and the Director of the Office of AIDS Re-
6 search, shall be made available to the “Office of AIDS
7 Research” account. The Director of the Office of AIDS
8 Research shall transfer from such account amounts nec-
9 essary to carry out section 2353(d)(3) of the PHS Act.

10 SEC. 215. (a) AUTHORITY.—Notwithstanding any
11 other provision of law, the Director of NIH (“Director”)
12 may use funds authorized under section 402(b)(12) of the
13 PHS Act to enter into transactions (other than contracts,
14 cooperative agreements, or grants) to carry out research
15 identified pursuant to or research and activities described
16 in such section 402(b)(12).

17 (b) PEER REVIEW.—In entering into transactions
18 under subsection (a), the Director may utilize such peer
19 review procedures (including consultation with appropriate
20 scientific experts) as the Director determines to be appro-
21 priate to obtain assessments of scientific and technical
22 merit. Such procedures shall apply to such transactions
23 in lieu of the peer review and advisory council review pro-
24 cedures that would otherwise be required under sections

1 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
2 and 494 of the PHS Act.

3 SEC. 216. Not to exceed \$45,000,000 of funds appro-
4 priated by this Act to the institutes and centers of the
5 National Institutes of Health may be used for alteration,
6 repair, or improvement of facilities, as necessary for the
7 proper and efficient conduct of the activities authorized
8 herein, at not to exceed \$3,500,000 per project.

9 (TRANSFER OF FUNDS)

10 SEC. 217. Of the amounts made available for NIH,
11 1 percent of the amount made available for National Re-
12 search Service Awards (“NRSA”) shall be made available
13 to the Administrator of the Health Resources and Services
14 Administration to make NRSA awards for research in pri-
15 mary medical care to individuals affiliated with entities
16 who have received grants or contracts under sections 736,
17 739, or 747 of the PHS Act, and 1 percent of the amount
18 made available for NRSA shall be made available to the
19 Director of the Agency for Healthcare Research and Qual-
20 ity to make NRSA awards for health service research.

21 SEC. 218. (a) The Biomedical Advanced Research
22 and Development Authority (“BARDA”) may enter into
23 a contract, for more than one but no more than 10 pro-
24 gram years, for purchase of research services or of security
25 countermeasures, as that term is defined in section 319F–

1 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
2 if—

3 (1) funds are available and obligated—

4 (A) for the full period of the contract or
5 for the first fiscal year in which the contract is
6 in effect; and

7 (B) for the estimated costs associated with
8 a necessary termination of the contract; and

9 (2) the Secretary determines that a multi-year
10 contract will serve the best interests of the Federal
11 Government by encouraging full and open competi-
12 tion or promoting economy in administration, per-
13 formance, and operation of BARDA’s programs.

14 (b) A contract entered into under this section—

15 (1) shall include a termination clause as de-
16 scribed by subsection (c) of section 3903 of title 41,
17 United States Code; and

18 (2) shall be subject to the congressional notice
19 requirement stated in subsection (d) of such section.

20 SEC. 219. (a) The Secretary shall establish a publicly
21 accessible Web site to provide information regarding the
22 uses of funds made available under section 4002 of the
23 Patient Protection and Affordable Care Act of 2010
24 (“ACA”).

1 (b) With respect to funds provided under section
2 4002 of the ACA, the Secretary shall include on the Web
3 site established under subsection (a) at a minimum the
4 following information:

5 (1) In the case of each transfer of funds under
6 section 4002(c), a statement indicating the program
7 or activity receiving funds, the operating division or
8 office that will administer the funds, and the
9 planned uses of the funds, to be posted not later
10 than the day after the transfer is made.

11 (2) Identification (along with a link to the full
12 text) of each funding opportunity announcement, re-
13 quest for proposals, or other announcement or solici-
14 tation of proposals for grants, cooperative agree-
15 ments, or contracts intended to be awarded using
16 such funds, to be posted not later than the day after
17 the announcement or solicitation is issued.

18 (3) Identification of each grant, cooperative
19 agreement, or contract with a value of \$25,000 or
20 more awarded using such funds, including the pur-
21 pose of the award and the identity of the recipient,
22 to be posted not later than 5 days after the award
23 is made.

24 (4) A report detailing the uses of all funds
25 transferred under section 4002(c) during the fiscal

1 year, to be posted not later than 90 days after the
2 end of the fiscal year.

3 (c) With respect to awards made in fiscal years 2013
4 through 2017, the Secretary shall also include on the Web
5 site established under subsection (a), semi-annual reports
6 from each entity awarded a grant, cooperative agreement,
7 or contract from such funds with a value of \$25,000 or
8 more, summarizing the activities undertaken and identi-
9 fying any sub-grants or sub-contracts awarded (including
10 the purpose of the award and the identity of the recipient),
11 to be posted not later than 30 days after the end of each
12 6-month period.

13 (d) In carrying out this section, the Secretary shall—

14 (1) present the information required in sub-
15 section (b)(1) on a single webpage or on a single
16 database;

17 (2) ensure that all information required in this
18 section is directly accessible from the single webpage
19 or database; and

20 (3) ensure that all information required in this
21 section is able to be organized by program or State.

22 SEC. 220. (a) The Secretary shall publish in the fiscal
23 year 2018 budget justification and on Departmental Web
24 sites information concerning the employment of full-time
25 equivalent Federal employees or contractors for the pur-

1 poses of implementing, administering, enforcing, or other-
2 wise carrying out the provisions of the ACA, and the
3 amendments made by that Act, in the proposed fiscal year
4 and each fiscal year since the enactment of the ACA.

5 (b) With respect to employees or contractors sup-
6 ported by all funds appropriated for purposes of carrying
7 out the ACA (and the amendments made by that Act),
8 the Secretary shall include, at a minimum, the following
9 information:

10 (1) For each such fiscal year, the section of
11 such Act under which such funds were appropriated,
12 a statement indicating the program, project, or ac-
13 tivity receiving such funds, the Federal operating di-
14 vision or office that administers such program, and
15 the amount of funding received in discretionary or
16 mandatory appropriations.

17 (2) For each such fiscal year, the number of
18 full-time equivalent employees or contracted employ-
19 ees assigned to each authorized and funded provision
20 detailed in accordance with paragraph (1).

21 (c) In carrying out this section, the Secretary may
22 exclude from the report employees or contractors who—

23 (1) are supported through appropriations en-
24 acted in laws other than the ACA and work on pro-
25 grams that existed prior to the passage of the ACA;

1 (2) spend less than 50 percent of their time on
2 activities funded by or newly authorized in the ACA;

3 or

4 (3) work on contracts for which FTE reporting
5 is not a requirement of their contract, such as fixed-
6 price contracts.

7 SEC. 221. The Secretary shall publish, as part of the
8 fiscal year 2018 budget of the President submitted under
9 section 1105(a) of title 31, United States Code, informa-
10 tion that details the uses of all funds used by the Centers
11 for Medicare and Medicaid Services specifically for Health
12 Insurance Exchanges for each fiscal year since the enact-
13 ment of the ACA and the proposed uses for such funds
14 for fiscal year 2018. Such information shall include, for
15 each such fiscal year, the amount of funds used for each
16 activity specified under the heading “Health Insurance
17 Exchange Transparency” in the explanatory statement de-
18 scribed in section 4 (in the matter preceding division A
19 of this consolidated Act).

20 SEC. 222. (a) The Secretary shall provide to the
21 Committees on Appropriations of the House of Represent-
22 atives and the Senate:

23 (1) Detailed monthly enrollment figures from
24 the Exchanges established under the Patient Protec-

1 tion and Affordable Care Act of 2010 pertaining to
2 enrollments during the open enrollment period; and

3 (2) Notification of any new or competitive grant
4 awards, including supplements, authorized under
5 section 330 of the Public Health Service Act.

6 (b) The Committees on Appropriations of the House
7 and Senate must be notified at least 2 business days in
8 advance of any public release of enrollment information
9 or the award of such grants.

10 SEC. 223. None of the funds made available by this
11 Act from the Federal Hospital Insurance Trust Fund or
12 the Federal Supplemental Medical Insurance Trust Fund,
13 or transferred from other accounts funded by this Act to
14 the “Centers for Medicare and Medicaid Services—Pro-
15 gram Management” account, may be used for payments
16 under section 1342(b)(1) of Public Law 111–148 (relating
17 to risk corridors).

18 SEC. 224. In addition to the amounts otherwise avail-
19 able for “Centers for Medicare and Medicaid Services,
20 Program Management”, the Secretary of Health and
21 Human Services may transfer up to \$305,000,000 to such
22 account from the Federal Hospital Insurance Trust Fund
23 and the Federal Supplementary Medical Insurance Trust
24 Fund to support program management activity related to
25 the Medicare Program: *Provided*, That except for the fore-

1 going purpose, such funds may not be used to support any
2 provision of Public Law 111–148 or Public Law 111–152
3 (or any amendment made by either such Public Law) or
4 to supplant any other amounts within such account.

5 SEC. 225. The Secretary shall include in the fiscal
6 year 2018 budget justification an analysis of how section
7 2713 of the PHS Act will impact eligibility for discre-
8 tionary HHS programs.

9 SEC. 226. Effective during the period beginning on
10 November 1, 2015 and ending January 1, 2019, any pro-
11 vision of law that refers (including through cross-reference
12 to another provision of law) to the current recommenda-
13 tions of the United States Preventive Services Task Force
14 with respect to breast cancer screening, mammography,
15 and prevention shall be administered by the Secretary in-
16 volved as if—

17 (1) such reference to such current recommenda-
18 tions were a reference to the recommendations of
19 such Task Force with respect to breast cancer
20 screening, mammography, and prevention last issued
21 before 2009; and

22 (2) such recommendations last issued before
23 2009 applied to any screening mammography modal-
24 ity under section 1861(jj) of the Social Security Act
25 (42 U.S.C. 1395x(jj)).

1 This title may be cited as the “Department of Health
2 and Human Services Appropriations Act, 2017”.

1008

1 TITLE III
2 DEPARTMENT OF EDUCATION
3 EDUCATION FOR THE DISADVANTAGED

4 For carrying out title I and subpart 2 of part B of
5 title II of the Elementary and Secondary Education Act
6 of 1965 (referred to in this Act as “ESEA”) and section
7 418A of the Higher Education Act of 1965 (referred to
8 in this Act as “HEA”), \$16,143,790,000, of which
9 \$5,225,990,000 shall become available on July 1, 2017,
10 and shall remain available through September 30, 2018,
11 and of which \$10,841,177,000 shall become available on
12 October 1, 2017, and shall remain available through Sep-
13 tember 30, 2018, for academic year 2017–2018: *Provided*,
14 That \$6,459,401,000 shall be for basic grants under sec-
15 tion 1124 of the ESEA: *Provided further*, That up to
16 \$5,000,000 of these funds shall be available to the Sec-
17 retary of Education (referred to in this title as “Sec-
18 retary”) on October 1, 2016, to obtain annually updated
19 local educational agency-level census poverty data from
20 the Bureau of the Census: *Provided further*, That
21 \$1,362,301,000 shall be for concentration grants under
22 section 1124A of the ESEA: *Provided further*, That
23 \$3,819,050,000 shall be for targeted grants under section
24 1125 of the ESEA: *Provided further*, That
25 \$3,819,050,000 shall be for education finance incentive

1 grants under section 1125A of the ESEA: *Provided fur-*
2 *ther*, That \$217,000,000 shall be for carrying out subpart
3 2 of part B of title II: *Provided further*, That \$44,623,000
4 shall be for carrying out section 418A of the HEA.

5 IMPACT AID

6 For carrying out programs of financial assistance to
7 federally affected schools authorized by title VII of the
8 ESEA, \$1,328,603,000, of which \$1,189,233,000 shall be
9 for basic support payments under section 7003(b),
10 \$48,316,000 shall be for payments for children with dis-
11 abilities under section 7003(d), \$17,406,000, to remain
12 available for obligation through September 30, 2018, shall
13 be for construction under section 7007(b), \$68,813,000
14 shall be for Federal property payments under section
15 7002, and \$4,835,000, to remain available until expended,
16 shall be for facilities maintenance under section 7008:
17 *Provided*, That for purposes of computing the amount of
18 a payment for an eligible local educational agency under
19 section 7003(a) for school year 2016–2017, children en-
20 rolled in a school of such agency that would otherwise be
21 eligible for payment under section 7003(a)(1)(B) of such
22 Act, but due to the deployment of both parents or legal
23 guardians, or a parent or legal guardian having sole cus-
24 tody of such children, or due to the death of a military
25 parent or legal guardian while on active duty (so long as

1 such children reside on Federal property as described in
2 section 7003(a)(1)(B)), are no longer eligible under such
3 section, shall be considered as eligible students under such
4 section, provided such students remain in average daily
5 attendance at a school in the same local educational agen-
6 cy they attended prior to their change in eligibility status.

7 SCHOOL IMPROVEMENT PROGRAMS

8 For carrying out school improvement activities au-
9 thorized by part B of title I, part A of title II, subpart
10 1 of part A of title IV, part B of title IV, part B of title
11 V, and parts B and C of title VI of the ESEA; the McKin-
12 ney-Vento Homeless Assistance Act; section 203 of the
13 Educational Technical Assistance Act of 2002; the Com-
14 pact of Free Association Amendments Act of 2003; and
15 the Civil Rights Act of 1964, \$4,408,567,000, of which
16 \$2,588,002,000 shall become available on July 1, 2017,
17 and remain available through September 30, 2018, and
18 of which \$1,681,441,000 shall become available on Octo-
19 ber 1, 2017, and shall remain available through September
20 30, 2018, for academic year 2017–2018: *Provided*, That
21 \$369,100,000 shall be for part B of title I: *Provided fur-*
22 *ther*, That \$1,191,673,000 shall be for part B of title IV:
23 *Provided further*, That \$33,397,000 shall be for part B
24 of title VI and may be used for construction, renovation,
25 and modernization of any elementary school, secondary

1 school, or structure related to an elementary school or sec-
2 ondary school, run by the Department of Education of the
3 State of Hawaii, that serves a predominantly Native Ha-
4 waiian student body: *Provided further*, That \$32,453,000
5 shall be for part C of title VI and shall be awarded on
6 a competitive basis, and also may be used for construction:
7 *Provided further*, That \$50,000,000 shall be available to
8 carry out section 203 of the Educational Technical Assist-
9 ance Act of 2002 and the Secretary shall make such ar-
10 rangements as determined to be necessary to ensure that
11 the Bureau of Indian Education has access to services pro-
12 vided under this section: *Provided further*, That
13 \$16,699,000 shall be available to carry out the Supple-
14 mental Education Grants program for the Federated
15 States of Micronesia and the Republic of the Marshall Is-
16 lands: *Provided further*, That the Secretary may reserve
17 up to 5 percent of the amount referred to in the previous
18 proviso to provide technical assistance in the implementa-
19 tion of these grants: *Provided further*, That \$175,840,000
20 shall be for part B of title V: *Provided further*, That
21 \$400,000,000 shall be available for grants under subpart
22 1 of part A of title IV: *Provided further*, That notwith-
23 standing subsections (a) and (b) of section 4105 of such
24 Act, each State may use funds reserved under section
25 4104(a)(1) of such Act to award subgrants, on a competi-

1 tive basis, to local educational agencies receiving a grant
2 under part A of title I, or consortia of such local edu-
3 cational agencies, of such Act, to enable the agencies or
4 consortia to support activities authorized under one or
5 more of sections 4107, 4108, and 4109(a) of such Act:
6 *Provided further*, That each such subgrant shall be subject
7 to the same terms and conditions as an allocation provided
8 under section 4105 of such Act, except as otherwise pro-
9 vided in this Act: *Provided further*, That each State that
10 awards such subgrants shall award such subgrants with
11 priority given to local educational agencies, or consortia
12 of local educational agencies, with the greatest need based
13 on the number or percentage of children counted under
14 section 1124(c), in a manner that ensures geographic di-
15 versity among subgrant recipients representing rural, sub-
16 urban, and urban areas, and in a manner that distributes
17 the total amount of funds available to the State under sec-
18 tion 4104(a)(1) consistent with the requirements de-
19 scribed in subparagraphs (C) through (E) of section
20 4106(e)(2) of such Act: *Provided further*, That each such
21 subgrant awarded shall be for a term of one year and in
22 an amount of not less than \$10,000, and a subgrant re-
23 cipient shall not be subject to any of the distribution re-
24 quirements described in subparagraphs (C) through (E)
25 of subsections (e)(2) and (f), of section 4106 of such Act:

1 *Provided further*, That notwithstanding section 4109(b) of
2 such Act, a subgrant recipient using such subgrant funds
3 to carry out only activities authorized under section
4 4109(a) of such Act may use not more than 25 percent
5 of the subgrant funds for purchasing technology infra-
6 structure as described in such section 4109(b): *Provided*
7 *further*, That amounts made available under this heading
8 to a State agency awarding such subgrants shall remain
9 available until September 30, 2018.

10 INDIAN EDUCATION

11 For expenses necessary to carry out, to the extent
12 not otherwise provided, title VI, part A of the ESEA,
13 \$164,939,000, of which \$57,993,000 shall be for subpart
14 2 of part A of title VI and \$6,565,000 shall be for subpart
15 3 of part A of title VI.

16 INNOVATION AND IMPROVEMENT

17 For carrying out activities authorized by subparts 1,
18 3 and 4 of part B of title II, and parts C and D and
19 subparts 1 and 4 of part F of title IV of the ESEA,
20 \$887,575,000: *Provided*, That \$283,015,000 shall be for
21 subparts 1, 3 and 4 of part B of title II and shall be made
22 available without regard to sections 2201, 2231(b) and
23 2241: *Provided further*, That \$504,560,000 shall be for
24 parts C and D and subpart 4 of part F of title IV, and
25 shall be made available without regard to sections 4311,

1 4409(a), and 4601 of the ESEA: *Provided further*, That
2 section 4303(d)(3)(A)(i) shall not apply to the funds avail-
3 able for part C of title IV: *Provided further*, That of the
4 funds available for part C of title IV, the Secretary shall
5 use not less than \$26,000,000 to carry out section 4304,
6 of which not more than \$10,000,000 shall be available to
7 carry out section 4304(k), not more than \$100,000,000
8 to carry out section 4305(b), and not less than
9 \$11,000,000 to carry out the activities in section
10 4305(a)(3): *Provided further*, That notwithstanding sec-
11 tion 4601(b), \$100,000,000 shall be available through De-
12 cember 31, 2017 for subpart 1 of part F of title IV.

13 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

14 For carrying out activities authorized by subparts 2
15 and 3 of part F of title IV of the ESEA, \$151,254,000:
16 *Provided*, That \$68,000,000 shall be available for section
17 4631, of which up to \$5,000,000, to remain available until
18 expended, shall be for the Project School Emergency Re-
19 sponse to Violence (“Project SERV”) program to provide
20 education-related services to local educational agencies
21 and institutions of higher education in which the learning
22 environment has been disrupted due to a violent or trau-
23 matic crisis: *Provided further*, That \$10,000,000 shall be
24 available for section 4625: *Provided further*, That
25 \$73,254,000 shall be available through December 31,

1 2017, for section 4624: *Provided further*, That section
2 4623(b) of the ESEA shall apply to funds appropriated
3 for Promise Neighborhoods under this heading in prior ap-
4 propriations acts.

5 ENGLISH LANGUAGE ACQUISITION

6 For carrying out part A of title III of the ESEA,
7 \$737,400,000, which shall become available on July 1,
8 2017, and shall remain available through September 30,
9 2018, except that 6.5 percent of such amount shall be
10 available on October 1, 2016, and shall remain available
11 through September 30, 2018, to carry out activities under
12 section 3111(c)(1)(C).

13 SPECIAL EDUCATION

14 For carrying out the Individuals with Disabilities
15 Education Act (IDEA) and the Special Olympics Sport
16 and Empowerment Act of 2004, \$13,064,358,000, of
17 which \$3,546,259,000 shall become available on July 1,
18 2017, and shall remain available through September 30,
19 2018, and of which \$9,283,383,000 shall become available
20 on October 1, 2017, and shall remain available through
21 September 30, 2018, for academic year 2017–2018: *Pro-*
22 *vided*, That the amount for section 611(b)(2) of the IDEA
23 shall be equal to the lesser of the amount available for
24 that activity during fiscal year 2016, increased by the
25 amount of inflation as specified in section 619(d)(2)(B)

1 of the IDEA, or the percent change in the funds appro-
2 priated under section 611(i) of the IDEA, but not less
3 than the amount for that activity during fiscal year 2016:
4 *Provided further*, That the Secretary shall, without regard
5 to section 611(d) of the IDEA, distribute to all other
6 States (as that term is defined in section 611(g)(2)), sub-
7 ject to the third proviso, any amount by which a State's
8 allocation under section 611, from funds appropriated
9 under this heading, is reduced under section
10 612(a)(18)(B), according to the following: 85 percent on
11 the basis of the States' relative populations of children
12 aged 3 through 21 who are of the same age as children
13 with disabilities for whom the State ensures the avail-
14 ability of a free appropriate public education under this
15 part, and 15 percent to States on the basis of the States'
16 relative populations of those children who are living in pov-
17 erty: *Provided further*, That the Secretary may not dis-
18 tribute any funds under the previous proviso to any State
19 whose reduction in allocation from funds appropriated
20 under this heading made funds available for such a dis-
21 tribution: *Provided further*, That the States shall allocate
22 such funds distributed under the second proviso to local
23 educational agencies in accordance with section 611(f):
24 *Provided further*, That the amount by which a State's allo-
25 cation under section 611(d) of the IDEA is reduced under

1 section 612(a)(18)(B) and the amounts distributed to
2 States under the previous provisos in fiscal year 2012 or
3 any subsequent year shall not be considered in calculating
4 the awards under section 611(d) for fiscal year 2013 or
5 for any subsequent fiscal years: *Provided further*, That,
6 notwithstanding the provision in section 612(a)(18)(B) re-
7 garding the fiscal year in which a State's allocation under
8 section 611(d) is reduced for failure to comply with the
9 requirement of section 612(a)(18)(A), the Secretary may
10 apply the reduction specified in section 612(a)(18)(B) over
11 a period of consecutive fiscal years, not to exceed five,
12 until the entire reduction is applied: *Provided further*,
13 That the Secretary may, in any fiscal year in which a
14 State's allocation under section 611 is reduced in accord-
15 ance with section 612(a)(18)(B), reduce the amount a
16 State may reserve under section 611(e)(1) by an amount
17 that bears the same relation to the maximum amount de-
18 scribed in that paragraph as the reduction under section
19 612(a)(18)(B) bears to the total allocation the State
20 would have received in that fiscal year under section
21 611(d) in the absence of the reduction: *Provided further*,
22 That the Secretary shall either reduce the allocation of
23 funds under section 611 for any fiscal year following the
24 fiscal year for which the State fails to comply with the
25 requirement of section 612(a)(18)(A) as authorized by

1 section 612(a)(18)(B), or seek to recover funds under sec-
2 tion 452 of the General Education Provisions Act (20
3 U.S.C. 1234a): *Provided further*, That the funds reserved
4 under 611(c) of the IDEA may be used to provide tech-
5 nical assistance to States to improve the capacity of the
6 States to meet the data collection requirements of sections
7 616 and 618 and to administer and carry out other serv-
8 ices and activities to improve data collection, coordination,
9 quality, and use under parts B and C of the IDEA: *Pro-*
10 *vided further*, That the Secretary may use funds made
11 available for the State Personnel Development Grants pro-
12 gram under part D, subpart 1 of IDEA to evaluate pro-
13 gram performance under such subpart.

14 REHABILITATION SERVICES

15 For carrying out, to the extent not otherwise pro-
16 vided, the Rehabilitation Act of 1973 and the Helen Keller
17 National Center Act, \$3,535,589,000, of which
18 \$3,398,554,000 shall be for grants for vocational rehabili-
19 tation services under title I of the Rehabilitation Act: *Pro-*
20 *vided*, That the Secretary may use amounts provided in
21 this Act that remain available subsequent to the reallocot-
22 ment of funds to States pursuant to section 110(b) of the
23 Rehabilitation Act for innovative activities aimed at im-
24 proving the outcomes of individuals with disabilities as de-
25 fined in section 7(20)(B) of the Rehabilitation Act, includ-

1 ing activities aimed at improving the education and post-
2 school outcomes of children receiving Supplemental Secu-
3 rity Income (“SSI”) and their families that may result
4 in long-term improvement in the SSI child recipient’s eco-
5 nomic status and self-sufficiency: *Provided further*, That
6 States may award subgrants for a portion of the funds
7 to other public and private, nonprofit entities: *Provided*
8 *further*, That any funds made available subsequent to real-
9 lotment for innovative activities aimed at improving the
10 outcomes of individuals with disabilities shall remain avail-
11 able until September 30, 2018.

12 SPECIAL INSTITUTIONS FOR PERSONS WITH
13 DISABILITIES

14 AMERICAN PRINTING HOUSE FOR THE BLIND

15 For carrying out the Act to promote the Education
16 of the Blind of March 3, 1879, \$25,431,000.

17 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

18 For the National Technical Institute for the Deaf
19 under titles I and II of the Education of the Deaf Act
20 of 1986, \$70,016,000: *Provided*, That from the total
21 amount available, the Institute may at its discretion use
22 funds for the endowment program as authorized under
23 section 207 of such Act.

1 GALLAUDET UNIVERSITY

2 For the Kendall Demonstration Elementary School,
3 the Model Secondary School for the Deaf, and the partial
4 support of Gallaudet University under titles I and II of
5 the Education of the Deaf Act of 1986, \$121,275,000:
6 *Provided*, That from the total amount available, the Uni-
7 versity may at its discretion use funds for the endowment
8 program as authorized under section 207 of such Act.

9 CAREER, TECHNICAL, AND ADULT EDUCATION

10 For carrying out, to the extent not otherwise pro-
11 vided, the Carl D. Perkins Career and Technical Edu-
12 cation Act of 2006 and the Adult Education and Family
13 Literacy Act (“AEFLA”), \$1,720,686,000, of which
14 \$929,686,000 shall become available on July 1, 2017, and
15 shall remain available through September 30, 2018, and
16 of which \$791,000,000 shall become available on October
17 1, 2017, and shall remain available through September 30,
18 2018: *Provided*, That of the amounts made available for
19 AEFLA, \$13,712,000 shall be for national leadership ac-
20 tivities under section 242.

21 STUDENT FINANCIAL ASSISTANCE

22 For carrying out subparts 1, 3, and 10 of part A,
23 and part C of title IV of the HEA, \$24,198,210,000,
24 which shall remain available through September 30, 2018.

1 made available in this Act to carry out title VI of the HEA
2 and section 102(b)(6) of the Mutual Educational and Cul-
3 tural Exchange Act of 1961 may be used to support visits
4 and study in foreign countries by individuals who are par-
5 ticipating in advanced foreign language training and inter-
6 national studies in areas that are vital to United States
7 national security and who plan to apply their language
8 skills and knowledge of these countries in the fields of gov-
9 ernment, the professions, or international development:
10 *Provided further*, That of the funds referred to in the pre-
11 ceding proviso up to 1 percent may be used for program
12 evaluation, national outreach, and information dissemina-
13 tion activities: *Provided further*, That up to 1.5 percent
14 of the funds made available under chapter 2 of subpart
15 2 of part A of title IV of the HEA may be used for evalua-
16 tion : *Provided further*, That, in making awards under sec-
17 tion 402C of the HEA with funds appropriated by this
18 Act, the Secretary shall announce new grant awards for
19 which the notice inviting applications was published in the
20 Federal Register on October 17, 2016 (81 F.R. 71,492)
21 by June 1, 2017, and for all other new grant awards under
22 such section by August 1, 2017: *Provided further*, That,
23 in making continuation grant awards under subpart 2 of
24 chapter 1 of part A of title IV of the HEA with funds

1 Black Colleges and Universities without regard to the limi-
2 tations within section 344(a) of the HEA.

3 In addition, for administrative expenses to carry out
4 the Historically Black College and University Capital Fi-
5 nancing Program entered into pursuant to part D of title
6 III of the HEA, \$334,000.

7 INSTITUTE OF EDUCATION SCIENCES

8 For carrying out activities authorized by the Edu-
9 cation Sciences Reform Act of 2002, the National Assess-
10 ment of Educational Progress Authorization Act, section
11 208 of the Educational Technical Assistance Act of 2002,
12 and section 664 of the Individuals with Disabilities Edu-
13 cation Act, \$605,267,000, which shall remain available
14 through September 30, 2018: *Provided*, That funds avail-
15 able to carry out section 208 of the Educational Technical
16 Assistance Act may be used to link Statewide elementary
17 and secondary data systems with early childhood, postsec-
18 ondary, and workforce data systems, or to further develop
19 such systems: *Provided further*, That up to \$6,000,000 of
20 the funds available to carry out section 208 of the Edu-
21 cational Technical Assistance Act may be used for awards
22 to public or private organizations or agencies to support
23 activities to improve data coordination, quality, and use
24 at the local, State, and national levels.

1025

1 DEPARTMENTAL MANAGEMENT

2 PROGRAM ADMINISTRATION

3 For carrying out, to the extent not otherwise pro-
4 vided, the Department of Education Organization Act, in-
5 cluding rental of conference rooms in the District of Co-
6 lumbia and hire of three passenger motor vehicles,
7 \$432,000,000, of which up to \$1,000,000, to remain avail-
8 able until expended, may be for relocation of, and renova-
9 tion of buildings occupied by, Department staff: *Provided*,
10 That \$2,000,000 of the unobligated funds available under
11 this heading and “Student Aid Administration” in this
12 and prior appropriations acts that may be used for travel,
13 printing, supplies and other administrative expenses shall
14 be available for obligation for the Ready to Learn pro-
15 gram.

16 OFFICE FOR CIVIL RIGHTS

17 For expenses necessary for the Office for Civil
18 Rights, as authorized by section 203 of the Department
19 of Education Organization Act, \$108,500,000.

20 OFFICE OF INSPECTOR GENERAL

21 For expenses necessary for the Office of Inspector
22 General, as authorized by section 212 of the Department
23 of Education Organization Act, \$59,256,000.

1 student to work toward completion of an eligible
2 program if, during that single award year, the stu-
3 dent—

4 “(i) has received a Federal Pell Grant
5 for an award year and is enrolled in an eli-
6 gible program for one or more additional
7 payment periods during the same award
8 year that are not otherwise fully covered
9 by the student’s Federal Pell Grant; and

10 “(ii) is enrolled on at least a half-time
11 basis while receiving any funds under this
12 section.

13 “(B) In the case of a student receiving
14 more than one Federal Pell Grant in a single
15 award year under subparagraph (A), the total
16 amount of Federal Pell Grants awarded to such
17 student for the award year may exceed the
18 maximum basic grant level specified in the ap-
19 propriate appropriations Act for such award
20 year.

21 “(C) Any period of study covered by a
22 Federal Pell Grant awarded under subpara-
23 graph (A) shall be included in determining a
24 student’s duration limit under subsection (c)(5).

1031

1 TITLE IV
2 RELATED AGENCIES
3 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE
4 BLIND OR SEVERELY DISABLED
5 SALARIES AND EXPENSES

6 For expenses necessary for the Committee for Pur-
7 chase From People Who Are Blind or Severely Disabled
8 established under section 8502 of title 41, United States
9 Code, \$8,000,000: *Provided*, That in order to authorize
10 any central nonprofit agency designated pursuant to sec-
11 tion 8503(e) of title 41, United States Code, to perform
12 contract requirements of the Committee as prescribed
13 under section 51–3.2 of title 41, Code of Federal Regula-
14 tions, the Committee shall enter into a written agreement
15 with any such central nonprofit agency: *Provided further*,
16 That such agreement entered into under the preceding
17 proviso shall contain such auditing, oversight, and report-
18 ing provisions as necessary to implement chapter 85 of
19 title 41, United States Code: *Provided further*, That such
20 agreement shall include the elements listed under this
21 heading in the explanatory statement accompanying Pub-
22 lic Law 114–113: *Provided further*, That a fee may not
23 be charged under section 51–3.5 of title 41, Code of Fed-
24 eral Regulations, unless such fee is under the terms of
25 the written agreement between the Committee and any

1 such central nonprofit agency: *Provided further*, That no
2 less than \$1,000,000 shall be available for the Office of
3 Inspector General.

4 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
5 OPERATING EXPENSES

6 For necessary expenses for the Corporation for Na-
7 tional and Community Service (referred to in this title as
8 “CNCS”) to carry out the Domestic Volunteer Service Act
9 of 1973 (referred to in this title as “1973 Act”) and the
10 National and Community Service Act of 1990 (referred
11 to in this title as “1990 Act”), \$736,029,000, notwith-
12 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
13 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
14 amounts provided under this heading: (1) up to 1 percent
15 of program grant funds may be used to defray the costs
16 of conducting grant application reviews, including the use
17 of outside peer reviewers and electronic management of
18 the grants cycle; (2) \$16,538,000 shall be available to pro-
19 vide assistance to State commissions on national and com-
20 munity service, under section 126(a) of the 1990 Act and
21 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
22 \$30,000,000 shall be available to carry out subtitle E of
23 the 1990 Act; and (4) \$3,800,000 shall be available for
24 expenses authorized under section 501(a)(4)(F) of the
25 1990 Act, which, notwithstanding the provisions of section

1 198P shall be awarded by CNCS on a competitive basis:
2 *Provided further*, That for the purposes of carrying out
3 the 1990 Act, satisfying the requirements in section
4 122(c)(1)(D) may include a determination of need by the
5 local community.

6 PAYMENT TO THE NATIONAL SERVICE TRUST

7 (INCLUDING TRANSFER OF FUNDS)

8 For payment to the National Service Trust estab-
9 lished under subtitle D of title I of the 1990 Act,
10 \$206,842,000, to remain available until expended: *Pro-*
11 *vided*, That CNCS may transfer additional funds from the
12 amount provided within “Operating Expenses” allocated
13 to grants under subtitle C of title I of the 1990 Act to
14 the National Service Trust upon determination that such
15 transfer is necessary to support the activities of national
16 service participants and after notice is transmitted to the
17 Committees on Appropriations of the House of Represent-
18 atives and the Senate: *Provided further*, That amounts ap-
19 propriated for or transferred to the National Service Trust
20 may be invested under section 145(b) of the 1990 Act
21 without regard to the requirement to apportion funds
22 under 31 U.S.C. 1513(b).

23 SALARIES AND EXPENSES

24 For necessary expenses of administration as provided
25 under section 501(a)(5) of the 1990 Act and under section

1 504(a) of the 1973 Act, including payment of salaries, au-
2 thorized travel, hire of passenger motor vehicles, the rental
3 of conference rooms in the District of Columbia, the em-
4 ployment of experts and consultants authorized under 5
5 U.S.C. 3109, and not to exceed \$2,500 for official recep-
6 tion and representation expenses, \$81,737,000.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the Inspector General Act of 1978,
10 \$5,750,000.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 401. CNCS shall make any significant changes
13 to program requirements, service delivery or policy only
14 through public notice and comment rulemaking. For fiscal
15 year 2017, during any grant selection process, an officer
16 or employee of CNCS shall not knowingly disclose any cov-
17 ered grant selection information regarding such selection,
18 directly or indirectly, to any person other than an officer
19 or employee of CNCS that is authorized by CNCS to re-
20 ceive such information.

21 SEC. 402. AmeriCorps programs receiving grants
22 under the National Service Trust program shall meet an
23 overall minimum share requirement of 24 percent for the
24 first 3 years that they receive AmeriCorps funding, and
25 thereafter shall meet the overall minimum share require-

1 ment as provided in section 2521.60 of title 45, Code of
2 Federal Regulations, without regard to the operating costs
3 match requirement in section 121(e) or the member sup-
4 port Federal share limitations in section 140 of the 1990
5 Act, and subject to partial waiver consistent with section
6 2521.70 of title 45, Code of Federal Regulations.

7 SEC. 403. Donations made to CNCS under section
8 196 of the 1990 Act for the purposes of financing pro-
9 grams and operations under titles I and II of the 1973
10 Act or subtitle B, C, D, or E of title I of the 1990 Act
11 shall be used to supplement and not supplant current pro-
12 grams and operations.

13 SEC. 404. In addition to the requirements in section
14 146(a) of the 1990 Act, use of an educational award for
15 the purpose described in section 148(a)(4) shall be limited
16 to individuals who are veterans as defined under section
17 101 of the Act.

18 SEC. 405. For the purpose of carrying out section
19 189D of the 1990 Act—

20 (1) entities described in paragraph (a) of such
21 section shall be considered “qualified entities” under
22 section 3 of the National Child Protection Act of
23 1993 (“NCPA”);

1 (2) individuals described in such section shall
2 be considered “volunteers” under section 3 of
3 NCPA; and

4 (3) State Commissions on National and Com-
5 munity Service established pursuant to section 178
6 of the 1990 Act, are authorized to receive criminal
7 history record information, consistent with Public
8 Law 92–544.

9 CORPORATION FOR PUBLIC BROADCASTING

10 For payment to the Corporation for Public Broad-
11 casting (“CPB”), as authorized by the Communications
12 Act of 1934, an amount which shall be available within
13 limitations specified by that Act, for the fiscal year 2019,
14 \$445,000,000: *Provided*, That none of the funds made
15 available to CPB by this Act shall be used to pay for re-
16 ceptions, parties, or similar forms of entertainment for
17 Government officials or employees: *Provided further*, That
18 none of the funds made available to CPB by this Act shall
19 be available or used to aid or support any program or ac-
20 tivity from which any person is excluded, or is denied ben-
21 efits, or is discriminated against, on the basis of race,
22 color, national origin, religion, or sex: *Provided further*,
23 That none of the funds made available to CPB by this
24 Act shall be used to apply any political test or qualification
25 in selecting, appointing, promoting, or taking any other

1 personnel action with respect to officers, agents, and em-
2 ployees of CPB: *Provided further*, That none of the funds
3 made available to CPB by this Act shall be used to support
4 the Television Future Fund or any similar purpose.

5 In addition, for the costs associated with replacing
6 and upgrading the public broadcasting interconnection
7 system, \$50,000,000.

8 FEDERAL MEDIATION AND CONCILIATION SERVICE
9 SALARIES AND EXPENSES

10 For expenses necessary for the Federal Mediation
11 and Conciliation Service (“Service”) to carry out the func-
12 tions vested in it by the Labor-Management Relations Act,
13 1947, including hire of passenger motor vehicles; for ex-
14 penses necessary for the Labor-Management Cooperation
15 Act of 1978; and for expenses necessary for the Service
16 to carry out the functions vested in it by the Civil Service
17 Reform Act, \$46,650,000, including up to \$900,000 to re-
18 main available through September 30, 2018, for activities
19 authorized by the Labor-Management Cooperation Act of
20 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,
21 fees charged, up to full-cost recovery, for special training
22 activities and other conflict resolution services and tech-
23 nical assistance, including those provided to foreign gov-
24 ernments and international organizations, and for arbitra-
25 tion services shall be credited to and merged with this ac-

1 count, and shall remain available until expended: *Provided*
2 *further*, That fees for arbitration services shall be available
3 only for education, training, and professional development
4 of the agency workforce: *Provided further*, That the Direc-
5 tor of the Service is authorized to accept and use on behalf
6 of the United States gifts of services and real, personal,
7 or other property in the aid of any projects or functions
8 within the Director's jurisdiction.

9 FEDERAL MINE SAFETY AND HEALTH REVIEW

10 COMMISSION

11 SALARIES AND EXPENSES

12 For expenses necessary for the Federal Mine Safety
13 and Health Review Commission, \$17,184,000.

14 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

15 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

16 AND ADMINISTRATION

17 For carrying out the Museum and Library Services
18 Act of 1996 and the National Museum of African Amer-
19 ican History and Culture Act, \$231,000,000.

20 MEDICAID AND CHIP PAYMENT AND ACCESS

21 COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary to carry out section 1900 of
24 the Social Security Act, \$7,765,000.

1039

1 MEDICARE PAYMENT ADVISORY COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out section 1805 of
4 the Social Security Act, \$11,925,000, to be transferred to
5 this appropriation from the Federal Hospital Insurance
6 Trust Fund and the Federal Supplementary Medical In-
7 surance Trust Fund.

8 NATIONAL COUNCIL ON DISABILITY

9 SALARIES AND EXPENSES

10 For expenses necessary for the National Council on
11 Disability as authorized by title IV of the Rehabilitation
12 Act of 1973, \$3,250,000.

13 NATIONAL LABOR RELATIONS BOARD

14 SALARIES AND EXPENSES

15 For expenses necessary for the National Labor Rela-
16 tions Board to carry out the functions vested in it by the
17 Labor-Management Relations Act, 1947, and other laws,
18 \$274,224,000: *Provided*, That no part of this appropria-
19 tion shall be available to organize or assist in organizing
20 agricultural laborers or used in connection with investiga-
21 tions, hearings, directives, or orders concerning bargaining
22 units composed of agricultural laborers as referred to in
23 section 2(3) of the Act of July 5, 1935, and as amended
24 by the Labor-Management Relations Act, 1947, and as de-
25 fined in section 3(f) of the Act of June 25, 1938, and

1 including in said definition employees engaged in the
2 maintenance and operation of ditches, canals, reservoirs,
3 and waterways when maintained or operated on a mutual,
4 nonprofit basis and at least 95 percent of the water stored
5 or supplied thereby is used for farming purposes.

6 ADMINISTRATIVE PROVISIONS

7 SEC. 406. None of the funds provided by this Act
8 or previous Acts making appropriations for the National
9 Labor Relations Board may be used to issue any new ad-
10 ministrative directive or regulation that would provide em-
11 ployees any means of voting through any electronic means
12 in an election to determine a representative for the pur-
13 poses of collective bargaining.

14 NATIONAL MEDIATION BOARD

15 SALARIES AND EXPENSES

16 For expenses necessary to carry out the provisions
17 of the Railway Labor Act, including emergency boards ap-
18 pointed by the President, \$13,800,000.

19 OCCUPATIONAL SAFETY AND HEALTH REVIEW

20 COMMISSION

21 SALARIES AND EXPENSES

22 For expenses necessary for the Occupational Safety
23 and Health Review Commission, \$13,225,000.

1041

1 RAILROAD RETIREMENT BOARD

2 DUAL BENEFITS PAYMENTS ACCOUNT

3 For payment to the Dual Benefits Payments Ac-
4 count, authorized under section 15(d) of the Railroad Re-
5 tirement Act of 1974, \$25,000,000, which shall include
6 amounts becoming available in fiscal year 2017 pursuant
7 to section 224(e)(1)(B) of Public Law 98-76; and in addi-
8 tion, an amount, not to exceed 2 percent of the amount
9 provided herein, shall be available proportional to the
10 amount by which the product of recipients and the average
11 benefit received exceeds the amount available for payment
12 of vested dual benefits: *Provided*, That the total amount
13 provided herein shall be credited in 12 approximately
14 equal amounts on the first day of each month in the fiscal
15 year.

16 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

17 ACCOUNTS

18 For payment to the accounts established in the
19 Treasury for the payment of benefits under the Railroad
20 Retirement Act for interest earned on unnegotiated
21 checks, \$150,000, to remain available through September
22 30, 2018, which shall be the maximum amount available
23 for payment pursuant to section 417 of Public Law 98-
24 76.

1 LIMITATION ON ADMINISTRATION

2 For necessary expenses for the Railroad Retirement
3 Board (“Board”) for administration of the Railroad Re-
4 tirement Act and the Railroad Unemployment Insurance
5 Act, \$113,500,000, to be derived in such amounts as de-
6 termined by the Board from the railroad retirement ac-
7 counts and from moneys credited to the railroad unem-
8 ployment insurance administration fund: *Provided*, That
9 notwithstanding section 7(b)(9) of the Railroad Retire-
10 ment Act this limitation may be used to hire attorneys
11 only through the excepted service: *Provided further*, That
12 the previous proviso shall not change the status under
13 Federal employment laws of any attorney hired by the
14 Railroad Retirement Board prior to January 1, 2013.

15 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

16 For expenses necessary for the Office of Inspector
17 General for audit, investigatory and review activities, as
18 authorized by the Inspector General Act of 1978, not more
19 than \$10,000,000, to be derived from the railroad retire-
20 ment accounts and railroad unemployment insurance ac-
21 count.

22 SOCIAL SECURITY ADMINISTRATION

23 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

24 For payment to the Federal Old-Age and Survivors
25 Insurance Trust Fund and the Federal Disability Insur-

1 ance Trust Fund, as provided under sections 201(m) and
2 1131(b)(2) of the Social Security Act, \$11,400,000.

3 SUPPLEMENTAL SECURITY INCOME PROGRAM

4 For carrying out titles XI and XVI of the Social Se-
5 curity Act, section 401 of Public Law 92-603, section 212
6 of Public Law 93-66, as amended, and section 405 of
7 Public Law 95-216, including payment to the Social Secu-
8 rity trust funds for administrative expenses incurred pur-
9 suant to section 201(g)(1) of the Social Security Act,
10 \$43,618,163,000, to remain available until expended: *Pro-*
11 *vided*, That any portion of the funds provided to a State
12 in the current fiscal year and not obligated by the State
13 during that year shall be returned to the Treasury: *Pro-*
14 *vided further*, That not more than \$58,000,000 shall be
15 available for research and demonstrations under sections
16 1110, 1115, and 1144 of the Social Security Act, and re-
17 main available through September 30, 2019.

18 For making, after June 15 of the current fiscal year,
19 benefit payments to individuals under title XVI of the So-
20 cial Security Act, for unanticipated costs incurred for the
21 current fiscal year, such sums as may be necessary.

22 For making benefit payments under title XVI of the
23 Social Security Act for the first quarter of fiscal year
24 2018, \$15,000,000,000, to remain available until ex-
25 pended.

1 LIMITATION ON ADMINISTRATIVE EXPENSES

2 For necessary expenses, including the hire of two pas-
3 senger motor vehicles, and not to exceed \$20,000 for offi-
4 cial reception and representation expenses, not more than
5 \$12,357,945,000 may be expended, as authorized by sec-
6 tion 201(g)(1) of the Social Security Act, from any one
7 or all of the trust funds referred to in such section: *Pro-*
8 *vided*, That not less than \$2,300,000 shall be for the So-
9 cial Security Advisory Board: *Provided further*, That,
10 \$90,000,000 to remain available through September 30,
11 2018, shall be used for activities to address the hearing
12 backlog within the Office of Disability Adjudication and
13 Review: *Provided further*, That unobligated balances of
14 funds provided under this paragraph at the end of fiscal
15 year 2017 not needed for fiscal year 2017 shall remain
16 available until expended to invest in the Social Security
17 Administration information technology and telecommuni-
18 cations hardware and software infrastructure, including
19 related equipment and non-payroll administrative expenses
20 associated solely with this information technology and tele-
21 communications infrastructure: *Provided further*, That the
22 Commissioner of Social Security shall notify the Commit-
23 tees on Appropriations of the House of Representatives
24 and the Senate prior to making unobligated balances
25 available under the authority in the previous proviso: *Pro-*

1 *vided further*, That reimbursement to the trust funds
2 under this heading for expenditures for official time for
3 employees of the Social Security Administration pursuant
4 to 5 U.S.C. 7131, and for facilities or support services
5 for labor organizations pursuant to policies, regulations,
6 or procedures referred to in section 7135(b) of such title
7 shall be made by the Secretary of the Treasury, with inter-
8 est, from amounts in the general fund not otherwise ap-
9 propriated, as soon as possible after such expenditures are
10 made.

11 Of the total amount made available under this head-
12 ing, not more than \$1,819,000,000, to remain available
13 through March 31, 2018, is for the costs associated with
14 continuing disability reviews under titles II and XVI of
15 the Social Security Act, including work-related continuing
16 disability reviews to determine whether earnings derived
17 from services demonstrate an individual's ability to engage
18 in substantial gainful activity, for the cost associated with
19 conducting redeterminations of eligibility under title XVI
20 of the Social Security Act, for the cost of co-operative dis-
21 ability investigation units, and for the cost associated with
22 the prosecution of fraud in the programs and operations
23 of the Social Security Administration by Special Assistant
24 United States Attorneys: *Provided*, That, of such amount,
25 \$273,000,000 is provided to meet the terms of section

1 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985, as amended, and
3 \$1,546,000,000 is additional new budget authority speci-
4 fied for purposes of section 251(b)(2)(B) of such Act: *Pro-*
5 *vided further*, That the Commissioner shall provide to the
6 Congress (at the conclusion of the fiscal year) a report
7 on the obligation and expenditure of these funds, similar
8 to the reports that were required by section 103(d)(2) of
9 Public Law 104–121 for fiscal years 1996 through 2002.

10 In addition, \$123,000,000 to be derived from admin-
11 istration fees in excess of \$5.00 per supplementary pay-
12 ment collected pursuant to section 1616(d) of the Social
13 Security Act or section 212(b)(3) of Public Law 93–66,
14 which shall remain available until expended. To the extent
15 that the amounts collected pursuant to such sections in
16 fiscal year 2017 exceed \$123,000,000, the amounts shall
17 be available in fiscal year 2018 only to the extent provided
18 in advance in appropriations Acts.

19 In addition, up to \$1,000,000 to be derived from fees
20 collected pursuant to section 303(c) of the Social Security
21 Protection Act, which shall remain available until ex-
22 pended.

1 OFFICE OF INSPECTOR GENERAL
2 (INCLUDING TRANSFER OF FUNDS)

3 For expenses necessary for the Office of Inspector
4 General in carrying out the provisions of the Inspector
5 General Act of 1978, \$29,787,000, together with not to
6 exceed \$75,713,000, to be transferred and expended as
7 authorized by section 201(g)(1) of the Social Security Act
8 from the Federal Old-Age and Survivors Insurance Trust
9 Fund and the Federal Disability Insurance Trust Fund.

10 In addition, an amount not to exceed 3 percent of
11 the total provided in this appropriation may be transferred
12 from the “Limitation on Administrative Expenses”, Social
13 Security Administration, to be merged with this account,
14 to be available for the time and purposes for which this
15 account is available: *Provided*, That notice of such trans-
16 fers shall be transmitted promptly to the Committees on
17 Appropriations of the House of Representatives and the
18 Senate at least 15 days in advance of any transfer.

1048

1 TITLE V

2 GENERAL PROVISIONS

3 (TRANSFER OF FUNDS)

4 SEC. 501. The Secretaries of Labor, Health and
5 Human Services, and Education are authorized to transfer
6 unexpended balances of prior appropriations to accounts
7 corresponding to current appropriations provided in this
8 Act. Such transferred balances shall be used for the same
9 purpose, and for the same periods of time, for which they
10 were originally appropriated.

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

14 SEC. 503. (a) No part of any appropriation contained
15 in this Act or transferred pursuant to section 4002 of
16 Public Law 111–148 shall be used, other than for normal
17 and recognized executive-legislative relationships, for pub-
18 licity or propaganda purposes, for the preparation, dis-
19 tribution, or use of any kit, pamphlet, booklet, publication,
20 electronic communication, radio, television, or video pres-
21 entation designed to support or defeat the enactment of
22 legislation before the Congress or any State or local legis-
23 lature or legislative body, except in presentation to the
24 Congress or any State or local legislature itself, or de-
25 signed to support or defeat any proposed or pending regu-

1 lation, administrative action, or order issued by the execu-
2 tive branch of any State or local government, except in
3 presentation to the executive branch of any State or local
4 government itself.

5 (b) No part of any appropriation contained in this
6 Act or transferred pursuant to section 4002 of Public Law
7 111–148 shall be used to pay the salary or expenses of
8 any grant or contract recipient, or agent acting for such
9 recipient, related to any activity designed to influence the
10 enactment of legislation, appropriations, regulation, ad-
11 ministrative action, or Executive order proposed or pend-
12 ing before the Congress or any State government, State
13 legislature or local legislature or legislative body, other
14 than for normal and recognized executive-legislative rela-
15 tionships or participation by an agency or officer of a
16 State, local or tribal government in policymaking and ad-
17 ministrative processes within the executive branch of that
18 government.

19 (c) The prohibitions in subsections (a) and (b) shall
20 include any activity to advocate or promote any proposed,
21 pending or future Federal, State or local tax increase, or
22 any proposed, pending, or future requirement or restric-
23 tion on any legal consumer product, including its sale or
24 marketing, including but not limited to the advocacy or
25 promotion of gun control.

1 SEC. 504. The Secretaries of Labor and Education
2 are authorized to make available not to exceed \$28,000
3 and \$20,000, respectively, from funds available for sala-
4 ries and expenses under titles I and III, respectively, for
5 official reception and representation expenses; the Direc-
6 tor of the Federal Mediation and Conciliation Service is
7 authorized to make available for official reception and rep-
8 resentation expenses not to exceed \$5,000 from the funds
9 available for “Federal Mediation and Conciliation Service,
10 Salaries and Expenses”; and the Chairman of the Na-
11 tional Mediation Board is authorized to make available for
12 official reception and representation expenses not to ex-
13 ceed \$5,000 from funds available for “National Mediation
14 Board, Salaries and Expenses”.

15 SEC. 505. When issuing statements, press releases,
16 requests for proposals, bid solicitations and other docu-
17 ments describing projects or programs funded in whole or
18 in part with Federal money, all grantees receiving Federal
19 funds included in this Act, including but not limited to
20 State and local governments and recipients of Federal re-
21 search grants, shall clearly state—

22 (1) the percentage of the total costs of the pro-
23 gram or project which will be financed with Federal
24 money;

1 (2) the dollar amount of Federal funds for the
2 project or program; and

3 (3) percentage and dollar amount of the total
4 costs of the project or program that will be financed
5 by non-governmental sources.

6 SEC. 506. (a) None of the funds appropriated in this
7 Act, and none of the funds in any trust fund to which
8 funds are appropriated in this Act, shall be expended for
9 any abortion.

10 (b) None of the funds appropriated in this Act, and
11 none of the funds in any trust fund to which funds are
12 appropriated in this Act, shall be expended for health ben-
13 efits coverage that includes coverage of abortion.

14 (c) The term “health benefits coverage” means the
15 package of services covered by a managed care provider
16 or organization pursuant to a contract or other arrange-
17 ment.

18 SEC. 507. (a) The limitations established in the pre-
19 ceding section shall not apply to an abortion—

20 (1) if the pregnancy is the result of an act of
21 rape or incest; or

22 (2) in the case where a woman suffers from a
23 physical disorder, physical injury, or physical illness,
24 including a life-endangering physical condition
25 caused by or arising from the pregnancy itself, that

1 would, as certified by a physician, place the woman
2 in danger of death unless an abortion is performed.

3 (b) Nothing in the preceding section shall be con-
4 strued as prohibiting the expenditure by a State, locality,
5 entity, or private person of State, local, or private funds
6 (other than a State's or locality's contribution of Medicaid
7 matching funds).

8 (c) Nothing in the preceding section shall be con-
9 strued as restricting the ability of any managed care pro-
10 vider from offering abortion coverage or the ability of a
11 State or locality to contract separately with such a pro-
12 vider for such coverage with State funds (other than a
13 State's or locality's contribution of Medicaid matching
14 funds).

15 (d)(1) None of the funds made available in this Act
16 may be made available to a Federal agency or program,
17 or to a State or local government, if such agency, program,
18 or government subjects any institutional or individual
19 health care entity to discrimination on the basis that the
20 health care entity does not provide, pay for, provide cov-
21 erage of, or refer for abortions.

22 (2) In this subsection, the term "health care entity"
23 includes an individual physician or other health care pro-
24 fessional, a hospital, a provider-sponsored organization, a
25 health maintenance organization, a health insurance plan,

1 or any other kind of health care facility, organization, or
2 plan.

3 SEC. 508. (a) None of the funds made available in
4 this Act may be used for—

5 (1) the creation of a human embryo or embryos
6 for research purposes; or

7 (2) research in which a human embryo or em-
8 bryos are destroyed, discarded, or knowingly sub-
9 jected to risk of injury or death greater than that
10 allowed for research on fetuses in utero under 45
11 CFR 46.204(b) and section 498(b) of the Public
12 Health Service Act (42 U.S.C. 289g(b)).

13 (b) For purposes of this section, the term “human
14 embryo or embryos” includes any organism, not protected
15 as a human subject under 45 CFR 46 as of the date of
16 the enactment of this Act, that is derived by fertilization,
17 parthenogenesis, cloning, or any other means from one or
18 more human gametes or human diploid cells.

19 SEC. 509. (a) None of the funds made available in
20 this Act may be used for any activity that promotes the
21 legalization of any drug or other substance included in
22 schedule I of the schedules of controlled substances estab-
23 lished under section 202 of the Controlled Substances Act
24 except for normal and recognized executive-congressional
25 communications.

1 (b) The limitation in subsection (a) shall not apply
2 when there is significant medical evidence of a therapeutic
3 advantage to the use of such drug or other substance or
4 that federally sponsored clinical trials are being conducted
5 to determine therapeutic advantage.

6 SEC. 510. None of the funds made available in this
7 Act may be used to promulgate or adopt any final stand-
8 ard under section 1173(b) of the Social Security Act pro-
9 viding for, or providing for the assignment of, a unique
10 health identifier for an individual (except in an individ-
11 ual's capacity as an employer or a health care provider),
12 until legislation is enacted specifically approving the
13 standard.

14 SEC. 511. None of the funds made available in this
15 Act may be obligated or expended to enter into or renew
16 a contract with an entity if—

17 (1) such entity is otherwise a contractor with
18 the United States and is subject to the requirement
19 in 38 U.S.C. 4212(d) regarding submission of an
20 annual report to the Secretary of Labor concerning
21 employment of certain veterans; and

22 (2) such entity has not submitted a report as
23 required by that section for the most recent year for
24 which such requirement was applicable to such enti-
25 ty.

1 SEC. 512. None of the funds made available in this
2 Act may be transferred to any department, agency, or in-
3 strumentality of the United States Government, except
4 pursuant to a transfer made by, or transfer authority pro-
5 vided in, this Act or any other appropriation Act.

6 SEC. 513. None of the funds made available by this
7 Act to carry out the Library Services and Technology Act
8 may be made available to any library covered by para-
9 graph (1) of section 224(f) of such Act, as amended by
10 the Children’s Internet Protection Act, unless such library
11 has made the certifications required by paragraph (4) of
12 such section.

13 SEC. 514. (a) None of the funds provided under this
14 Act, or provided under previous appropriations Acts to the
15 agencies funded by this Act that remain available for obli-
16 gation or expenditure in fiscal year 2017, or provided from
17 any accounts in the Treasury of the United States derived
18 by the collection of fees available to the agencies funded
19 by this Act, shall be available for obligation or expenditure
20 through a reprogramming of funds that—

- 21 (1) creates new programs;
- 22 (2) eliminates a program, project, or activity;
- 23 (3) increases funds or personnel by any means
24 for any project or activity for which funds have been
25 denied or restricted;

1 (4) relocates an office or employees;

2 (5) reorganizes or renames offices;

3 (6) reorganizes programs or activities; or

4 (7) contracts out or privatizes any functions or
5 activities presently performed by Federal employees;

6 unless the Committees on Appropriations of the House of
7 Representatives and the Senate are consulted 15 days in
8 advance of such reprogramming or of an announcement
9 of intent relating to such reprogramming, whichever oc-
10 curs earlier, and are notified in writing 10 days in advance
11 of such reprogramming.

12 (b) None of the funds provided under this Act, or
13 provided under previous appropriations Acts to the agen-
14 cies funded by this Act that remain available for obligation
15 or expenditure in fiscal year 2017, or provided from any
16 accounts in the Treasury of the United States derived by
17 the collection of fees available to the agencies funded by
18 this Act, shall be available for obligation or expenditure
19 through a reprogramming of funds in excess of \$500,000
20 or 10 percent, whichever is less, that—

21 (1) augments existing programs, projects (in-
22 cluding construction projects), or activities;

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

1 (3) results from any general savings from a re-
2 duction in personnel which would result in a change
3 in existing programs, activities, or projects as ap-
4 proved by Congress;
5 unless the Committees on Appropriations of the House of
6 Representatives and the Senate are consulted 15 days in
7 advance of such reprogramming or of an announcement
8 of intent relating to such reprogramming, whichever oc-
9 curs earlier, and are notified in writing 10 days in advance
10 of such reprogramming.

11 SEC. 515. (a) None of the funds made available in
12 this Act may be used to request that a candidate for ap-
13 pointment to a Federal scientific advisory committee dis-
14 close the political affiliation or voting history of the can-
15 didate or the position that the candidate holds with re-
16 spect to political issues not directly related to and nec-
17 essary for the work of the committee involved.

18 (b) None of the funds made available in this Act may
19 be used to disseminate information that is deliberately
20 false or misleading.

21 SEC. 516. Within 45 days of enactment of this Act,
22 each department and related agency funded through this
23 Act shall submit an operating plan that details at the pro-
24 gram, project, and activity level any funding allocations
25 for fiscal year 2017 that are different than those specified

1 in this Act, the accompanying detailed table in the explan-
2 atory statement described in section 4 (in the matter pre-
3 ceding division A of this consolidated Act), or the fiscal
4 year 2017 budget request.

5 SEC. 517. The Secretaries of Labor, Health and
6 Human Services, and Education shall each prepare and
7 submit to the Committees on Appropriations of the House
8 of Representatives and the Senate a report on the number
9 and amount of contracts, grants, and cooperative agree-
10 ments exceeding \$500,000 in value and awarded by the
11 Department on a non-competitive basis during each quar-
12 ter of fiscal year 2017, but not to include grants awarded
13 on a formula basis or directed by law. Such report shall
14 include the name of the contractor or grantee, the amount
15 of funding, the governmental purpose, including a jus-
16 tification for issuing the award on a non-competitive basis.
17 Such report shall be transmitted to the Committees within
18 30 days after the end of the quarter for which the report
19 is submitted.

20 SEC. 518. None of the funds appropriated in this Act
21 shall be expended or obligated by the Commissioner of So-
22 cial Security, for purposes of administering Social Security
23 benefit payments under title II of the Social Security Act,
24 to process any claim for credit for a quarter of coverage
25 based on work performed under a social security account

1 number that is not the claimant's number and the per-
2 formance of such work under such number has formed the
3 basis for a conviction of the claimant of a violation of sec-
4 tion 208(a)(6) or (7) of the Social Security Act.

5 SEC. 519. None of the funds appropriated by this Act
6 may be used by the Commissioner of Social Security or
7 the Social Security Administration to pay the compensa-
8 tion of employees of the Social Security Administration
9 to administer Social Security benefit payments, under any
10 agreement between the United States and Mexico estab-
11 lishing totalization arrangements between the social secu-
12 rity system established by title II of the Social Security
13 Act and the social security system of Mexico, which would
14 not otherwise be payable but for such agreement.

15 SEC. 520. Notwithstanding any other provision of
16 this Act, no funds appropriated in this Act shall be used
17 to purchase sterile needles or syringes for the hypodermic
18 injection of any illegal drug: *Provided*, That such limita-
19 tion does not apply to the use of funds for elements of
20 a program other than making such purchases if the rel-
21 evant State or local health department, in consultation
22 with the Centers for Disease Control and Prevention, de-
23 termines that the State or local jurisdiction, as applicable,
24 is experiencing, or is at risk for, a significant increase in
25 hepatitis infections or an HIV outbreak due to injection

1 drug use, and such program is operating in accordance
2 with State and local law.

3 SEC. 521. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

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

11 SEC. 522. None of the funds made available under
12 this or any other Act, or any prior Appropriations Act,
13 may be provided to the Association of Community Organi-
14 zations for Reform Now (ACORN), or any of its affiliates,
15 subsidiaries, allied organizations, or successors.

16 SEC. 523. For purposes of carrying out Executive
17 Order 13589, Office of Management and Budget Memo-
18 randum M-12-12 dated May 11, 2012, and requirements
19 contained in the annual appropriations bills relating to
20 conference attendance and expenditures:

21 (1) the operating divisions of HHS shall be con-
22 sidered independent agencies; and

23 (2) attendance at and support for scientific con-
24 ferences shall be tabulated separately from and not
25 included in agency totals.

1 SEC. 524. Federal agencies funded under this Act
2 shall clearly state within the text, audio, or video used for
3 advertising or educational purposes, including emails or
4 Internet postings, that the communication is printed, pub-
5 lished, or produced and disseminated at U.S. taxpayer ex-
6 pense. The funds used by a Federal agency to carry out
7 this requirement shall be derived from amounts made
8 available to the agency for advertising or other commu-
9 nications regarding the programs and activities of the
10 agency.

11 SEC. 525. (a) Federal agencies may use Federal dis-
12 cretionary funds that are made available in this Act to
13 carry out up to 10 Performance Partnership Pilots. Such
14 Pilots shall be governed by the provisions of section 526
15 of division H of Public Law 113–76, except that in car-
16 rying out such Pilots section 526 shall be applied by sub-
17 stituting “FISCAL YEAR 2017” for “FISCAL YEAR 2014”
18 in the title of subsection (b) and by substituting “Sep-
19 tember 30, 2021” for “September 30, 2018” each place
20 it appears: *Provided*, That such pilots shall include com-
21 munities that have experienced civil unrest.

22 (b) In addition, Federal agencies may use Federal
23 discretionary funds that are made available in this Act to
24 participate in Performance Partnership Pilots that are
25 being carried out pursuant to the authority provided by

1 section 526 of division H of Public Law 113–76, section
2 524 of division G of Public Law 113–235, and section 525
3 of division H of Public Law 114–113.

4 (c) Pilot sites selected under authorities in this Act
5 and prior appropriations Acts may be granted by relevant
6 agencies up to an additional 5 years to operate under such
7 authorities.

8 SEC. 526. Not later than 30 days after the end of
9 each calendar quarter, beginning with the first quarter of
10 fiscal year 2013, the Departments of Labor, Health and
11 Human Services and Education and the Social Security
12 Administration shall provide the Committees on Appro-
13 priations of the House of Representatives and Senate a
14 quarterly report on the status of balances of appropria-
15 tions: *Provided*, That for balances that are unobligated
16 and uncommitted, committed, and obligated but unex-
17 pended, the quarterly reports shall separately identify the
18 amounts attributable to each source year of appropriation
19 (beginning with fiscal year 2012, or, to the extent feasible,
20 earlier fiscal years) from which balances were derived.

21 SEC. 527. Section 5 of the Special Olympics Sport
22 and Empowerment Act of 2004 (Public Law 108–406;
23 118 Stat. 2296) is amended—

24 (1) in paragraph (1), by striking all that follows
25 after “3(a),” and inserting “such sums as may be

1 necessary for fiscal year 2017 and each of the 4 suc-
2 ceeding fiscal years;”;

3 (2) in paragraph (2), by striking all that follows
4 after “3(b),” and inserting “such sums as may be
5 necessary for fiscal year 2017 and each of the 4 suc-
6 ceeding fiscal years; and”;

7 (3) in paragraph (3), by striking all that follows
8 after “3(c),” and inserting “such sums as may be
9 necessary for fiscal year 2017 and each of the 4 suc-
10 ceeding fiscal years.”.

11 (RESCISSION)

12 SEC. 528. Of the funds made available for fiscal year
13 2017 under section 3403 of Public Law 111–148,
14 \$15,000,000 are rescinded.

15 SEC. 529. Amounts deposited in the Child Enroll-
16 ment Contingency Fund from the appropriation to the
17 Fund for the first semi-annual allotment period for fiscal
18 year 2017 under section 2104(n)(2)(A)(ii) of the Social
19 Security Act and the income derived from investment of
20 those funds pursuant to section 2104(n)(2)(C) of that Act,
21 shall not be available for obligation in this fiscal year.

22 (RESCISSION)

23 SEC. 530. Of any available amounts appropriated
24 under section 108 of Public Law 111–3, as amended,
25 \$541,900,000 are hereby rescinded.

1 (RESCISSION)

2 SEC. 531. Of the funds made available for purposes
3 of carrying out section 2105(a)(3) of the Social Security
4 Act, \$5,750,000,000 are hereby rescinded.

5 (RESCISSION)

6 SEC. 532. Of any available amounts appropriated
7 under section 301(b)(3) of Public Law 114-10,
8 \$1,132,000,000 are hereby rescinded.

9 SEC. 533. As of the date of enactment of this Act,
10 section 170(b) of the Continuing Appropriations Act, 2017
11 (division C of Public Law 114-223), as amended by the
12 Further Continuing and Security Assistance Appropria-
13 tions Act, 2017 (Public Law 114-254), shall no longer
14 have any force or effect: *Provided*, That any amounts
15 made available pursuant to that section of that Act as of
16 the date of enactment of this Act shall remain available
17 until September 30, 2017: *Provided further*, That if any
18 amounts made available pursuant to that section of that
19 Act remain unobligated as of the date of enactment of this
20 Act, then the balances available from those amounts shall
21 be hereby rescinded immediately upon enactment of this
22 Act.

23 This division may be cited as the “Departments of
24 Labor, Health and Human Services, and Education, and
25 Related Agencies Appropriations Act, 2017”.

1065

1 **DIVISION I—LEGISLATIVE BRANCH**
2 **APPROPRIATIONS ACT, 2017**

3 **TITLE I**

4 **LEGISLATIVE BRANCH**

5 **SENATE**

6 **EXPENSE ALLOWANCES**

7 For expense allowances of the Vice President,
8 \$18,760; the President Pro Tempore of the Senate,
9 \$37,520; Majority Leader of the Senate, \$39,920; Minor-
10 ity Leader of the Senate, \$39,920; Majority Whip of the
11 Senate, \$9,980; Minority Whip of the Senate, \$9,980;
12 Chairmen of the Majority and Minority Conference Com-
13 mittees, \$4,690 for each Chairman; and Chairmen of the
14 Majority and Minority Policy Committees, \$4,690 for each
15 Chairman; in all, \$174,840.

16 **REPRESENTATION ALLOWANCES FOR THE MAJORITY**
17 **AND MINORITY LEADERS**

18 For representation allowances of the Majority and
19 Minority Leaders of the Senate, \$14,070 for each such
20 Leader; in all, \$28,140.

21 **SALARIES, OFFICERS AND EMPLOYEES**

22 For compensation of officers, employees, and others
23 as authorized by law, including agency contributions,
24 \$182,287,812, which shall be paid from this appropriation
25 as follows:

1066

1 OFFICE OF THE VICE PRESIDENT

2 For the Office of the Vice President, \$2,417,248.

3 OFFICE OF THE PRESIDENT PRO TEMPORE

4 For the Office of the President Pro Tempore,
5 \$723,466.

6 OFFICES OF THE MAJORITY AND MINORITY LEADERS

7 For Offices of the Majority and Minority Leaders,
8 \$5,255,576.

9 OFFICES OF THE MAJORITY AND MINORITY WHIPS

10 For Offices of the Majority and Minority Whips,
11 \$3,359,424.

12 COMMITTEE ON APPROPRIATIONS

13 For salaries of the Committee on Appropriations,
14 \$15,142,000.

15 CONFERENCE COMMITTEES

16 For the Conference of the Majority and the Con-
17 ference of the Minority, at rates of compensation to be
18 fixed by the Chairman of each such committee,
19 \$1,658,000 for each such committee; in all, \$3,316,000.

20 OFFICES OF THE SECRETARIES OF THE CONFERENCE OF
21 THE MAJORITY AND THE CONFERENCE OF THE MINORITY

22 For Offices of the Secretaries of the Conference of
23 the Majority and the Conference of the Minority,
24 \$817,402.

1067

1 POLICY COMMITTEES

2 For salaries of the Majority Policy Committee and
3 the Minority Policy Committee, \$1,692,905 for each such
4 committee; in all, \$3,385,810.

5 OFFICE OF THE CHAPLAIN

6 For Office of the Chaplain, \$436,886.

7 OFFICE OF THE SECRETARY

8 For Office of the Secretary, \$24,772,000.

9 OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

10 For Office of the Sergeant at Arms and Doorkeeper,
11 \$70,900,000.

12 OFFICES OF THE SECRETARIES FOR THE MAJORITY AND

13 MINORITY

14 For Offices of the Secretary for the Majority and the
15 Secretary for the Minority, \$1,810,000.

16 AGENCY CONTRIBUTIONS AND RELATED EXPENSES

17 For agency contributions for employee benefits, as
18 authorized by law, and related expenses, \$49,952,000.

19 OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

20 For salaries and expenses of the Office of the Legisla-
21 tive Counsel of the Senate, \$5,808,500.

22 OFFICE OF SENATE LEGAL COUNSEL

23 For salaries and expenses of the Office of Senate
24 Legal Counsel, \$1,120,000.

1 EXPENSE ALLOWANCES OF THE SECRETARY OF THE
2 SENATE, SERGEANT AT ARMS AND DOORKEEPER OF
3 THE SENATE, AND SECRETARIES FOR THE MAJOR-
4 ITY AND MINORITY OF THE SENATE

5 For expense allowances of the Secretary of the Sen-
6 ate, \$7,110; Sergeant at Arms and Doorkeeper of the Sen-
7 ate, \$7,110; Secretary for the Majority of the Senate,
8 \$7,110; Secretary for the Minority of the Senate, \$7,110;
9 in all, \$28,440.

10 CONTINGENT EXPENSES OF THE SENATE

11 INQUIRIES AND INVESTIGATIONS

12 For expenses of inquiries and investigations ordered
13 by the Senate, or conducted under paragraph 1 of rule
14 XXVI of the Standing Rules of the Senate, section 112
15 of the Supplemental Appropriations and Rescission Act,
16 1980 (Public Law 96–304), and Senate Resolution 281,
17 96th Congress, agreed to March 11, 1980, \$133,265,000,
18 of which \$26,650,000 shall remain available until Sep-
19 tember 30, 2019.

20 U.S. SENATE CAUCUS ON INTERNATIONAL NARCOTICS

21 CONTROL

22 For expenses of the United States Senate Caucus on
23 International Narcotics Control, \$508,000.

1069

1 SECRETARY OF THE SENATE

2 For expenses of the Office of the Secretary of the
3 Senate, \$10,250,000 of which \$4,350,000 shall remain
4 available until September 30, 2021 and of which
5 \$4,000,000 shall remain available until expended.

6 SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

7 For expenses of the Office of the Sergeant at Arms
8 and Doorkeeper of the Senate, \$126,535,000, which shall
9 remain available until September 30, 2021.

10 MISCELLANEOUS ITEMS

11 For miscellaneous items, \$20,870,349 which shall re-
12 main available until September 30, 2019.

13 SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE

14 ACCOUNT

15 For Senators' Official Personnel and Office Expense
16 Account, \$390,000,000 of which \$19,109,218 shall remain
17 available until September 30, 2019.

18 OFFICIAL MAIL COSTS

19 For expenses necessary for official mail costs of the
20 Senate, \$300,000.

1 ADMINISTRATIVE PROVISIONS
2 REQUIRING AMOUNTS REMAINING IN SENATORS' OFFI-
3 CIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT
4 TO BE USED FOR DEFICIT REDUCTION OR TO RE-
5 DUCE THE FEDERAL DEBT

6 SEC. 1. Notwithstanding any other provision of law,
7 any amounts appropriated under this Act under the head-
8 ing "SENATE" under the heading "CONTINGENT EX-
9 PENSES OF THE SENATE" under the heading "SENATORS'
10 OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT"
11 shall be available for obligation only during the fiscal year
12 or fiscal years for which such amounts are made available.
13 Any unexpended balances under such allowances remain-
14 ing after the end of the period of availability shall be re-
15 turned to the Treasury in accordance with the undesig-
16 nated paragraph under the center heading "GENERAL
17 PROVISION" under chapter XI of the Third Supple-
18 mental Appropriation Act, 1957 (2 U.S.C. 4107) and used
19 for deficit reduction (or, if there is no Federal budget def-
20 icit after all such payments have been made, for reducing
21 the Federal debt, in such manner as the Secretary of the
22 Treasury considers appropriate).

23 AUTHORITY FOR TRANSFER OF FUNDS

24 SEC. 2. Section 3(c)(3) of the Legislative Branch Ap-
25 propriations Act, 2004 (2 USC 2108(c)(3)) is amended—

1 (1) in the paragraph heading, by striking “**and**
2 **disbursements**” and inserting “**disburse-**
3 **ments, and transfers**”; and

4 (2) by adding at the end the following:

5 “(D) TRANSFERS.—

6 “(i) IN GENERAL.—The Commission
7 may, for individual conservation or restora-
8 tion projects estimated to cost greater than
9 \$100,000, transfer amounts in the fund to
10 the Architect of the Capitol for the cost of
11 conservation or restoration, in whole or in
12 part, by the Architect of the Capitol of
13 works of art, historical objects, documents,
14 or material relating to historical matters
15 placed or exhibited, or to be placed or ex-
16 hibited, within the Senate wing of the
17 United States Capitol or any Senate Office
18 Building.

19 “(ii) AVAILABILITY.—Amounts trans-
20 ferred to the Architect of the Capitol under
21 clause (i) and not subject to return under
22 clause (v) shall remain available until ex-
23 pended.

24 “(iii) APPROVAL AND OVERSIGHT OF
25 CONSERVATION OR RESTORATION.—Before

1 authorizing transfers under clause (i), in
2 whole or in part, the Commission, or the
3 chairman and vice chairman acting jointly
4 on behalf of the Commission and after giv-
5 ing notice to the Commission, shall review
6 and approve a conservation or restoration
7 project for which such amounts are in-
8 tended (referred to in this section as the
9 ‘Project’). The Commission may require
10 updated reports on the Project before any
11 additional amounts are transferred for the
12 Project. No disbursements may be made
13 from funds transferred under clause (i)
14 that are inconsistent with the Project ap-
15 proved by the Commission upon which the
16 relevant transfer is based.

17 “(iv) ACCEPTANCE OF DONATIONS.—
18 The Commission retains the discretion
19 whether or not to approve the acceptance
20 of any donation to the fund regardless of
21 whether the donation is intended for a con-
22 servation or restoration Project under
23 clause (i).

24 “(v) ISSUANCE OF GUIDELINES.—The
25 Commission may prescribe such guidelines

1 as it deems necessary for the approval and
2 transfer of any amounts under clause (i)
3 and the return of any undisbursed
4 amounts.

5 “(vi) RETURN OF UNUSED FUNDS.—
6 The Commission may require the return of
7 amounts transferred to the Architect of the
8 Capitol under clause (i) and not disbursed
9 pursuant to an approved Project within
10 five years of the transfer. Such amounts
11 will be returned to the fund for use or dis-
12 position as the Commission shall determine
13 appropriate. For purposes of this sub-
14 section, the Commission may, at any time,
15 specify a date of return greater than five
16 years from the transfer.

17 “(vii) DISBURSEMENT AND AUDIT RE-
18 SPONSIBILITY.—Once amounts are trans-
19 ferred pursuant to clause (i), disburse-
20 ments from transferred funds shall be
21 made by the Architect of the Capitol upon
22 review of vouchers by the Architect of the
23 Capitol and not subject to the audit provi-
24 sions of clause (c)(6) of this section. Such
25 disbursements shall be limited to purposes

1 for which funds may be disbursed pursuant
2 to this section.

3 “(viii) TERMINATION.—The authority
4 to transfer amounts to the Architect of the
5 Capitol under clause (i) shall expire ten
6 years after the date of its initial enact-
7 ment. Any amounts transferred prior to
8 the termination of authority to transfer
9 may continue to be expended in accordance
10 with this section.”.

11 HOUSE OF REPRESENTATIVES

12 SALARIES AND EXPENSES

13 For salaries and expenses of the House of Represent-
14 atives, \$1,189,050,766, as follows:

15 HOUSE LEADERSHIP OFFICES

16 For salaries and expenses, as authorized by law,
17 \$22,278,891, including: Office of the Speaker,
18 \$6,645,417, including \$25,000 for official expenses of the
19 Speaker; Office of the Majority Floor Leader, \$2,180,048,
20 including \$10,000 for official expenses of the Majority
21 Leader; Office of the Minority Floor Leader, \$7,114,471,
22 including \$10,000 for official expenses of the Minority
23 Leader; Office of the Majority Whip, including the Chief
24 Deputy Majority Whip, \$1,886,632, including \$5,000 for
25 official expenses of the Majority Whip; Office of the Mi-

1075

1 nority Whip, including the Chief Deputy Minority Whip,
2 \$1,459,639, including \$5,000 for official expenses of the
3 Minority Whip; Republican Conference, \$1,505,426;
4 Democratic Caucus, \$1,487,258: *Provided*, That such
5 amount for salaries and expenses shall remain available
6 from January 3, 2017 until January 2, 2018.

7 MEMBERS' REPRESENTATIONAL ALLOWANCES
8 INCLUDING MEMBERS' CLERK HIRE, OFFICIAL
9 EXPENSES OF MEMBERS, AND OFFICIAL MAIL

10 For Members' representational allowances, including
11 Members' clerk hire, official expenses, and official mail,
12 \$562,632,498.

13 COMMITTEE EMPLOYEES

14 STANDING COMMITTEES, SPECIAL AND SELECT

15 For salaries and expenses of standing committees,
16 special and select, authorized by House resolutions,
17 \$127,053,373: *Provided*, That such amount shall remain
18 available for such salaries and expenses until December
19 31, 2018, except that \$3,150,200 of such amount shall
20 remain available until expended for committee room up-
21 grading.

22 COMMITTEE ON APPROPRIATIONS

23 For salaries and expenses of the Committee on Ap-
24 propriations, \$23,271,004, including studies and examina-
25 tions of executive agencies and temporary personal serv-

1 ices for such committee, to be expended in accordance with
2 section 202(b) of the Legislative Reorganization Act of
3 1946 and to be available for reimbursement to agencies
4 for services performed: *Provided*, That such amount shall
5 remain available for such salaries and expenses until De-
6 cember 31, 2018.

7 SALARIES, OFFICERS AND EMPLOYEES

8 For compensation and expenses of officers and em-
9 ployees, as authorized by law, \$181,487,000, including:
10 for salaries and expenses of the Office of the Clerk, includ-
11 ing the positions of the Chaplain and the Historian, and
12 including not more than \$25,000 for official representa-
13 tion and reception expenses, of which not more than
14 \$20,000 is for the Family Room and not more than
15 \$2,000 is for the Office of the Chaplain, \$26,268,000; for
16 salaries and expenses of the Office of the Sergeant at
17 Arms, including the position of Superintendent of Garages
18 and the Office of Emergency Management, and including
19 not more than \$3,000 for official representation and re-
20 ception expenses, \$15,505,000, of which \$5,618,902 shall
21 remain available until expended; for salaries and expenses
22 of the Office of the Chief Administrative Officer including
23 not more than \$3,000 for official representation and re-
24 ception expenses, \$117,165,000, of which \$2,120,000
25 shall remain available until expended; for salaries and ex-

1 penses of the Office of the Inspector General, \$4,963,000;
2 for salaries and expenses of the Office of the General
3 Counsel, \$1,444,000; for salaries and expenses of the Of-
4 fice of the Parliamentarian, including the Parliamen-
5 tarian, \$2,000 for preparing the Digest of Rules, and not
6 more than \$1,000 for official representation and reception
7 expenses, \$1,999,000; for salaries and expenses of the Of-
8 fice of the Law Revision Counsel of the House,
9 \$3,167,000; for salaries and expenses of the Office of the
10 Legislative Counsel of the House, \$8,979,000; for salaries
11 and expenses of the Office of Interparliamentary Affairs,
12 \$814,000; and for other authorized employees,
13 \$1,183,000.

14 ALLOWANCES AND EXPENSES

15 For allowances and expenses as authorized by House
16 resolution or law, \$272,328,000, including: supplies, mate-
17 rials, administrative costs and Federal tort claims,
18 \$3,625,000; official mail for committees, leadership of-
19 fices, and administrative offices of the House, \$190,000;
20 Government contributions for health, retirement, Social
21 Security, and other applicable employee benefits,
22 \$245,334,000, to remain available until March 31, 2018;
23 Business Continuity and Disaster Recovery, \$16,217,000,
24 of which \$5,000,000 shall remain available until expended;
25 transition activities for new Members and staff

1 \$2,084,000, to remain available until expended; Wounded
2 Warrior Program \$2,500,000, to remain available until
3 expended; Office of Congressional Ethics, \$1,658,000; and
4 miscellaneous items including purchase, exchange, mainte-
5 nance, repair and operation of House motor vehicles,
6 interparliamentary receptions, and gratuities to heirs of
7 deceased employees of the House, \$720,000.

8 ADMINISTRATIVE PROVISIONS
9 REQUIRING AMOUNTS REMAINING IN MEMBERS' REP-
10 REPRESENTATIONAL ALLOWANCES TO BE USED FOR
11 DEFICIT REDUCTION OR TO REDUCE THE FEDERAL
12 DEBT

13 SEC. 101. (a) Notwithstanding any other provision
14 of law, any amounts appropriated under this Act for
15 "HOUSE OF REPRESENTATIVES—SALARIES AND
16 EXPENSES—MEMBERS' REPRESENTATIONAL ALLOW-
17 ANCES" shall be available only for fiscal year 2017. Any
18 amount remaining after all payments are made under such
19 allowances for fiscal year 2017 shall be deposited in the
20 Treasury and used for deficit reduction (or, if there is no
21 Federal budget deficit after all such payments have been
22 made, for reducing the Federal debt, in such manner as
23 the Secretary of the Treasury considers appropriate).

1 (b) REGULATIONS.—The Committee on House Ad-
2 ministration of the House of Representatives shall have
3 authority to prescribe regulations to carry out this section.

4 (c) DEFINITION.—As used in this section, the term
5 “Member of the House of Representatives” means a Rep-
6 resentative in, or a Delegate or Resident Commissioner
7 to, the Congress.

8 DELIVERY OF BILLS AND RESOLUTIONS

9 SEC. 102. None of the funds made available in this
10 Act may be used to deliver a printed copy of a bill, joint
11 resolution, or resolution to the office of a Member of the
12 House of Representatives (including a Delegate or Resi-
13 dent Commissioner to the Congress) unless the Member
14 requests a copy.

15 DELIVERY OF CONGRESSIONAL RECORD

16 SEC. 103. None of the funds made available by this
17 Act may be used to deliver a printed copy of any version
18 of the Congressional Record to the office of a Member of
19 the House of Representatives (including a Delegate or
20 Resident Commissioner to the Congress).

21 LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

22 SEC. 104. None of the funds made available in this
23 Act may be used by the Chief Administrative Officer of
24 the House of Representatives to make any payments from
25 any Members’ Representational Allowance for the leasing

1 which is prepared by the Clerk of the House of Represent-
2 atives.

3 DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

4 SEC. 108. None of the funds made available by this
5 Act may be used to deliver a printed copy of the Congres-
6 sional Pictorial Directory to the office of a Member of the
7 House of Representatives (including a Delegate or Resi-
8 dent Commissioner to the Congress).

9 DELIVERY OF HOUSE TELEPHONE DIRECTORY

10 SEC. 109. None of the funds made available by this
11 Act may be used to deliver a printed copy of the United
12 States House of Representatives Telephone Directory to
13 the office of any Member of the House of Representatives
14 (including a Delegate or Resident Commissioner to the
15 Congress).

16 OVERSEAS TRAVEL TO ACCOMPANY MEMBERS OF HOUSE
17 LEADERSHIP

18 SEC. 110. (a) TRAVEL AUTHORIZED.—

19 (1) IN GENERAL.—A member of the Capitol Po-
20 lice may travel outside of the United States for offi-
21 cial duty if—

22 (A) that travel is with, or in preparation
23 for, travel of a Member of the House of Rep-
24 resentatives who holds a position in a House

1 Leadership Office, including travel of the Mem-
2 ber as part of a congressional delegation; and

3 (B) the Sergeant at Arms of the House of
4 Representatives gives prior approval to the trav-
5 el of the member of the Capitol Police.

6 (2) DEFINITIONS.—In this subsection—

7 (A) the term “House Leadership office”
8 means an office of the House of Representatives
9 for which the appropriation for salaries and ex-
10 penses of the office for the year involved is pro-
11 vided under the heading “House Leadership Of-
12 fices” in the act making appropriations for the
13 Legislative Branch for the fiscal year involved;

14 (B) the term “Member of the House of
15 Representatives” includes a Delegate or Resi-
16 dent Commissioner to the Congress; and

17 (C) the term “United States” means each
18 of the several States of the United States, the
19 District of Columbia, and the territories and
20 possessions of the United States.

21 (b) REIMBURSEMENT FROM SERGEANT AT ARMS.—

22 (1) IN GENERAL.—From amounts made avail-
23 able for salaries and expenses of the Office of the
24 Sergeant at Arms of the House of Representatives,
25 the Sergeant at Arms of the House of Representa-

1 Register to a Member of the House of Representatives (in-
2 cluding a Delegate or Resident Commissioner to the Con-
3 gress) unless the Member requests a copy.

4 CYBERSECURITY ASSISTANCE FOR HOUSE OF
5 REPRESENTATIVES

6 SEC. 113. The head of any Federal entity that pro-
7 vides assistance to the House of Representatives in the
8 House's efforts to deter, prevent, mitigate, or remediate
9 cybersecurity risks to, and incidents involving, the infor-
10 mation systems of the House shall take all necessary steps
11 to ensure the constitutional integrity of the separate
12 branches of the government at all stages of providing the
13 assistance, including applying minimization procedures to
14 limit the spread or sharing of privileged House and Mem-
15 ber information.

16 JOINT ITEMS

17 For Joint Committees, as follows:

18 JOINT ECONOMIC COMMITTEE

19 For salaries and expenses of the Joint Economic
20 Committee, \$4,203,000, to be disbursed by the Secretary
21 of the Senate.

22 JOINT COMMITTEE ON TAXATION

23 For salaries and expenses of the Joint Committee on
24 Taxation, \$10,095,000, to be disbursed by the Chief Ad-
25 ministrative Officer of the House of Representatives.

1 For other joint items, as follows:

2 OFFICE OF THE ATTENDING PHYSICIAN

3 For medical supplies, equipment, and contingent ex-
4 penses of the emergency rooms, and for the Attending
5 Physician and his assistants, including:

6 (1) an allowance of \$2,175 per month to the
7 Attending Physician;

8 (2) an allowance of \$1,300 per month to the
9 Senior Medical Officer;

10 (3) an allowance of \$725 per month each to
11 three medical officers while on duty in the Office of
12 the Attending Physician;

13 (4) an allowance of \$725 per month to 2 assist-
14 ants and \$580 per month each not to exceed 11 as-
15 sistants on the basis heretofore provided for such as-
16 sistants; and

17 (5) \$2,780,000 for reimbursement to the De-
18 partment of the Navy for expenses incurred for staff
19 and equipment assigned to the Office of the Attend-
20 ing Physician, which shall be advanced and credited
21 to the applicable appropriation or appropriations
22 from which such salaries, allowances, and other ex-
23 penses are payable and shall be available for all the
24 purposes thereof, \$3,838,000, to be disbursed by the

1086

1 Chief Administrative Officer of the House of Rep-
2 resentatives.

3 OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

4 SALARIES AND EXPENSES

5 For salaries and expenses of the Office of Congres-
6 sional Accessibility Services, \$1,429,000, to be disbursed
7 by the Secretary of the Senate.

8 CAPITOL POLICE

9 SALARIES

10 For salaries of employees of the Capitol Police, in-
11 cluding overtime, hazardous duty pay, and Government
12 contributions for health, retirement, social security, pro-
13 fessional liability insurance, and other applicable employee
14 benefits, \$325,300,000 of which overtime shall not exceed
15 \$36,805,000 unless the Committee on Appropriations of
16 the House and Senate are notified, to be disbursed by the
17 Chief of the Capitol Police or his designee.

18 GENERAL EXPENSES

19 For necessary expenses of the Capitol Police, includ-
20 ing motor vehicles, communications and other equipment,
21 security equipment and installation, uniforms, weapons,
22 supplies, materials, training, medical services, forensic
23 services, stenographic services, personal and professional
24 services, the employee assistance program, the awards pro-
25 gram, postage, communication services, travel advances,

1 relocation of instructor and liaison personnel for the Fed-
2 eral Law Enforcement Training Center, and not more
3 than \$5,000 to be expended on the certification of the
4 Chief of the Capitol Police in connection with official rep-
5 resentation and reception expenses, \$68,000,000, to be
6 disbursed by the Chief of the Capitol Police or his des-
7 ignee: *Provided*, That, notwithstanding any other provi-
8 sion of law, the cost of basic training for the Capitol Police
9 at the Federal Law Enforcement Training Center for fis-
10 cal year 2017 shall be paid by the Secretary of Homeland
11 Security from funds available to the Department of Home-
12 land Security.

13 ADMINISTRATIVE PROVISION
14 AUTHORITY TO DISPOSE OF FORFEITED AND ABANDONED
15 PROPERTY AND TO ACCEPT SURPLUS OR OBSOLETE
16 PROPERTY OFFERED BY OTHER FEDERAL AGENCIES
17 SEC. 1001. (a) Section 1003(a) of the Legislative
18 Branch Appropriations Act, 2003 (2 U.S.C. 1906(a)) is
19 amended by striking “surplus or obsolete property of the
20 Capitol Police” and inserting the following: “surplus or
21 obsolete property of the Capitol Police, and property which
22 is in the possession of the Capitol Police because it has
23 been disposed, forfeited, voluntarily abandoned, or un-
24 claimed,”.

1 (b) Upon notifying the Committees of Appropriations
2 of the House of Representatives and Senate, the United
3 States Capitol Police may accept surplus or obsolete prop-
4 erty offered by another Federal department, agency, or of-
5 fice.

6 (c) This section and the amendment made by this sec-
7 tion shall apply with respect to fiscal year 2017 and each
8 succeeding fiscal year.

9 OFFICE OF COMPLIANCE

10 SALARIES AND EXPENSES

11 For salaries and expenses of the Office of Compli-
12 ance, as authorized by section 305 of the Congressional
13 Accountability Act of 1995 (2 U.S.C. 1385), \$3,959,000,
14 of which \$450,000 shall remain available until September
15 30, 2018: *Provided*, That not more than \$500 may be ex-
16 pended on the certification of the Executive Director of
17 the Office of Compliance in connection with official rep-
18 resentation and reception expenses.

19 CONGRESSIONAL BUDGET OFFICE

20 SALARIES AND EXPENSES

21 For salaries and expenses necessary for operation of
22 the Congressional Budget Office, including not more than
23 \$6,000 to be expended on the certification of the Director
24 of the Congressional Budget Office in connection with offi-
25 cial representation and reception expenses, \$46,500,000.

1 ADMINISTRATIVE PROVISION

2 ESTABLISHMENT OF SENIOR LEVEL POSITIONS

3 SEC. 1101. (a) Notwithstanding the fourth sentence
4 of section 201(b) of the Congressional Budget and Im-
5 poundment Control Act of 1974 (2 U.S.C. 601(b)), the
6 Director of the Congressional Budget Office may establish
7 and fix the compensation of senior level positions in the
8 Congressional Budget Office to meet critical scientific,
9 technical, professional, or executive needs of the Office.

10 (b) LIMITATION ON COMPENSATION.—The annual
11 rate of pay for any position established under this section
12 may not exceed the annual rate of pay for level II of the
13 Executive Schedule.

14 (c) EFFECTIVE DATE.—This section shall apply with
15 respect to fiscal year 2017 and each succeeding fiscal year.

16 ARCHITECT OF THE CAPITOL

17 CAPITAL CONSTRUCTION AND OPERATIONS

18 For salaries for the Architect of the Capitol, and
19 other personal services, at rates of pay provided by law;
20 for all necessary expenses for surveys and studies, con-
21 struction, operation, and general and administrative sup-
22 port in connection with facilities and activities under the
23 care of the Architect of the Capitol including the Botanic
24 Garden; electrical substations of the Capitol, Senate and
25 House office buildings, and other facilities under the juris-

1 diction of the Architect of the Capitol; including fur-
2 nishings and office equipment; including not more than
3 \$5,000 for official reception and representation expenses,
4 to be expended as the Architect of the Capitol may ap-
5 prove; for purchase or exchange, maintenance, and oper-
6 ation of a passenger motor vehicle, \$92,957,000, of which
7 \$1,368,000 shall remain available until September 30,
8 2021.

9
10 CAPITOL BUILDING

11 For all necessary expenses for the maintenance, care
12 and operation of the Capitol, \$32,584,000, of which
13 \$8,584,000 shall remain available until September 30,
14 2021.

15
16 CAPITOL GROUNDS

17 For all necessary expenses for care and improvement
18 of grounds surrounding the Capitol, the Senate and House
19 office buildings, and the Capitol Power Plant,
20 \$12,826,000, of which \$2,946,000 shall remain available
21 until September 30, 2021.

22
23 SENATE OFFICE BUILDINGS

24 For all necessary expenses for the maintenance, care
and operation of Senate office buildings; and furniture and
furnishings to be expended under the control and super-
vision of the Architect of the Capitol, \$88,406,000, of

1 which \$27,944,000 shall remain available until September
2 30, 2021.

3 HOUSE OFFICE BUILDINGS

4 For all necessary expenses for the maintenance, care
5 and operation of the House office buildings,
6 \$185,731,000, of which \$61,404,000 shall remain avail-
7 able until September 30, 2021, and of which \$62,000,000
8 shall remain available until expended for the restoration
9 and renovation of the Cannon House Office Building.

10 In addition, for a payment to the House Historic
11 Buildings Revitalization Trust Fund, \$17,000,000, to re-
12 main available until expended.

13 CAPITOL POWER PLANT

14 For all necessary expenses for the maintenance, care
15 and operation of the Capitol Power Plant; lighting, heat-
16 ing, power (including the purchase of electrical energy)
17 and water and sewer services for the Capitol, Senate and
18 House office buildings, Library of Congress buildings, and
19 the grounds about the same, Botanic Garden, Senate ga-
20 rage, and air conditioning refrigeration not supplied from
21 plants in any of such buildings; heating the Government
22 Publishing Office and Washington City Post Office, and
23 heating and chilled water for air conditioning for the Su-
24 preme Court Building, the Union Station complex, the
25 Thurgood Marshall Federal Judiciary Building and the

1 Folger Shakespeare Library, expenses for which shall be
2 advanced or reimbursed upon request of the Architect of
3 the Capitol and amounts so received shall be deposited
4 into the Treasury to the credit of this appropriation,
5 \$86,646,000, of which \$9,505,000 shall remain available
6 until September 30, 2021: *Provided*, That not more than
7 \$9,000,000 of the funds credited or to be reimbursed to
8 this appropriation as herein provided shall be available for
9 obligation during fiscal year 2017.

10 LIBRARY BUILDINGS AND GROUNDS

11 For all necessary expenses for the mechanical and
12 structural maintenance, care and operation of the Library
13 buildings and grounds, \$47,080,000, of which
14 \$22,137,000 shall remain available until September 30,
15 2021.

16 CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

17 For all necessary expenses for the maintenance, care
18 and operation of buildings, grounds and security enhance-
19 ments of the United States Capitol Police, wherever lo-
20 cated, the Alternate Computing Facility, and Architect of
21 the Capitol security operations, \$20,033,000, of which
22 \$2,500,000 shall remain available until September 30,
23 2021.

1093

1 BOTANIC GARDEN

2 For all necessary expenses for the maintenance, care
3 and operation of the Botanic Garden and the nurseries,
4 buildings, grounds, and collections; and purchase and ex-
5 change, maintenance, repair, and operation of a passenger
6 motor vehicle; all under the direction of the Joint Com-
7 mittee on the Library, \$14,067,000, of which \$4,054,000
8 shall remain available until September 30, 2021: *Provided*,
9 That, of the amount made available under this heading,
10 the Architect of the Capitol may obligate and expend such
11 sums as may be necessary for the maintenance, care and
12 operation of the National Garden established under sec-
13 tion 307E of the Legislative Branch Appropriations Act,
14 1989 (2 U.S.C. 2146), upon vouchers approved by the Ar-
15 chitect of the Capitol or a duly authorized designee.

16 CAPITOL VISITOR CENTER

17 For all necessary expenses for the operation of the
18 Capitol Visitor Center, \$20,557,000.

19 ADMINISTRATIVE PROVISIONS

20 NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR
21 OVER BUDGET

22 SEC. 1201. None of the funds made available in this
23 Act for the Architect of the Capitol may be used to make
24 incentive or award payments to contractors for work on
25 contracts or programs for which the contractor is behind

1 schedule or over budget, unless the Architect of the Cap-
2 itol, or agency-employed designee, determines that any
3 such deviations are due to unforeseeable events, govern-
4 ment-driven scope changes, or are not significant within
5 the overall scope of the project and/or program.

6 SCRIMS

7 SEC. 1202. None of the funds made available by this
8 Act may be used for scrims containing photographs of
9 building facades during restoration or construction
10 projects performed by the Architect of the Capitol.

11 FLAG OFFICE REVOLVING FUND

12 SEC. 1203. (a) ESTABLISHMENT.—There is estab-
13 lished in the Treasury of the United States a revolving
14 fund to be known as the “Flag Office Revolving Fund”
15 (in this section referred to as the “Fund”) for services
16 provided by the Flag Office of the Architect of the Capitol
17 (in this section referred to as the “Flag Office”).

18 (b) DEPOSIT OF FEES.—The Architect of the Capitol
19 shall deposit any fees charged for services described in
20 subsection (a) into the Fund.

21 (c) CONTENTS OF FUND.—The Fund shall consist of
22 the following amounts:

23 (1) Amounts deposited by the Architect of the
24 Capitol under subsection (b).

1 respect to unemployment compensation payments for
2 former employees of the Architect of the Capitol, notwith-
3 standing any other provision of law, without regard to the
4 fiscal year for which the obligation to make such payments
5 is incurred.

6 (b) This section shall apply with respect to fiscal year
7 2017 and each succeeding fiscal year.

8 ARCHITECT OF THE CAPITOL CONTRACTING

9 SEC. 1205. In addition to recourses available under
10 current policies and procedures, the Architect of the Cap-
11 itol shall establish, document, and follow policies and pro-
12 cedures for suspension and debarment of firms or individ-
13 uals the Architect has determined should be excluded from
14 future contracts. The Architect shall provide for notice to
15 other government agencies of suspension or debarment ac-
16 tions taken via the government-wide excluded parties sys-
17 tem administered by the General Services Administration.
18 The Architect shall consult the list of excluded parties
19 when making responsibility determinations prior to the
20 award of any contract.

21 AUTHORITY FOR A HOUSE OFFICE BUILDINGS SHUTTLE

22 SEC. 1206. (a) The proviso in the item relating to
23 “Capitol Grounds” in title VI of the Legislative Branch
24 Appropriations Act, 1977 (90 Stat. 1453; 2 U.S.C. 2163)
25 is amended by striking “appropriated under this heading”

1 and inserting “appropriated for any available account of
2 the Architect of the Capitol”.

3 (b) The amendment made by subsection (a) shall
4 apply with respect to fiscal year 2017 and each succeeding
5 fiscal year.

6 LIBRARY OF CONGRESS

7 SALARIES AND EXPENSES

8 For all necessary expenses of the Library of Congress
9 not otherwise provided for, including development and
10 maintenance of the Library’s catalogs; custody and custo-
11 dial care of the Library buildings; special clothing; clean-
12 ing, laundering and repair of uniforms; preservation of
13 motion pictures in the custody of the Library; operation
14 and maintenance of the American Folklife Center in the
15 Library; preparation and distribution of catalog records
16 and other publications of the Library; hire or purchase
17 of one passenger motor vehicle; and expenses of the Li-
18 brary of Congress Trust Fund Board not properly charge-
19 able to the income of any trust fund held by the Board,
20 \$457,017,000, of which not more than \$6,000,000 shall
21 be derived from collections credited to this appropriation
22 during fiscal year 2017, and shall remain available until
23 expended, under the Act of June 28, 1902 (chapter 1301;
24 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000
25 shall be derived from collections during fiscal year 2017

1 and shall remain available until expended for the develop-
2 ment and maintenance of an international legal informa-
3 tion database and activities related thereto: *Provided,*
4 That the Library of Congress may not obligate or expend
5 any funds derived from collections under the Act of June
6 28, 1902, in excess of the amount authorized for obliga-
7 tion or expenditure in appropriations Acts: *Provided fur-*
8 *ther,* That the total amount available for obligation shall
9 be reduced by the amount by which collections are less
10 than \$6,350,000: *Provided further,* That of the total
11 amount appropriated, not more than \$12,000 may be ex-
12 pended, on the certification of the Librarian of Congress,
13 in connection with official representation and reception ex-
14 penses for the Overseas Field Offices: *Provided further,*
15 That of the total amount appropriated, \$8,444,000 shall
16 remain available until expended for the digital collections
17 and educational curricula program: *Provided further,* That
18 of the total amount appropriated, \$1,300,000 shall remain
19 available until expended for upgrade of the Legislative
20 Branch Financial Management System: *Provided further,*
21 That of the total amount appropriated, \$4,039,000 shall
22 remain available until September 30, 2019 to complete the
23 first of three phases of the shelving replacement in the
24 Law Library's collection storage areas.

1 Congress, in connection with official representation and
2 reception expenses for activities of the International Copy-
3 right Institute and for copyright delegations, visitors, and
4 seminars: *Provided further*, That, notwithstanding any
5 provision of chapter 8 of title 17, United States Code, any
6 amounts made available under this heading which are at-
7 tributable to royalty fees and payments received by the
8 Copyright Office pursuant to sections 111, 119, and chap-
9 ter 10 of such title may be used for the costs incurred
10 in the administration of the Copyright Royalty Judges
11 program, with the exception of the costs of salaries and
12 benefits for the Copyright Royalty Judges and staff under
13 section 802(e).

14 CONGRESSIONAL RESEARCH SERVICE

15 SALARIES AND EXPENSES

16 For all necessary expenses to carry out the provisions
17 of section 203 of the Legislative Reorganization Act of
18 1946 (2 U.S.C. 166) and to revise and extend the Anno-
19 tated Constitution of the United States of America,
20 \$107,945,234: *Provided*, That no part of such amount
21 may be used to pay any salary or expense in connection
22 with any publication, or preparation of material therefor
23 (except the Digest of Public General Bills), to be issued
24 by the Library of Congress unless such publication has
25 obtained prior approval of either the Committee on House

1 Administration of the House of Representatives or the
2 Committee on Rules and Administration of the Senate.

3 BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED
4 SALARIES AND EXPENSES

5 For all necessary expenses to carry out the Act of
6 March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C.
7 135a), \$50,248,000: *Provided*, That of the total amount
8 appropriated, \$650,000 shall be available to contract to
9 provide newspapers to blind and physically handicapped
10 residents at no cost to the individual.

11 ADMINISTRATIVE PROVISIONS

12 REIMBURSABLE AND REVOLVING FUND ACTIVITIES

13 SEC. 1301. (a) IN GENERAL.—For fiscal year 2017,
14 the obligational authority of the Library of Congress for
15 the activities described in subsection (b) may not exceed
16 \$188,188,000.

17 (b) ACTIVITIES.—The activities referred to in sub-
18 section (a) are reimbursable and revolving fund activities
19 that are funded from sources other than appropriations
20 to the Library in appropriations Acts for the legislative
21 branch.

22 LIBRARY OF CONGRESS NATIONAL COLLECTION

23 STEWARDSHIP FUND

24 SEC. 1302. (a) ESTABLISHMENT.—There is hereby
25 established in the Treasury of the United States, as an

1102

1 account for the Librarian of Congress, the “Library of
2 Congress National Collection Stewardship Fund” (here-
3 after in this section referred to as the “Fund”).

4 (b) CONTENTS OF FUND.—The Fund shall consist of
5 the following amounts:

6 (1) Such amounts as may be transferred by the
7 Librarian from available amounts appropriated for
8 any fiscal year for the Library of Congress under
9 the heading “Salaries and Expenses”.

10 (c) USE OF AMOUNTS.—Amounts in the Fund may
11 be used by the Librarian as follows:

12 (1) The Librarian may use amounts directly for
13 the purpose of preparing collection materials of the
14 Library of Congress for long-term storage.

15 (2) The Librarian may transfer amounts to the
16 Architect of the Capitol for the purpose of designing,
17 constructing, altering, upgrading, and equipping col-
18 lections preservation and storage facilities for the Li-
19 brary of Congress, or for the purpose of acquiring
20 real property by lease for the preservation and stor-
21 age of Library of Congress collections in accordance
22 with section 1102 of the Legislative Branch Appro-
23 priations Act, 2009 (2 U.S.C. 1823a).

1 (d) CONTINUING AVAILABILITY OF FUNDS.—Any
2 amounts in the Fund shall remain available until ex-
3 pended.

4 (e) ANNUAL REPORT.—Not later than 180 days after
5 the end of each fiscal year, the Librarian shall submit a
6 joint report on the Fund to the Joint Committee on the
7 Library and the Committees on Appropriations of the
8 House of Representatives and Senate.

9 (f) INITIAL 5-YEAR PLAN.—Not later than 6 months
10 after the date of the enactment of this Act, the Librarian
11 shall submit to the Joint Committee on the Library and
12 the Committees on Appropriations of the House of Rep-
13 resentatives and Senate a report providing a plan for ex-
14 penditures from the Fund for the first 5 fiscal years of
15 the Fund's operation.

16 (g) NOTIFICATION OF TRANSFERS.—Prior to any
17 transfer into the Fund, the Librarian shall notify the
18 Joint Committee on the Library and the Committees on
19 Appropriations of the House and the Senate of the amount
20 and origin of funds to be transferred.

21 (h) EFFECTIVE DATE.—This section shall apply with
22 respect to fiscal year 2017 and each succeeding fiscal year.

1 GOVERNMENT PUBLISHING OFFICE
2 CONGRESSIONAL PUBLISHING
3 (INCLUDING TRANSFER OF FUNDS)

4 For authorized publishing of congressional informa-
5 tion and the distribution of congressional information in
6 any format; expenses necessary for preparing the semi-
7 monthly and session index to the Congressional Record,
8 as authorized by law (section 902 of title 44, United
9 States Code); publishing of Government publications au-
10 thorized by law to be distributed to Members of Congress;
11 and publishing, and distribution of Government publica-
12 tions authorized by law to be distributed without charge
13 to the recipient, \$79,736,000: *Provided*, That this appro-
14 priation shall not be available for paper copies of the per-
15 manent edition of the Congressional Record for individual
16 Representatives, Resident Commissioners or Delegates au-
17 thorized under section 906 of title 44, United States Code:
18 *Provided further*, That this appropriation shall be available
19 for the payment of obligations incurred under the appro-
20 priations for similar purposes for preceding fiscal years:
21 *Provided further*, That notwithstanding the 2-year limita-
22 tion under section 718 of title 44, United States Code,
23 none of the funds appropriated or made available under
24 this Act or any other Act for printing and binding and
25 related services provided to Congress under chapter 7 of

1 title 44, United States Code, may be expended to print
2 a document, report, or publication after the 27-month pe-
3 riod beginning on the date that such document, report,
4 or publication is authorized by Congress to be printed, un-
5 less Congress reauthorizes such printing in accordance
6 with section 718 of title 44, United States Code: *Provided*
7 *further*, That any unobligated or unexpended balances in
8 this account or accounts for similar purposes for preceding
9 fiscal years may be transferred to the Government Pub-
10 lishing Office Business Operations Revolving Fund for
11 carrying out the purposes of this heading, subject to the
12 approval of the Committees on Appropriations of the
13 House of Representatives and Senate: *Provided further*,
14 That notwithstanding sections 901, 902, and 906 of title
15 44, United States Code, this appropriation may be used
16 to prepare indexes to the Congressional Record on only
17 a monthly and session basis.

18 PUBLIC INFORMATION PROGRAMS OF THE
19 SUPERINTENDENT OF DOCUMENTS
20 SALARIES AND EXPENSES
21 (INCLUDING TRANSFER OF FUNDS)

22 For expenses of the public information programs of
23 the Office of Superintendent of Documents necessary to
24 provide for the cataloging and indexing of Government
25 publications and their distribution to the public, Members

1 of Congress, other Government agencies, and designated
2 depository and international exchange libraries as author-
3 ized by law, \$29,500,000: *Provided*, That amounts of not
4 more than \$2,000,000 from current year appropriations
5 are authorized for producing and disseminating Congres-
6 sional serial sets and other related publications for fiscal
7 years 2015 and 2016 to depository and other designated
8 libraries: *Provided further*, That any unobligated or unex-
9 pended balances in this account or accounts for similar
10 purposes for preceding fiscal years may be transferred to
11 the Government Publishing Office Business Operations
12 Revolving Fund for carrying out the purposes of this head-
13 ing, subject to the approval of the Committees on Appro-
14 priations of the House of Representatives and Senate.

15 GOVERNMENT PUBLISHING OFFICE BUSINESS

16 OPERATIONS REVOLVING FUND

17 For payment to the Government Publishing Office
18 Business Operations Revolving Fund, \$7,832,000, to re-
19 main available until expended, for information technology
20 development and facilities repair: *Provided*, That the Gov-
21 ernment Publishing Office is hereby authorized to make
22 such expenditures, within the limits of funds available and
23 in accordance with law, and to make such contracts and
24 commitments without regard to fiscal year limitations as
25 provided by section 9104 of title 31, United States Code,

1 as may be necessary in carrying out the programs and
2 purposes set forth in the budget for the current fiscal year
3 for the Government Publishing Office Business Operations
4 Revolving Fund: *Provided further*, That not more than
5 \$7,500 may be expended on the certification of the Direc-
6 tor of the Government Publishing Office in connection
7 with official representation and reception expenses: *Pro-*
8 *vided further*, That the Business Operations Revolving
9 Fund shall be available for the hire or purchase of not
10 more than 12 passenger motor vehicles: *Provided further*,
11 That expenditures in connection with travel expenses of
12 the advisory councils to the Director of the Government
13 Publishing Office shall be deemed necessary to carry out
14 the provisions of title 44, United States Code: *Provided*
15 *further*, That the Business Operations Revolving Fund
16 shall be available for temporary or intermittent services
17 under section 3109(b) of title 5, United States Code, but
18 at rates for individuals not more than the daily equivalent
19 of the annual rate of basic pay for level V of the Executive
20 Schedule under section 5316 of such title: *Provided fur-*
21 *ther*, That activities financed through the Business Oper-
22 ations Revolving Fund may provide information in any
23 format: *Provided further*, That the Business Operations
24 Revolving Fund and the funds provided under the heading
25 “Public Information Programs of the Superintendent of

1 Documents” may not be used for contracted security serv-
2 ices at Government Publishing Office’s passport facility in
3 the District of Columbia.

4 GOVERNMENT ACCOUNTABILITY OFFICE
5 SALARIES AND EXPENSES

6 For necessary expenses of the Government Account-
7 ability Office, including not more than \$12,500 to be ex-
8 pended on the certification of the Comptroller General of
9 the United States in connection with official representa-
10 tion and reception expenses; temporary or intermittent
11 services under section 3109(b) of title 5, United States
12 Code, but at rates for individuals not more than the daily
13 equivalent of the annual rate of basic pay for level IV of
14 the Executive Schedule under section 5315 of such title;
15 hire of one passenger motor vehicle; advance payments in
16 foreign countries in accordance with section 3324 of title
17 31, United States Code; benefits comparable to those pay-
18 able under sections 901(5), (6), and (8) of the Foreign
19 Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8));
20 and under regulations prescribed by the Comptroller Gen-
21 eral of the United States, rental of living quarters in for-
22 eign countries, \$544,505,919: *Provided*, That, in addition,
23 \$23,350,000 of payments received under sections 782,
24 791, 3521, and 9105 of title 31, United States Code, shall
25 be available without fiscal year limitation: *Provided fur-*

1 *ther*, That this appropriation and appropriations for ad-
2 ministrative expenses of any other department or agency
3 which is a member of the National Intergovernmental
4 Audit Forum or a Regional Intergovernmental Audit
5 Forum shall be available to finance an appropriate share
6 of either Forum's costs as determined by the respective
7 Forum, including necessary travel expenses of non-Federal
8 participants: *Provided further*, That payments hereunder
9 to the Forum may be credited as reimbursements to any
10 appropriation from which costs involved are initially fi-
11 nanced.

12 OPEN WORLD LEADERSHIP CENTER TRUST
13 FUND

14 For a payment to the Open World Leadership Center
15 Trust Fund for financing activities of the Open World
16 Leadership Center under section 313 of the Legislative
17 Branch Appropriations Act, 2001 (2 U.S.C. 1151),
18 \$5,600,000: *Provided*, That funds made available to sup-
19 port Russian participants shall only be used for those en-
20 gaging in free market development, humanitarian activi-
21 ties, and civic engagement, and shall not be used for offi-
22 cials of the central government of Russia.

1110

1 JOHN C. STENNIS CENTER FOR PUBLIC
2 SERVICE TRAINING AND DEVELOPMENT

3 For payment to the John C. Stennis Center for Pub-
4 lic Service Development Trust Fund established under
5 section 116 of the John C. Stennis Center for Public Serv-
6 ice Training and Development Act (2 U.S.C. 1105),
7 \$430,000.

8 TITLE II

9 GENERAL PROVISIONS

10 MAINTENANCE AND CARE OF PRIVATE VEHICLES

11 SEC. 201. No part of the funds appropriated in this
12 Act shall be used for the maintenance or care of private
13 vehicles, except for emergency assistance and cleaning as
14 may be provided under regulations relating to parking fa-
15 cilities for the House of Representatives issued by the
16 Committee on House Administration and for the Senate
17 issued by the Committee on Rules and Administration.

18 FISCAL YEAR LIMITATION

19 SEC. 202. No part of the funds appropriated in this
20 Act shall remain available for obligation beyond fiscal year
21 2017 unless expressly so provided in this Act.

22 RATES OF COMPENSATION AND DESIGNATION

23 SEC. 203. Whenever in this Act any office or position
24 not specifically established by the Legislative Pay Act of
25 1929 (46 Stat. 32 et seq.) is appropriated for or the rate

1 of compensation or designation of any office or position
2 appropriated for is different from that specifically estab-
3 lished by such Act, the rate of compensation and the des-
4 ignation in this Act shall be the permanent law with re-
5 spect thereto: *Provided*, That the provisions in this Act
6 for the various items of official expenses of Members, offi-
7 cers, and committees of the Senate and House of Rep-
8 resentatives, and clerk hire for Senators and Members of
9 the House of Representatives shall be the permanent law
10 with respect thereto.

11 CONSULTING SERVICES

12 SEC. 204. The expenditure of any appropriation
13 under this Act for any consulting service through procure-
14 ment contract, under section 3109 of title 5, United States
15 Code, shall be limited to those contracts where such ex-
16 penditures are a matter of public record and available for
17 public inspection, except where otherwise provided under
18 existing law, or under existing Executive order issued
19 under existing law.

20 COSTS OF LBFMC

21 SEC. 205. Amounts available for administrative ex-
22 penses of any legislative branch entity which participates
23 in the Legislative Branch Financial Managers Council
24 (LBFMC) established by charter on March 26, 1996, shall
25 be available to finance an appropriate share of LBFMC

1 costs as determined by the LBFMC, except that the total
2 LBFMC costs to be shared among all participating legisla-
3 tive branch entities (in such allocations among the entities
4 as the entities may determine) may not exceed \$2,000.

5 LIMITATION ON TRANSFERS

6 SEC. 206. None of the funds made available in this
7 Act may be transferred to any department, agency, or in-
8 strumentality of the United States Government, except
9 pursuant to a transfer made by, or transfer authority pro-
10 vided in, this Act or any other appropriation Act.

11 GUIDED TOURS OF THE CAPITOL

12 SEC. 207. (a) Except as provided in subsection (b),
13 none of the funds made available to the Architect of the
14 Capitol in this Act may be used to eliminate or restrict
15 guided tours of the United States Capitol which are led
16 by employees and interns of offices of Members of Con-
17 gress and other offices of the House of Representatives
18 and Senate.

19 (b) At the direction of the Capitol Police Board, or
20 at the direction of the Architect of the Capitol with the
21 approval of the Capitol Police Board, guided tours of the
22 United States Capitol which are led by employees and in-
23 terns described in subsection (a) may be suspended tempo-
24 rarily or otherwise subject to restriction for security or re-
25 lated reasons to the same extent as guided tours of the

1 United States Capitol which are led by the Architect of
2 the Capitol.

3 COMPUTER NETWORK ACTIVITY

4 SEC. 208. (a) None of the funds made available in
5 this Act may be used to maintain or establish a computer
6 network unless such network blocks the viewing,
7 downloading, and exchanging of pornography.

8 (b) Nothing in subsection (a) shall limit the use of
9 funds necessary for any Federal, State, tribal, or local law
10 enforcement agency or any other entity to carry out crimi-
11 nal investigations, prosecution, or adjudication activities,
12 or for any committee or other entity of Congress to carry
13 out investigations or reports on any matter, or for the Li-
14 brary of Congress or the Copyright Office to carry out
15 any of its responsibilities under law.

16 This division may be cited as the “Legislative
17 Branch Appropriations Act, 2017”.

1 **DIVISION J—DEPARTMENT OF STATE,**
2 **FOREIGN OPERATIONS, AND RELATED**
3 **PROGRAMS APPROPRIATIONS ACT,**
4 **2017**

5 TITLE I

6 DEPARTMENT OF STATE AND RELATED

7 AGENCY

8 DEPARTMENT OF STATE

9 ADMINISTRATION OF FOREIGN AFFAIRS

10 DIPLOMATIC AND CONSULAR PROGRAMS

11 For necessary expenses of the Department of State
12 and the Foreign Service not otherwise provided for,
13 \$6,147,254,000, of which up to \$637,166,000 may remain
14 available until September 30, 2018, and of which up to
15 \$1,899,479,000 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 \$2,529,387,000, of which up to \$463,417,000 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 \$1,401,847,000.

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, \$757,713,000.

16 (4) SECURITY PROGRAMS.—For necessary ex-
17 penses for security activities, \$1,458,307,000, of
18 which up to \$1,436,062,000 is for Worldwide Secu-
19 rity Protection.

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 may be made available for Conflict Sta-
8 bilization Operations and for related reconstruc-
9 tion and stabilization assistance to prevent or
10 respond to conflict or civil strife in foreign
11 countries or regions, or to enable transition
12 from such strife.

13 (E) Funds appropriated under this head-
14 ing in this Act that are designated for World-
15 wide Security Protection shall continue to be
16 made available for support of security-related
17 training at sites in existence prior to the enact-
18 ment of this Act.

19 CAPITAL INVESTMENT FUND

20 For necessary expenses of the Capital Investment
21 Fund, as authorized, \$12,600,000, to remain available
22 until expended.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector
25 General, \$87,069,000, notwithstanding section 209(a)(1)

1 of the Foreign Service Act of 1980 (Public Law 96–465),
2 as it relates to post inspections: *Provided*, That of the
3 funds appropriated under this heading, \$13,060,000 may
4 remain available until September 30, 2018.

5 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

6 For expenses of educational and cultural exchange
7 programs, as authorized, \$634,143,000, to remain avail-
8 able until expended, of which not less than \$240,000,000
9 shall be for the Fulbright Program and not less than
10 \$111,360,000 shall be for Citizen Exchange Program, in-
11 cluding \$4,125,000 for the Congress-Bundestag Youth
12 Exchange: *Provided*, That fees or other payments received
13 from, or in connection with, English teaching, educational
14 advising and counseling programs, and exchange visitor
15 programs as authorized may be credited to this account,
16 to remain available until expended: *Provided further*, That
17 a portion of the Fulbright awards from the Eurasia and
18 Central Asia regions shall be designated as Edmund S.
19 Muskie Fellowships, following consultation with the Com-
20 mittees on Appropriations: *Provided further*, That Depart-
21 ment of State-designated sponsors may not issue a Form
22 DS–2019 (Certificate of Eligibility for Exchange Visitor
23 (J–1) Status) to place student participants in seafood
24 product preparation or packaging positions in the Summer
25 Work Travel program in fiscal year 2017 unless prior to

1 issuing such Form the sponsor provides to the Secretary
2 of State a description of such program and verifies in writ-
3 ing to the Secretary that such program fully complies with
4 part 62 of title 22 of the Code of Federal Regulations,
5 notwithstanding subsection 62.32(h)(16) of such part, and
6 with the requirements specified in Senate Report 114-
7 290: *Provided further*, That any substantive modifications
8 from the prior fiscal year to programs funded by this Act
9 under this heading shall be subject to prior consultation
10 with, and the regular notification procedures of, the Com-
11 mittees on Appropriations.

12 REPRESENTATION EXPENSES

13 For representation expenses as authorized,
14 \$8,030,000.

15 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

16 For expenses, not otherwise provided, to enable the
17 Secretary of State to provide for extraordinary protective
18 services, as authorized, \$30,344,000, to remain available
19 until September 30, 2018.

20 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

21 For necessary expenses for carrying out the Foreign
22 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
23 preserving, maintaining, repairing, and planning for build-
24 ings that are owned or directly leased by the Department
25 of State, renovating, in addition to funds otherwise avail-

1 able, the Harry S Truman Building, and carrying out the
2 Diplomatic Security Construction Program as authorized,
3 \$759,161,000, to remain available until expended, of
4 which not to exceed \$25,000 may be used for domestic
5 and overseas representation expenses as authorized: *Pro-*
6 *vided*, That none of the funds appropriated in this para-
7 graph shall be available for acquisition of furniture, fur-
8 nishings, or generators for other departments and agen-
9 cies of the United States Government.

10 In addition, for the costs of worldwide security up-
11 grades, acquisition, and construction as authorized,
12 \$358,698,000, to remain available until expended: *Pro-*
13 *vided*, That not later than 45 days after enactment of this
14 Act, the Secretary of State shall submit to the Committees
15 on Appropriations the proposed allocation of funds made
16 available under this heading and the actual and antici-
17 pated proceeds of sales for all projects in fiscal year 2017.

18 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR

19 SERVICE

20 For necessary expenses to enable the Secretary of
21 State to meet unforeseen emergencies arising in the Diplo-
22 matic and Consular Service, as authorized, \$7,900,000, to
23 remain available until expended, of which not to exceed
24 \$1,000,000 may be transferred to, and merged with, funds
25 appropriated by this Act under the heading “Repatriation

1 Loans Program Account”, subject to the same terms and
2 conditions.

3 REPATRIATION LOANS PROGRAM ACCOUNT

4 For the cost of direct loans, \$1,300,000, as author-
5 ized: *Provided*, That such costs, including the cost of
6 modifying such loans, shall be as defined in section 502
7 of the Congressional Budget Act of 1974: *Provided fur-*
8 *ther*, That such funds are available to subsidize gross obli-
9 gations for the principal amount of direct loans not to ex-
10 ceed \$2,433,545.

11 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

12 For necessary expenses to carry out the Taiwan Rela-
13 tions Act (Public Law 96–8), \$31,963,000.

14 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
15 COLUMBIA

16 Not to exceed \$1,806,600 shall be derived from fees
17 collected from other executive agencies for lease or use of
18 facilities at the International Center in accordance with
19 section 4 of the International Center Act (Public Law 90–
20 553), and, in addition, as authorized by section 5 of such
21 Act, \$1,320,000, to be derived from the reserve authorized
22 by such section, to be used for the purposes set out in
23 that section.

1 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
2 DISABILITY FUND

3 For payment to the Foreign Service Retirement and
4 Disability Fund, as authorized, \$158,900,000.

5 INTERNATIONAL ORGANIZATIONS

6 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

7 For necessary expenses, not otherwise provided for,
8 to meet annual obligations of membership in international
9 multilateral organizations, pursuant to treaties ratified
10 pursuant to the advice and consent of the Senate, conven-
11 tions or specific Acts of Congress, \$1,262,966,000: *Pro-*
12 *vided*, That the Secretary of State shall, at the time of
13 the submission of the President's budget to Congress
14 under section 1105(a) of title 31, United States Code,
15 transmit to the Committees on Appropriations the most
16 recent biennial budget prepared by the United Nations for
17 the operations of the United Nations: *Provided further*,
18 That the Secretary of State shall notify the Committees
19 on Appropriations at least 15 days in advance (or in an
20 emergency, as far in advance as is practicable) of any
21 United Nations action to increase funding for any United
22 Nations program without identifying an offsetting de-
23 crease elsewhere in the United Nations budget: *Provided*
24 *further*, That not later than June 1, 2017, and 30 days
25 after the end of fiscal year 2017, the Secretary of State

1 shall report to the Committees on Appropriations any
2 credits attributable to the United States, including from
3 the United Nations Tax Equalization Fund, and provide
4 updated fiscal year 2017 and fiscal year 2018 assessment
5 costs including offsets from available credits and updated
6 foreign currency exchange rates: *Provided further*, That
7 any such credits shall only be available for United States
8 assessed contributions to the United Nations regular
9 budget, and the Committees on Appropriations shall be
10 notified when such credits are applied to any assessed con-
11 tribution, including any payment of arrearages: *Provided*
12 *further*, That any notification regarding funds appro-
13 priated or otherwise made available under this heading in
14 this Act or prior Acts making appropriations for the De-
15 partment of State, foreign operations, and related pro-
16 grams submitted pursuant to section 7015 of this Act, sec-
17 tion 34 of the State Department Basic Authorities Act
18 of 1956 (22 U.S.C. 2706), or any operating plan sub-
19 mitted pursuant to section 7076 of this Act, shall include
20 an estimate of all known credits currently attributable to
21 the United States and provide updated assessment costs
22 including offsets from available credits and updated for-
23 eign currency exchange rates: *Provided further*, That any
24 payment of arrearages under this heading shall be directed
25 to activities that are mutually agreed upon by the United

1 States and the respective international organization and
2 shall be subject to the regular notification procedures of
3 the Committees on Appropriations: *Provided further*, That
4 none of the funds appropriated under this heading shall
5 be available for a United States contribution to an inter-
6 national organization for the United States share of inter-
7 est costs made known to the United States Government
8 by such organization for loans incurred on or after Octo-
9 ber 1, 1984, through external borrowings.

10 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

11 ACTIVITIES

12 For necessary expenses to pay assessed and other ex-
13 penses of international peacekeeping activities directed to
14 the maintenance or restoration of international peace and
15 security, \$552,904,000, of which 15 percent shall remain
16 available until September 30, 2018: *Provided*, That none
17 of the funds made available by this Act shall be obligated
18 or expended for any new or expanded United Nations
19 peacekeeping mission unless, at least 15 days in advance
20 of voting for such mission in the United Nations Security
21 Council (or in an emergency as far in advance as is prac-
22 ticable), the Committees on Appropriations are notified of:
23 (1) the estimated cost and duration of the mission, the
24 objectives of the mission, the national interest that will
25 be served, and the exit strategy; and (2) the sources of

1 funds, including any reprogrammings or transfers, that
2 will be used to pay the cost of the new or expanded mis-
3 sion, and the estimated cost in future fiscal years: *Pro-*
4 *vided further*, That none of the funds appropriated under
5 this heading may be made available for obligation unless
6 the Secretary of State certifies and reports to the Commit-
7 tees on Appropriations on a peacekeeping mission-by-mis-
8 sion basis that the United Nations is implementing effec-
9 tive policies and procedures to prevent United Nations em-
10 ployees, contractor personnel, and peacekeeping troops
11 serving in such mission from trafficking in persons, ex-
12 ploiting victims of trafficking, or committing acts of sexual
13 exploitation and abuse or other violations of human rights,
14 and to bring to justice individuals who engage in such acts
15 while participating in such mission, including prosecution
16 in their home countries and making information about
17 such prosecutions publicly available on the Web site of the
18 United Nations: *Provided further*, That the Secretary of
19 State shall work with the United Nations and foreign gov-
20 ernments contributing peacekeeping troops to implement
21 effective vetting procedures to ensure that such troops
22 have not violated human rights: *Provided further*, That
23 funds shall be available for peacekeeping expenses unless
24 the Secretary of State determines that United States man-
25 ufacturers and suppliers are not being given opportunities

1 to provide equipment, services, and material for United
2 Nations peacekeeping activities equal to those being given
3 to foreign manufacturers and suppliers: *Provided further,*
4 That none of the funds appropriated or otherwise made
5 available under this heading may be used for any United
6 Nations peacekeeping mission that will involve United
7 States Armed Forces under the command or operational
8 control of a foreign national, unless the President's mili-
9 tary advisors have submitted to the President a rec-
10 ommendation that such involvement is in the national in-
11 terest of the United States and the President has sub-
12 mitted to Congress such a recommendation: *Provided fur-*
13 *ther,* That not later than June 1, 2017, and 30 days after
14 the end of fiscal year 2017, the Secretary of State shall
15 report to the Committees on Appropriations any credits
16 attributable to the United States, including those resulting
17 from United Nations peacekeeping missions or the United
18 Nations Tax Equalization Fund, and provide updated fis-
19 cal year 2017 and fiscal year 2018 assessment costs in-
20 cluding offsets from available credits: *Provided further,*
21 That any such credits shall only be available for United
22 States assessed contributions to United Nations peace-
23 keeping missions, and the Committees on Appropriations
24 shall be notified when such credits are applied to any as-
25 sessed contribution, including any payment of arrearages:

1 *Provided further*, That any notification regarding funds
2 appropriated or otherwise made available under this head-
3 ing in this Act or prior Acts making appropriations for
4 the Department of State, foreign operations, and related
5 programs submitted pursuant to section 7015 of this Act,
6 section 34 of the State Department Basic Authorities Act
7 of 1956 (22 U.S.C. 2706), or any operating plan sub-
8 mitted pursuant to section 7076 of this Act, shall include
9 an estimate of all known credits currently attributable to
10 the United States and provide updated assessment costs
11 including offsets from available credits: *Provided further*,
12 That any payment of arrearages with funds appropriated
13 by this Act shall be subject to the regular notification pro-
14 cedures of the Committees on Appropriations: *Provided*
15 *further*, That the Secretary of State shall work with the
16 United Nations and members of the United Nations Secu-
17 rity Council to evaluate and prioritize peacekeeping mis-
18 sions, and to consider a draw down when mission goals
19 have been substantially achieved.

20 INTERNATIONAL COMMISSIONS

21 For necessary expenses, not otherwise provided for,
22 to meet obligations of the United States arising under
23 treaties, or specific Acts of Congress, as follows:

1 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
2 UNITED STATES AND MEXICO

3 For necessary expenses for the United States Section
4 of the International Boundary and Water Commission,
5 United States and Mexico, and to comply with laws appli-
6 cable to the United States Section, including not to exceed
7 \$6,000 for representation expenses; as follows:

8 SALARIES AND EXPENSES

9 For salaries and expenses, not otherwise provided for,
10 \$48,134,000.

11 CONSTRUCTION

12 For detailed plan preparation and construction of au-
13 thorized projects, \$29,400,000, to remain available until
14 expended, as authorized.

15 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

16 For necessary expenses, not otherwise provided, for
17 the International Joint Commission and the International
18 Boundary Commission, United States and Canada, as au-
19 thorized by treaties between the United States and Can-
20 ada or Great Britain, and the Border Environment Co-
21 operation Commission as authorized by the North Amer-
22 ican Free Trade Agreement Implementation Act (Public
23 Law 103-182), \$12,258,000: *Provided*, That of the
24 amount provided under this heading for the International
25 Joint Commission, up to \$500,000 may remain available

1 until September 30, 2018, and \$9,000 may be made avail-
2 able for representation expenses.

3 INTERNATIONAL FISHERIES COMMISSIONS

4 For necessary expenses for international fisheries
5 commissions, not otherwise provided for, as authorized by
6 law, \$37,502,000: *Provided*, That the United States share
7 of such expenses may be advanced to the respective com-
8 missions pursuant to section 3324 of title 31, United
9 States Code.

10 RELATED AGENCY

11 BROADCASTING BOARD OF GOVERNORS

12 INTERNATIONAL BROADCASTING OPERATIONS

13 For necessary expenses to enable the Broadcasting
14 Board of Governors (BBG), as authorized, to carry out
15 international communication activities, and to make and
16 supervise grants for radio, Internet, and television broad-
17 casting to the Middle East, \$772,108,000: *Provided*, That
18 in addition to amounts otherwise available for such pur-
19 poses, up to \$32,501,000 of the amount appropriated
20 under this heading may remain available until expended
21 for satellite transmissions and Internet freedom programs,
22 of which not less than \$13,800,000 shall be for Internet
23 freedom programs: *Provided further*, That of the total
24 amount appropriated under this heading, not to exceed
25 \$35,000 may be used for representation expenses, of

1 which \$10,000 may be used for such expenses within the
2 United States as authorized, and not to exceed \$30,000
3 may be used for representation expenses of Radio Free
4 Europe/Radio Liberty: *Provided further*, That the BBG
5 shall notify the Committees on Appropriations within 15
6 days of any determination by the BBG that any of its
7 broadcast entities, including its grantee organizations,
8 provides an open platform for international terrorists or
9 those who support international terrorism, or is in viola-
10 tion of the principles and standards set forth in sub-
11 sections (a) and (b) of section 303 of the United States
12 International Broadcasting Act of 1994 (22 U.S.C. 6202)
13 or the entity's journalistic code of ethics: *Provided further*,
14 That significant modifications to BBG broadcast hours
15 previously justified to Congress, including changes to
16 transmission platforms (shortwave, medium wave, sat-
17 ellite, Internet, and television), for all BBG language serv-
18 ices shall be subject to the regular notification procedures
19 of the Committees on Appropriations: *Provided further*,
20 That in addition to funds made available under this head-
21 ing, and notwithstanding any other provision of law, up
22 to \$5,000,000 in receipts from advertising and revenue
23 from business ventures, up to \$500,000 in receipts from
24 cooperating international organizations, and up to
25 \$1,000,000 in receipts from privatization efforts of the

1 Voice of America and the International Broadcasting Bu-
2 reau, shall remain available until expended for carrying
3 out authorized purposes.

4 BROADCASTING CAPITAL IMPROVEMENTS

5 For the purchase, rent, construction, repair, preser-
6 vation, and improvement of facilities for radio, television,
7 and digital transmission and reception; the purchase, rent,
8 and installation of necessary equipment for radio, tele-
9 vision, and digital transmission and reception, including
10 to Cuba, as authorized; and physical security worldwide,
11 in addition to amounts otherwise available for such pur-
12 poses, \$9,700,000, to remain available until expended, as
13 authorized.

14 RELATED PROGRAMS

15 THE ASIA FOUNDATION

16 For a grant to The Asia Foundation, as authorized
17 by The Asia Foundation Act (22 U.S.C. 4402),
18 \$17,000,000, to remain available until expended.

19 UNITED STATES INSTITUTE OF PEACE

20 For necessary expenses of the United States Institute
21 of Peace, as authorized by the United States Institute of
22 Peace Act (22 U.S.C. 4601 et seq.), \$37,884,000, to re-
23 main available until September 30, 2018, which shall not
24 be used for construction activities.

1 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE
2 TRUST FUND

3 For necessary expenses of the Center for Middle
4 Eastern-Western Dialogue Trust Fund, as authorized by
5 section 633 of the Departments of Commerce, Justice, and
6 State, the Judiciary, and Related Agencies Appropriations
7 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
8 est and earnings accruing to such Fund on or before Sep-
9 tember 30, 2017, to remain available until expended.

10 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

11 For necessary expenses of Eisenhower Exchange Fel-
12 lowships, Incorporated, as authorized by sections 4 and
13 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
14 U.S.C. 5204–5205), all interest and earnings accruing to
15 the Eisenhower Exchange Fellowship Program Trust
16 Fund on or before September 30, 2017, to remain avail-
17 able until expended: *Provided*, That none of the funds ap-
18 propriated herein shall be used to pay any salary or other
19 compensation, or to enter into any contract providing for
20 the payment thereof, in excess of the rate authorized by
21 section 5376 of title 5, United States Code; or for pur-
22 poses which are not in accordance with section 200 of title
23 2 of the Code of Federal Regulations, including the re-
24 strictions on compensation for personal services.

1 ISRAELI ARAB SCHOLARSHIP PROGRAM

2 For necessary expenses of the Israeli Arab Scholar-
3 ship Program, as authorized by section 214 of the Foreign
4 Relations Authorization Act, Fiscal Years 1992 and 1993
5 (22 U.S.C. 2452), all interest and earnings accruing to
6 the Israeli Arab Scholarship Fund on or before September
7 30, 2017, to remain available until expended.

8 EAST-WEST CENTER

9 To enable the Secretary of State to provide for car-
10 rying out the provisions of the Center for Cultural and
11 Technical Interchange Between East and West Act of
12 1960, by grant to the Center for Cultural and Technical
13 Interchange Between East and West in the State of Ha-
14 waii, \$16,700,000.

15 NATIONAL ENDOWMENT FOR DEMOCRACY

16 For grants made by the Department of State to the
17 National Endowment for Democracy, as authorized by the
18 National Endowment for Democracy Act (22 U.S.C.
19 4412), \$170,000,000, to remain available until expended,
20 of which \$117,500,000 shall be allocated in the traditional
21 and customary manner, including for the core institutes,
22 and \$52,500,000 shall be for democracy programs.

1134

1 OTHER COMMISSIONS

2 COMMISSION FOR THE PRESERVATION OF AMERICA'S

3 HERITAGE ABROAD

4 SALARIES AND EXPENSES

5 For necessary expenses for the Commission for the
6 Preservation of America's Heritage Abroad, \$888,000, as
7 authorized by chapter 3123 of title 54, United States
8 Code: *Provided*, That the Commission may procure tem-
9 porary, intermittent, and other services notwithstanding
10 paragraph (3) of section 312304(b) of such chapter: *Pro-*
11 *vided further*, That such authority shall terminate on Oc-
12 tober 1, 2017: *Provided further*, That the Commission
13 shall notify the Committees on Appropriations prior to ex-
14 ercising such authority.

15 UNITED STATES COMMISSION ON INTERNATIONAL

16 RELIGIOUS FREEDOM

17 SALARIES AND EXPENSES

18 For necessary expenses for the United States Com-
19 mission on International Religious Freedom, as authorized
20 by title II of the International Religious Freedom Act of
21 1998 (22 U.S.C. 6431 et seq.), \$3,500,000, to remain
22 available until September 30, 2018, including not more
23 than \$4,000 for representation expenses.

1135

1 COMMISSION ON SECURITY AND COOPERATION IN
2 EUROPE
3 SALARIES AND EXPENSES

4 For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public
5 Law 94-304, \$2,579,000, including not more than \$4,000
6 for representation expenses, to remain available until Sep-
7 tember 30, 2018.

9 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE
10 PEOPLE'S REPUBLIC OF CHINA
11 SALARIES AND EXPENSES

12 For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as au-
13 thorized by title III of the U.S.-China Relations Act of
14 2000 (22 U.S.C. 6911 et seq.), \$2,000,000, including not
15 more than \$3,000 for representation expenses, to remain
16 available until September 30, 2018.

18 UNITED STATES-CHINA ECONOMIC AND SECURITY
19 REVIEW COMMISSION
20 SALARIES AND EXPENSES

21 For necessary expenses of the United States-China
22 Economic and Security Review Commission, as authorized
23 by section 1238 of the Floyd D. Spence National Defense
24 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
25 \$3,500,000, including not more than \$4,000 for represen-

1 tation expenses, to remain available until September 30,
2 2018: *Provided*, That the authorities, requirements, limi-
3 tations, and conditions contained in the second through
4 sixth provisos under this heading in the Department of
5 State, Foreign Operations, and Related Programs Appro-
6 priations Act, 2010 (division F of Public Law 111–117)
7 shall continue in effect during fiscal year 2017 and shall
8 apply to funds appropriated under this heading as if in-
9 cluded in this Act.

1137

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 \$1,204,609,000, of which up to \$180,691,000 may remain
9 available until September 30, 2018: *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, \$174,985,000, 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 \$67,600,000, of which up to \$10,140,000 may remain
25 available until September 30, 2018, for the Office of In-

1 spector General of the United States Agency for Inter-
2 national Development.

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 \$3,054,950,000, to remain available until September 30,
13 2018, 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, \$5,670,000,000, to remain available until
19 September 30, 2021, 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 as amended, for a United States contribution to the Global

1 Fund to Fight AIDS, Tuberculosis and Malaria (Global
2 Fund), and shall be expended at the minimum rate nec-
3 essary to make timely payment for projects and activities:
4 *Provided further*, That the amount of such contribution
5 should be \$1,350,000,000: *Provided further*, That section
6 202(d)(4)(A)(i) and (vi) of Public Law 108–25, as amend-
7 ed, shall be applied with respect to such funds made avail-
8 able for fiscal years 2015 through 2017 by substituting
9 “2004” for “2009”: *Provided further*, That up to 5 per-
10 cent of the aggregate amount of funds made available to
11 the Global Fund in fiscal year 2017 may be made available
12 to USAID for technical assistance related to the activities
13 of the Global Fund, subject to the regular notification pro-
14 cedures of the Committees on Appropriations: *Provided*
15 *further*, That of the funds appropriated under this para-
16 graph, up to \$17,000,000 may be made available, in addi-
17 tion to amounts otherwise available for such purposes, for
18 administrative expenses of the Office of the United States
19 Global AIDS Coordinator.

20 DEVELOPMENT ASSISTANCE

21 For necessary expenses to carry out the provisions
22 of sections 103, 105, 106, 214, and sections 251 through
23 255, and chapter 10 of part I of the Foreign Assistance
24 Act of 1961, \$2,995,465,000, to remain available until
25 September 30, 2018.

1 INTERNATIONAL DISASTER ASSISTANCE

2 For necessary expenses to carry out the provisions
3 of section 491 of the Foreign Assistance Act of 1961 for
4 international disaster relief, rehabilitation, and recon-
5 struction assistance, \$498,483,000, to remain available
6 until expended.

7 TRANSITION INITIATIVES

8 For necessary expenses for international disaster re-
9 habilitation and reconstruction assistance administered by
10 the Office of Transition Initiatives, United States Agency
11 for International Development, pursuant to section 491 of
12 the Foreign Assistance Act of 1961, \$35,600,000, to re-
13 main available until expended, to support transition to de-
14 mocracy and long-term development of countries in crisis:
15 *Provided*, That such support may include assistance to de-
16 velop, strengthen, or preserve democratic institutions and
17 processes, revitalize basic infrastructure, and foster the
18 peaceful resolution of conflict: *Provided further*, That the
19 USAID Administrator shall submit a report to the Com-
20 mittees on Appropriations at least 5 days prior to begin-
21 ning a new program of assistance: *Provided further*, That
22 if the Secretary of State determines that it is important
23 to the national interest of the United States to provide
24 transition assistance in excess of the amount appropriated
25 under this heading, up to \$15,000,000 of the funds appro-

1 priated by this Act to carry out the provisions of part I
2 of the Foreign Assistance Act of 1961 may be used for
3 purposes of this heading and under the authorities appli-
4 cable to funds appropriated under this heading: *Provided*
5 *further*, That funds made available pursuant to the pre-
6 vious proviso shall be made available subject to prior con-
7 sultation with the Committees on Appropriations.

8
9 COMPLEX CRISES FUND

9 For necessary expenses to carry out the provisions
10 of the Foreign Assistance Act of 1961 to support pro-
11 grams and activities to prevent or respond to emerging
12 or unforeseen foreign challenges and complex crises over-
13 seas, \$10,000,000, to remain available until expended:
14 *Provided*, That funds appropriated under this heading
15 may be made available on such terms and conditions as
16 are appropriate and necessary for the purposes of pre-
17 venting or responding to such challenges and crises, except
18 that no funds shall be made available for lethal assistance
19 or to respond to natural disasters: *Provided further*, That
20 funds appropriated under this heading may be made avail-
21 able notwithstanding any other provision of law, except
22 sections 7007, 7008, and 7018 of this Act and section
23 620M of the Foreign Assistance Act of 1961: *Provided*
24 *further*, That funds appropriated under this heading may
25 be used for administrative expenses, in addition to funds

1 otherwise available for such purposes, except that such ex-
2 penses may not exceed 5 percent of the funds appropriated
3 under this heading: *Provided further*, That funds appro-
4 priated under this heading shall be subject to the regular
5 notification procedures of the Committees on Appropria-
6 tions, except that such notifications shall be transmitted
7 at least 5 days prior to the obligation of funds.

8 DEVELOPMENT CREDIT AUTHORITY

9 For the cost of direct loans and loan guarantees pro-
10 vided by the United States Agency for International De-
11 velopment, as authorized by sections 256 and 635 of the
12 Foreign Assistance Act of 1961, up to \$50,000,000 may
13 be derived by transfer from funds appropriated by this Act
14 to carry out part I of such Act and under the heading
15 “Assistance for Europe, Eurasia and Central Asia”: *Pro-*
16 *vided*, That funds provided under this paragraph and
17 funds provided as a gift that are used for purposes of this
18 paragraph pursuant to section 635(d) of the Foreign As-
19 sistance Act of 1961 shall be made available only for
20 micro- and small enterprise programs, urban programs,
21 and other programs which further the purposes of part
22 I of such Act: *Provided further*, That funds provided as
23 a gift that are used for purposes of this paragraph shall
24 be subject to prior consultation with, and the regular noti-
25 fication procedures of, the Committees on Appropriations:

1 *Provided further*, That such costs, including the cost of
2 modifying such direct and guaranteed loans, shall be as
3 defined in section 502 of the Congressional Budget Act
4 of 1974, as amended: *Provided further*, That funds made
5 available by this paragraph may be used for the cost of
6 modifying any such guaranteed loans under this Act or
7 prior Acts making appropriations for the Department of
8 State, foreign operations, and related programs, and funds
9 used for such cost, including if the cost results in a nega-
10 tive subsidy, shall be subject to the regular notification
11 procedures of the Committees on Appropriations: *Provided*
12 *further*, That the provisions of section 107A(d) (relating
13 to general provisions applicable to the Development Credit
14 Authority) of the Foreign Assistance Act of 1961, as con-
15 tained in section 306 of H.R. 1486 as reported by the
16 House Committee on International Relations on May 9,
17 1997, shall be applicable to direct loans and loan guaran-
18 tees provided under this heading, except that the principal
19 amount of loans made or guaranteed under this heading
20 with respect to any single country shall not exceed
21 \$300,000,000: *Provided further*, That these funds are
22 available to subsidize total loan principal, any portion of
23 which is to be guaranteed, of up to \$1,750,000,000.

24 In addition, for administrative expenses to carry out
25 credit programs administered by USAID, \$10,000,000,

1 which may be transferred to, and merged with, funds
2 made available under the heading “Operating Expenses”
3 in title II of this Act: *Provided*, That funds made available
4 under this heading shall remain available until September
5 30, 2019.

6
7 **ECONOMIC SUPPORT FUND**

8 For necessary expenses to carry out the provisions
9 of chapter 4 of part II of the Foreign Assistance Act of
10 1961, \$1,041,761,000, to remain available until Sep-
11 tember 30, 2018.

12
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), \$145,375,000, to remain available until
19 September 30, 2018, 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:
Provided further, That the Assistant Secretary for Democ-
racy, Human Rights, and Labor, Department of State,

1 shall consult with the Committees on Appropriations prior
2 to the obligation of funds appropriated under this para-
3 graph.

4 For an additional amount for such purposes,
5 \$65,125,000, to remain available until September 30,
6 2018, which shall be made available for the Bureau for
7 Democracy, Conflict, and Humanitarian Assistance,
8 United States Agency for International Development.

9 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

10 For necessary expenses to carry out the provisions
11 of the Foreign Assistance Act of 1961, the FREEDOM
12 Support Act (Public Law 102–511), and the Support for
13 Eastern European Democracy (SEED) Act of 1989 (Pub-
14 lic Law 101–179), \$291,638,000, to remain available until
15 September 30, 2018, which shall be available, notwith-
16 standing any other provision of law, except section 7070
17 of this Act, for assistance and related programs for coun-
18 tries identified in section 3 of Public Law 102–511 and
19 section 3(c) of Public Law 101–179, in addition to funds
20 otherwise available for such purposes: *Provided*, That
21 funds appropriated by this Act under the headings “Global
22 Health Programs” and “Economic Support Fund” that
23 are made available for assistance for such countries shall
24 be administered in accordance with the responsibilities of
25 the coordinator designated pursuant to section 102 of

1 Public Law 102–511 and section 601 of Public Law 101–
2 179: *Provided further*, That funds appropriated under this
3 heading shall be considered to be economic assistance
4 under the Foreign Assistance Act of 1961 for purposes
5 of making available the administrative authorities con-
6 tained in that Act for the use of economic assistance.

7 DEPARTMENT OF STATE

8 MIGRATION AND REFUGEE ASSISTANCE

9 For necessary expenses not otherwise provided for,
10 to enable the Secretary of State to carry out the provisions
11 of section 2(a) and (b) of the Migration and Refugee As-
12 sistance Act of 1962, and other activities to meet refugee
13 and migration needs; salaries and expenses of personnel
14 and dependents as authorized by the Foreign Service Act
15 of 1980; allowances as authorized by sections 5921
16 through 5925 of title 5, United States Code; purchase and
17 hire of passenger motor vehicles; and services as author-
18 ized by section 3109 of title 5, United States Code,
19 \$912,802,000, to remain available until expended, of
20 which not less than \$35,000,000 shall be made available
21 to respond to small-scale emergency humanitarian require-
22 ments, and \$7,500,000 shall be made available for refu-
23 gees resettling in Israel.

1153

1 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
2 ASSISTANCE FUND

3 For necessary expenses to carry out the provisions
4 of section 2(c) of the Migration and Refugee Assistance
5 Act of 1962, as amended (22 U.S.C. 2601(c)),
6 \$10,000,000, to remain available until expended.

7 INDEPENDENT AGENCIES

8 PEACE CORPS

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses to carry out the provisions
11 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
12 the purchase of not to exceed five passenger motor vehicles
13 for administrative purposes for use outside of the United
14 States, \$410,000,000, of which \$5,500,000 is for the Of-
15 fice of Inspector General, to remain available until Sep-
16 tember 30, 2018: *Provided*, That the Director of the Peace
17 Corps may transfer to the Foreign Currency Fluctuations
18 Account, as authorized by section 16 of the Peace Corps
19 Act (22 U.S.C. 2515), an amount not to exceed
20 \$5,000,000: *Provided further*, That funds transferred pur-
21 suant to the previous proviso may not be derived from
22 amounts made available for Peace Corps overseas oper-
23 ations: *Provided further*, That of the funds appropriated
24 under this heading, not to exceed \$104,000 may be avail-
25 able for representation expenses, of which not to exceed

1 \$4,000 may be made available for entertainment expenses:
2 *Provided further*, That any decision to open, close, signifi-
3 cantly reduce, or suspend a domestic or overseas office or
4 country program shall be subject to prior consultation
5 with, and the regular notification procedures of, the Com-
6 mittees on Appropriations, except that prior consultation
7 and regular notification procedures may be waived when
8 there is a substantial security risk to volunteers or other
9 Peace Corps personnel, pursuant to section 7015(e) of this
10 Act: *Provided further*, That none of the funds appropriated
11 under this heading shall be used to pay for abortions: *Pro-*
12 *vided further*, That notwithstanding the previous proviso,
13 section 614 of division E of Public Law 113–76 shall
14 apply to funds appropriated under this heading.

15 MILLENNIUM CHALLENGE CORPORATION

16 For necessary expenses to carry out the provisions
17 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
18 et seq.) (MCA), \$905,000,000, to remain available until
19 expended: *Provided*, That of the funds appropriated under
20 this heading, up to \$105,000,000 may be available for ad-
21 ministrative expenses of the Millennium Challenge Cor-
22 poration (MCC): *Provided further*, That up to 5 percent
23 of the funds appropriated under this heading may be made
24 available to carry out the purposes of section 616 of the
25 MCA for fiscal year 2017: *Provided further*, That section

1 605(e) of the MCA shall apply to funds appropriated
2 under this heading: *Provided further*, That funds appro-
3 priated under this heading may be made available for a
4 Millennium Challenge Compact entered into pursuant to
5 section 609 of the MCA only if such Compact obligates,
6 or contains a commitment to obligate subject to the avail-
7 ability of funds and the mutual agreement of the parties
8 to the Compact to proceed, the entire amount of the
9 United States Government funding anticipated for the du-
10 ration of the Compact: *Provided further*, That the MCC
11 Chief Executive Officer shall notify the Committees on Ap-
12 propriations not later than 15 days prior to commencing
13 negotiations for any country compact or threshold country
14 program; signing any such compact or threshold program;
15 or terminating or suspending any such compact or thresh-
16 old program: *Provided further*, That funds appropriated
17 under this heading by this Act and prior Acts making ap-
18 propriations for the Department of State, foreign oper-
19 ations, and related programs that are available to imple-
20 ment section 609(g) of the MCA shall be subject to the
21 regular notification procedures of the Committees on Ap-
22 propriations: *Provided further*, That no country should be
23 eligible for a threshold program after such country has
24 completed a country compact: *Provided further*, That any
25 funds that are deobligated from a Millennium Challenge

1 Compact shall be subject to the regular notification proce-
2 dures of the Committees on Appropriations prior to re-
3 obligation: *Provided further*, That notwithstanding section
4 606(a)(2) of the MCA, a country shall be a candidate
5 country for purposes of eligibility for assistance for the
6 fiscal year if the country has a per capita income equal
7 to or below the World Bank's lower middle income country
8 threshold for the fiscal year and is among the 75 lowest
9 per capita income countries as identified by the World
10 Bank; and the country meets the requirements of section
11 606(a)(1)(B) of the MCA: *Provided further*, That notwith-
12 standing section 606(b)(1) of the MCA, in addition to
13 countries described in the preceding proviso, a country
14 shall be a candidate country for purposes of eligibility for
15 assistance for the fiscal year if the country has a per cap-
16 ita income equal to or below the World Bank's lower mid-
17 dle income country threshold for the fiscal year and is not
18 among the 75 lowest per capita income countries as identi-
19 fied by the World Bank; and the country meets the re-
20 quirements of section 606(a)(1)(B) of the MCA: *Provided*
21 *further*, That any MCC candidate country under section
22 606 of the MCA with a per capita income that changes
23 in the fiscal year such that the country would be reclassi-
24 fied from a low income country to a lower middle income
25 country or from a lower middle income country to a low

1 income country shall retain its candidacy status in its
2 former income classification for the fiscal year and the 2
3 subsequent fiscal years: *Provided further*, That publication
4 in the Federal Register of a notice of availability of a copy
5 of a Compact on the MCC Web site shall be deemed to
6 satisfy the requirements of section 610(b)(2) of the MCA
7 for such Compact: *Provided further*, That none of the
8 funds made available by this Act or prior Acts making
9 appropriations for the Department of State, foreign oper-
10 ations, and related programs shall be available for a
11 threshold program in a country that is not currently a can-
12 didate country: *Provided further*, That of the funds appro-
13 priated under this heading, not to exceed \$100,000 may
14 be available for representation and entertainment ex-
15 penses, of which not to exceed \$5,000 may be available
16 for entertainment expenses.

17 INTER-AMERICAN FOUNDATION

18 For necessary expenses to carry out the functions of
19 the Inter-American Foundation in accordance with the
20 provisions of section 401 of the Foreign Assistance Act
21 of 1969, \$22,500,000, to remain available until September
22 30, 2018: *Provided*, That of the funds appropriated under
23 this heading, not to exceed \$2,000 may be available for
24 representation expenses.

1 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

2 For necessary expenses to carry out title V of the
3 International Security and Development Cooperation Act
4 of 1980 (Public Law 96–533), \$30,000,000, to remain
5 available until September 30, 2018, of which not to exceed
6 \$2,000 may be available for representation expenses: *Pro-*
7 *vided*, That funds made available to grantees may be in-
8 vested pending expenditure for project purposes when au-
9 thorized by the Board of Directors of the United States
10 African Development Foundation (USADF): *Provided fur-*
11 *ther*, That interest earned shall be used only for the pur-
12 poses for which the grant was made: *Provided further*,
13 That notwithstanding section 505(a)(2) of the African De-
14 velopment Foundation Act (22 U.S.C. 290h–3(a)(2)), in
15 exceptional circumstances the Board of Directors of the
16 USADF may waive the \$250,000 limitation contained in
17 that section with respect to a project and a project may
18 exceed the limitation by up to 10 percent if the increase
19 is due solely to foreign currency fluctuation: *Provided fur-*
20 *ther*, That the USADF shall submit a report to the Com-
21 mittees on Appropriations after each time such waiver au-
22 thority is exercised: *Provided further*, That the USADF
23 may make rent or lease payments in advance from appro-
24 priations available for such purpose for offices, buildings,
25 grounds, and quarters in Africa as may be necessary to

1 carry out its functions: *Provided further*, That the USADF
2 may maintain bank accounts outside the United States
3 Treasury and retain any interest earned on such accounts,
4 in furtherance of the purposes of the African Development
5 Foundation Act: *Provided further*, That the USADF may
6 not withdraw any appropriation from the Treasury prior
7 to the need of spending such funds for program purposes.

8 DEPARTMENT OF THE TREASURY
9 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE
10 For necessary expenses to carry out the provisions
11 of section 129 of the Foreign Assistance Act of 1961,
12 \$30,000,000, to remain available until September 30,
13 2019, which shall be available notwithstanding any other
14 provision of law.

1160

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, \$889,664,000, to re-
8 main available until September 30, 2018: *Provided*, That
9 the Department of State may use the authority of section
10 608 of the Foreign Assistance Act of 1961, without regard
11 to its restrictions, to receive excess property from an agen-
12 cy of the United States Government for the purpose of
13 providing such property to a foreign country or inter-
14 national organization under chapter 8 of part I of such
15 Act, subject to the regular notification procedures of the
16 Committees on Appropriations: *Provided further*, That sec-
17 tion 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, and other judicial
25 authorities, utilizing regional partners: *Provided further*,

1 That not less than \$72,565,000 of the funds appropriated
2 under this heading shall be transferred to, and merged
3 with, funds appropriated by this Act under the heading
4 “Assistance for Europe, Eurasia and Central Asia”, which
5 shall be available for the same purposes as funds appro-
6 priated under this heading: *Provided further*, That of the
7 funds appropriated under this heading, not less than
8 \$7,000,000 shall be made available, on a competitive
9 basis, for rule of law programs for transitional and post-
10 conflict states, and for activities to coordinate rule of law
11 programs among foreign governments, international and
12 nongovernmental organizations, and other United States
13 Government agencies: *Provided further*, That funds made
14 available under this heading that are transferred to an-
15 other department, agency, or instrumentality of the
16 United States Government pursuant to section 632(b) of
17 the Foreign Assistance Act of 1961 valued in excess of
18 \$5,000,000, and any agreement made pursuant to section
19 632(a) of such Act, shall be subject to the regular notifica-
20 tion procedures of the Committees on Appropriations.

21 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

22 RELATED PROGRAMS

23 For necessary expenses for nonproliferation, anti-ter-
24 rorism, demining and related programs and activities,
25 \$500,696,000, to remain available until September 30,

1 2018, to carry out the provisions of chapter 8 of part II
2 of the Foreign Assistance Act of 1961 for anti-terrorism
3 assistance, chapter 9 of part II of the Foreign Assistance
4 Act of 1961, section 504 of the FREEDOM Support Act,
5 section 23 of the Arms Export Control Act, or the Foreign
6 Assistance Act of 1961 for demining activities, the clear-
7 ance of unexploded ordnance, the destruction of small
8 arms, and related activities, notwithstanding any other
9 provision of law, including activities implemented through
10 nongovernmental and international organizations, and sec-
11 tion 301 of the Foreign Assistance Act of 1961 for a
12 United States contribution to the Comprehensive Nuclear
13 Test Ban Treaty Preparatory Commission, and for a vol-
14 untary contribution to the International Atomic Energy
15 Agency (IAEA): *Provided*, That the Secretary of State
16 shall inform the appropriate congressional committees of
17 information regarding any separate arrangements relating
18 to the “Road-map for the Clarification of Past and
19 Present Outstanding Issues Regarding Iran’s Nuclear
20 Program” between the IAEA and the Islamic Republic of
21 Iran, in classified form if necessary, if such information
22 becomes known to the Department of State: *Provided fur-*
23 *ther*, That for the clearance of unexploded ordnance, the
24 Secretary of State should prioritize those areas where such
25 ordnance was caused by the United States: *Provided fur-*

1 *ther*, That funds made available under this heading for
2 the Nonproliferation and Disarmament Fund shall be
3 made available, notwithstanding any other provision of law
4 and subject to prior consultation with, and the regular no-
5 tification procedures of, the Committees on Appropria-
6 tions, to promote bilateral and multilateral activities relat-
7 ing to nonproliferation, disarmament, and weapons de-
8 struction, and shall remain available until expended: *Pro-*
9 *vided further*, That such funds may also be used for such
10 countries other than the Independent States of the former
11 Soviet Union and international organizations when it is
12 in the national security interest of the United States to
13 do so: *Provided further*, That funds appropriated under
14 this heading may be made available for the IAEA unless
15 the Secretary of State determines that Israel is being de-
16 nied its right to participate in the activities of that Agen-
17 cy: *Provided further*, That funds made available for con-
18 ventional weapons destruction programs, including
19 demining and related activities, in addition to funds other-
20 wise available for such purposes, may be used for adminis-
21 trative expenses related to the operation and management
22 of such programs and activities, subject to the regular no-
23 tification procedures of the Committees on Appropria-
24 tions.

1 PEACEKEEPING OPERATIONS

2 For necessary expenses to carry out the provisions
3 of section 551 of the Foreign Assistance Act of 1961,
4 \$135,041,000: *Provided*, That funds appropriated under
5 this heading may be used, notwithstanding section 660 of
6 such Act, to provide assistance to enhance the capacity
7 of foreign civilian security forces, including gendarmes, to
8 participate in peacekeeping operations: *Provided further*,
9 That of the funds appropriated under this heading, not
10 less than \$34,500,000 shall be made available for a United
11 States contribution to the Multinational Force and Ob-
12 servers mission in the Sinai: *Provided further*, That none
13 of the funds appropriated under this heading shall be obli-
14 gated except as provided through the regular notification
15 procedures of the Committees on Appropriations.

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 INTERNATIONAL MILITARY EDUCATION AND TRAINING

18 For necessary expenses to carry out the provisions
19 of section 541 of the Foreign Assistance Act of 1961,
20 \$110,300,000, of which up to \$6,000,000 may remain
21 available until September 30, 2018: *Provided*, That the
22 civilian personnel for whom military education and train-
23 ing may be provided under this heading may include civil-
24 ians who are not members of a government whose partici-
25 pation would contribute to improved civil-military rela-

1 tions, civilian control of the military, or respect for human
2 rights: *Provided further*, That of the funds appropriated
3 under this heading, not to exceed \$55,000 may be avail-
4 able for entertainment expenses.

5 FOREIGN MILITARY FINANCING PROGRAM

6 For necessary expenses for grants to enable the
7 President to carry out the provisions of section 23 of the
8 Arms Export Control Act, \$4,785,805,000: *Provided*,
9 That to expedite the provision of assistance to foreign
10 countries and international organizations, the Secretary of
11 State, following consultation with the Committees on Ap-
12 propriations and subject to the regular notification proce-
13 dures of such Committees, may use the funds appro-
14 priated under this heading to procure defense articles and
15 services to enhance the capacity of foreign security forces:
16 *Provided further*, That of the funds appropriated under
17 this heading, not less than \$3,100,000,000 shall be avail-
18 able for grants only for Israel: *Provided further*, That
19 funds appropriated under this heading for grants only for
20 Israel in fiscal year 2017 shall be disbursed within 30 days
21 of enactment of this Act: *Provided further*, That to the
22 extent that the Government of Israel requests that funds
23 be used for such purposes, grants made available for Israel
24 under this heading shall, as agreed by the United States
25 and Israel, be available for advanced weapons systems, of

1 which not less than \$815,300,000 shall be available for
2 the procurement in Israel of defense articles and defense
3 services, including research and development: *Provided*
4 *further*, That none of the funds made available under this
5 heading shall be made available to support or continue any
6 program initially funded under the authority of section
7 1206 of the National Defense Authorization Act for Fiscal
8 Year 2006 (Public Law 109–163; 119 Stat. 3456), section
9 2282 of title 10, United States Code, section 333 of title
10 10, United States Code, as added by section 1241 of the
11 National Defense Authorization Act for Fiscal Year 2017
12 (Public Law 114–328), or any successor authorities, un-
13 less the Secretary of State, in coordination with the Sec-
14 retary of Defense, has justified such program to the Com-
15 mittees on Appropriations: *Provided further*, That funds
16 appropriated or otherwise made available under this head-
17 ing shall be nonrepayable notwithstanding any require-
18 ment in section 23 of the Arms Export Control Act: *Pro-*
19 *vided further*, That funds made available under this head-
20 ing shall be obligated upon apportionment in accordance
21 with paragraph (5)(C) of section 1501(a) of title 31,
22 United States Code.

23 None of the funds made available under this heading
24 shall be available to finance the procurement of defense
25 articles, defense services, or design and construction serv-

1 ices that are not sold by the United States Government
2 under the Arms Export Control Act unless the foreign
3 country proposing to make such procurement has first
4 signed an agreement with the United States Government
5 specifying the conditions under which such procurement
6 may be financed with such funds: *Provided*, That all coun-
7 try and funding level increases in allocations shall be sub-
8 mitted through the regular notification procedures of sec-
9 tion 7015 of this Act: *Provided further*, That funds made
10 available under this heading may be used, notwithstanding
11 any other provision of law, for demining, the clearance of
12 unexploded ordnance, and related activities, and may in-
13 clude activities implemented through nongovernmental
14 and international organizations: *Provided further*, That
15 only those countries for which assistance was justified for
16 the “Foreign Military Sales Financing Program” in the
17 fiscal year 1989 congressional presentation for security as-
18 sistance programs may utilize funds made available under
19 this heading for procurement of defense articles, defense
20 services, or design and construction services that are not
21 sold by the United States Government under the Arms
22 Export Control Act: *Provided further*, That funds appro-
23 priated under this heading shall be expended at the min-
24 imum rate necessary to make timely payment for defense
25 articles and services: *Provided further*, That not more than

1 \$80,000,000 of the funds appropriated under this heading
2 may be obligated for necessary expenses, including the
3 purchase of passenger motor vehicles for replacement only
4 for use outside of the United States, for the general costs
5 of administering military assistance and sales, except that
6 this limitation may be exceeded only through the regular
7 notification procedures of the Committees on Appropria-
8 tions: *Provided further*, That of the funds made available
9 under this heading for general costs of administering mili-
10 tary assistance and sales, not to exceed \$4,000 may be
11 available for entertainment expenses and not to exceed
12 \$130,000 may be available for representation expenses:
13 *Provided further*, That not more than \$920,200,000 of
14 funds realized pursuant to section 21(e)(1)(A) of the Arms
15 Export Control Act may be obligated for expenses incurred
16 by the Department of Defense during fiscal year 2017
17 pursuant to section 43(b) of the Arms Export Control Act,
18 except that this limitation may be exceeded only through
19 the regular notification procedures of the Committees on
20 Appropriations.

1169

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, and
7 of section 2 of the United Nations Environment Program
8 Participation Act of 1973, \$339,000,000: *Provided*, That
9 section 307(a) of the Foreign Assistance Act of 1961 shall
10 not apply to contributions to the United Nations Democ-
11 racy Fund.

12 INTERNATIONAL FINANCIAL INSTITUTIONS

13 GLOBAL ENVIRONMENT FACILITY

14 For payment to the International Bank for Recon-
15 struction and Development as trustee for the Global Envi-
16 ronment Facility by the Secretary of the Treasury,
17 \$146,563,000, to remain available until expended.

18 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

19 ASSOCIATION

20 For payment to the International Development Asso-
21 ciation by the Secretary of the Treasury, \$1,197,128,000,
22 to remain available until expended.

1170

1 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
2 RECONSTRUCTION AND DEVELOPMENT

3 For payment to the International Bank for Recon-
4 struction and Development by the Secretary of the Treas-
5 ury for the United States share of the paid-in portion of
6 the increases in capital stock, \$5,963,421, to remain avail-
7 able until expended.

8 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
9 BANK

10 For payment to the Inter-American Development
11 Bank by the Secretary of the Treasury for the United
12 States share of the paid-in portion of the increase in cap-
13 ital stock, \$21,939,727, to remain available until ex-
14 pended.

15 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

16 For payment to the Asian Development Bank's Asian
17 Development Fund by the Secretary of the Treasury,
18 \$99,233,000, to remain available until expended.

19 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

20 For payment to the African Development Bank by
21 the Secretary of the Treasury for the United States share
22 of the paid-in portion of the increase in capital stock,
23 \$32,418,000, to remain available until expended.

1 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

2 The United States Governor of the African Develop-
3 ment Bank may subscribe without fiscal year limitation
4 to the callable capital portion of the United States share
5 of such capital stock in an amount not to exceed
6 \$507,860,808.

7 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

8 For payment to the African Development Fund by
9 the Secretary of the Treasury, \$214,332,000, to remain
10 available until expended.

11 CONTRIBUTION TO THE INTERNATIONAL FUND FOR

12 AGRICULTURAL DEVELOPMENT

13 For payment to the International Fund for Agricul-
14 tural Development by the Secretary of the Treasury,
15 \$30,000,000, to remain available until expended.

16 GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM

17 For payment to the Global Agriculture and Food Se-
18 curity Program by the Secretary of the Treasury,
19 \$23,000,000, to remain available until expended.

1172

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, to remain
8 available until September 30, 2018.

9 PROGRAM ACCOUNT

10 The Export-Import Bank of the United States is au-
11 thorized to make such expenditures within the limits of
12 funds and borrowing authority available to such corpora-
13 tion, and in accordance with law, and to make such con-
14 tracts and commitments without regard to fiscal year limi-
15 tations, as provided by section 104 of the Government
16 Corporation Control Act, as may be necessary in carrying
17 out the program for the current fiscal year for such cor-
18 poration: *Provided*, That none of the funds available dur-
19 ing the current fiscal year may be used to make expendi-
20 tures, contracts, or commitments for the export of nuclear
21 equipment, fuel, or technology to any country, other than
22 a nuclear-weapon state as defined in Article IX of the
23 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
24 ble to receive economic or military assistance under this

1 Act, that has detonated a nuclear explosive after the date
2 of the enactment of this Act.

3 ADMINISTRATIVE EXPENSES

4 For administrative expenses to carry out the direct
5 and guaranteed loan and insurance programs, including
6 hire of passenger motor vehicles and services as authorized
7 by section 3109 of title 5, United States Code, and not
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: *Provided*, That the Export-Import
11 Bank (the Bank) may accept, and use, payment or serv-
12 ices provided by transaction participants for legal, finan-
13 cial, or technical services in connection with any trans-
14 action for which an application for a loan, guarantee or
15 insurance commitment has been made: *Provided further*,
16 That the Bank shall charge fees for necessary expenses
17 (including special services performed on a contract or fee
18 basis, but not including other personal services) in connec-
19 tion with the collection of moneys owed the Bank, repos-
20 session or sale of pledged collateral or other assets ac-
21 quired by the Bank in satisfaction of moneys owed the
22 Bank, or the investigation or appraisal of any property,
23 or the evaluation of the legal, financial, or technical as-
24 pects of any transaction for which an application for a
25 loan, guarantee or insurance commitment has been made,

1 or systems infrastructure directly supporting transactions:
2 *Provided further*, That in addition to other funds appro-
3 priated for administrative expenses, such fees shall be
4 credited to this account for such purposes, to remain avail-
5 able until expended.

6 RECEIPTS COLLECTED

7 Receipts collected pursuant to the Export-Import
8 Bank Act of 1945, as amended, and the Federal Credit
9 Reform Act of 1990, as amended, in an amount not to
10 exceed the amount appropriated herein, shall be credited
11 as offsetting collections to this account: *Provided*, That the
12 sums herein appropriated from the General Fund shall be
13 reduced on a dollar-for-dollar basis by such offsetting col-
14 lections so as to result in a final fiscal year appropriation
15 from the General Fund estimated at \$0: *Provided further*,
16 That amounts collected in fiscal year 2017 in excess of
17 obligations, up to \$10,000,000 shall become available on
18 September 1, 2017, and shall remain available until Sep-
19 tember 30, 2020.

20 OVERSEAS PRIVATE INVESTMENT CORPORATION

21 NONCREDIT ACCOUNT

22 The Overseas Private Investment Corporation is au-
23 thorized to make, without regard to fiscal year limitations,
24 as provided by section 9104 of title 31, United States
25 Code, such expenditures and commitments within the lim-

1 its of funds available to it and in accordance with law as
2 may be necessary: *Provided*, That the amount available for
3 administrative expenses to carry out the credit and insur-
4 ance programs (including an amount for official reception
5 and representation expenses which shall not exceed
6 \$35,000) shall not exceed \$70,000,000: *Provided further*,
7 That project-specific transaction costs, including direct
8 and indirect costs incurred in claims settlements, and
9 other direct costs associated with services provided to spe-
10 cific investors or potential investors pursuant to section
11 234 of the Foreign Assistance Act of 1961, shall not be
12 considered administrative expenses for the purposes of this
13 heading.

14 PROGRAM ACCOUNT

15 For the cost of direct and guaranteed loans,
16 \$20,000,000, as authorized by section 234 of the Foreign
17 Assistance Act of 1961, to be derived by transfer from
18 the Overseas Private Investment Corporation Noncredit
19 Account: *Provided*, That such costs, including the cost of
20 modifying such loans, shall be as defined in section 502
21 of the Congressional Budget Act of 1974: *Provided fur-*
22 *ther*, That such sums shall be available for direct loan obli-
23 gations and loan guaranty commitments incurred or made
24 during fiscal years 2017, 2018, and 2019: *Provided fur-*
25 *ther*, That funds so obligated in fiscal year 2017 remain

1 available for disbursement through 2025; funds obligated
2 in fiscal year 2018 remain available for disbursement
3 through 2026; and funds obligated in fiscal year 2019 re-
4 main available for disbursement through 2027: *Provided*
5 *further*, That notwithstanding any other provision of law,
6 the Overseas Private Investment Corporation is authorized
7 to undertake any program authorized by title IV of chap-
8 ter 2 of part I of the Foreign Assistance Act of 1961 in
9 Iraq: *Provided further*, That funds made available pursu-
10 ant to the authority of the previous proviso shall be subject
11 to the regular notification procedures of the Committees
12 on Appropriations.

13 In addition, such sums as may be necessary for ad-
14 ministrative expenses to carry out the credit program may
15 be derived from amounts available for administrative ex-
16 penses to carry out the credit and insurance programs in
17 the Overseas Private Investment Corporation Noncredit
18 Account and merged with said account.

19 TRADE AND DEVELOPMENT AGENCY

20 For necessary expenses to carry out the provisions
21 of section 661 of the Foreign Assistance Act of 1961,
22 \$75,000,000, to remain available until September 30,
23 2018: *Provided*, That of the amounts made available
24 under this heading, up to \$2,500,000 may be made avail-
25 able to provide comprehensive procurement advice to for-

1 eign governments to support local procurements funded by
2 the United States Agency for International Development,
3 the Millennium Challenge Corporation, and the Depart-
4 ment of State: *Provided further*, That of the funds appro-
5 priated under this heading, not more than \$5,000 may be
6 available for representation and entertainment expenses.

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 2017 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
9 Order 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 (as enacted into law by sec-
21 tion 1000(a)(7) of Public Law 106–113 and contained in
22 appendix G of that Act), as amended by section 111 of
23 the Department of State Authorities Act, Fiscal Year
24 2017 (Public Law 114–323), a project to construct a facil-
25 ity of the United States may include office space or other

1 accommodations for members of the United States Marine
2 Corps.

3 (c) NEW DIPLOMATIC FACILITIES.—For the pur-
4 poses of calculating the fiscal year 2017 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 REQUIRE-
14 MENTS.—Funds appropriated by this Act and prior Acts
15 making appropriations for the Department of State, for-
16 eign operations, and related programs, which may be made
17 available for the acquisition of property or award of con-
18 struction contracts for overseas United States diplomatic
19 facilities during fiscal year 2017, shall be subject to prior
20 consultation with, and the regular notification procedures
21 of, the Committees on Appropriations: *Provided*, That no-
22 tifications pursuant to this subsection shall include the in-
23 formation enumerated under the heading “Embassy Secu-
24 rity, Construction, and Maintenance” in House Report
25 114–693 and Senate Report 114–290: *Provided further*,

1 That any such notification for a new diplomatic facility
2 justified to the Committees on Appropriations in Appendix
3 1 of the Congressional Budget Justification, Department
4 of State, Diplomatic Engagement, Fiscal Year 2017, or
5 not previously justified to such Committees, shall also in-
6 clude confirmation that the Department of State has com-
7 pleted the requisite value engineering studies required pur-
8 suant to OMB Circular A-131, Value Engineering Decem-
9 ber 31, 2013 and the Bureau of Overseas Building Oper-
10 ations Policy and Procedure Directive, P&PD, Cost 02:
11 Value Engineering.

12 (e) INTERIM AND TEMPORARY FACILITIES
13 ABROAD.—

14 (1) Funds appropriated by this Act under the
15 heading “Embassy Security, Construction, and
16 Maintenance” may be made available to address se-
17 curity vulnerabilities at interim and temporary
18 United States diplomatic facilities abroad, including
19 physical security upgrades and local guard staffing,
20 except that the amount of funds made available for
21 such purposes from this Act and prior Acts making
22 appropriations for the Department of State, foreign
23 operations, and related programs shall be a min-
24 imum of \$25,000,000: *Provided*, That the uses of
25 such funds should be the responsibility of the Assist-

1 ant Secretary for Diplomatic Security, Department
2 of State, in consultation with the Director of the
3 Bureau of Overseas Buildings Operations, Depart-
4 ment of State: *Provided further*, That such funds
5 shall be subject to prior consultation with the Com-
6 mittees on Appropriations.

7 (2) Notwithstanding any other provision of law,
8 the opening, closure, or any significant modification
9 to an interim or temporary United States diplomatic
10 facility shall be subject to prior consultation with the
11 appropriate congressional committees and the reg-
12 ular notification procedures of the Committees on
13 Appropriations, except that such consultation and
14 notification may be waived if there is a security risk
15 to personnel.

16 (f) TRANSFER OF FUNDS AUTHORITY.—Funds ap-
17 propriated under the heading “Diplomatic and Consular
18 Programs”, including for Worldwide Security Protection,
19 and under the heading “Embassy Security, Construction,
20 and Maintenance” in titles I and VIII of this Act may
21 be transferred to, and merged with, funds appropriated
22 by such titles under such headings if the Secretary of
23 State determines and reports to the Committees on Appro-
24 priations that to do so is necessary to implement the rec-
25 ommendations of the Benghazi Accountability Review

1 Board, or to prevent or respond to security situations and
2 requirements, following consultation with, and subject to
3 the regular notification procedures of, such Committees:
4 *Provided*, That such transfer authority is in addition to
5 any transfer authority otherwise available under any other
6 provision of law.

7 (g) SOFT TARGETS.—Funds appropriated by this Act
8 under the heading “Embassy Security, Construction, and
9 Maintenance” may be made available for security up-
10 grades to soft targets, including schools, recreational fa-
11 cilities, and residences used by United States diplomatic
12 personnel and their dependents, except that the amount
13 made available for such purposes shall be a minimum of
14 \$10,000,000: *Provided*, That the uses of such funds
15 should be the responsibility of the Assistant Secretary for
16 Diplomatic Security, Department of State, in consultation
17 with the Director of the Bureau of Overseas Building Op-
18 erations.

19 (h) REPORTS.—

20 (1) None of the funds appropriated under the
21 heading “Embassy Security, Construction, and
22 Maintenance” in this Act and prior Acts making ap-
23 propriations for the Department of State, foreign
24 operations, and related programs, made available
25 through Federal agency Capital Security Cost Shar-

1 ing contributions and reimbursements, or generated
2 from the proceeds of real property sales, other than
3 from real property sales located in London, United
4 Kingdom, may be made available for site acquisition
5 and mitigation, planning, design, or construction of
6 the New London Embassy: *Provided*, That the re-
7 porting requirement contained in section 7004(f)(2)
8 of the Department of State, Foreign Operations, and
9 Related Programs Appropriations Act, 2012 (divi-
10 sion I of Public Law 112–74) shall remain in effect
11 during fiscal year 2017.

12 (2) Within 45 days of enactment of this Act
13 and every 4 months thereafter until September 30,
14 2018, the Secretary of State shall submit to the
15 Committees on Appropriations a report on the new
16 Mexico City Embassy and Beirut Embassy projects:
17 *Provided*, That such report shall include, for each of
18 the projects—

19 (A) a detailed breakout of the project fac-
20 tors that formed the basis of the initial cost es-
21 timate used to justify such project to the Com-
22 mittees on Appropriations, as described under
23 the heading “Embassy Security Construction
24 and Maintenance” in House Report 114–693;

1 (B) a comparison of the current project
2 factors as compared to the project factors sub-
3 mitted pursuant to subparagraph (A) of this
4 subsection, and an explanation of any changes;
5 and

6 (C) the impact of currency exchange rate
7 fluctuations on project costs.

8 (i) STRENGTHENING OVERSIGHT.—Funds appro-
9 priated by this Act and prior Acts making appropriations
10 for the Department of State, foreign operations, and re-
11 lated programs under the heading “Diplomatic and Con-
12 sular Programs” for Worldwide Security Protection shall
13 be made available to strengthen oversight of the local
14 guard force at a critical post abroad through the use of
15 United States Government employees or contractors who
16 are United States citizens: *Provided*, That such funds are
17 in addition to funds otherwise made available by such Acts
18 for such purposes: *Provided further*, That the total annual
19 operating costs associated with providing such oversight
20 in fiscal year 2017 and subsequent fiscal years shall be
21 shared among agencies through the International Cooper-
22 ative Administrative Support Services program: *Provided*
23 *further*, That not later than 45 days after enactment of
24 this Act, and prior to the obligation of funds for such pur-
25 poses, the Secretary of State shall consult with the Com-

1 mittees on Appropriations on plans to carry out the re-
2 quirement of this subsection: *Provided further*, That
3 amounts made available pursuant to this subsection from
4 prior Acts making appropriations for the Department of
5 State, foreign operations, and related programs that were
6 previously designated by the Congress for Overseas Con-
7 tingency Operation/Global War on Terrorism pursuant to
8 section 251(b)(2)(A)(ii) of the Balanced Budget and
9 Emergency Deficit Control Act of 1985 are designated by
10 the Congress for Overseas Contingency Operations/Global
11 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
12 such Act.

13 PERSONNEL ACTIONS

14 SEC. 7005. Any costs incurred by a department or
15 agency funded under title I of this Act resulting from per-
16 sonnel actions taken in response to funding reductions in-
17 cluded in this Act shall be absorbed within the total budg-
18 etary resources available under title I to such department
19 or agency: *Provided*, That the authority to transfer funds
20 between appropriations accounts as may be necessary to
21 carry out this section is provided in addition to authorities
22 included elsewhere in this Act: *Provided further*, That use
23 of funds to carry out this section shall be treated as a
24 reprogramming of funds under section 7015 of this Act.

1 DEPARTMENT OF STATE MANAGEMENT

2 SEC. 7006. (a) FINANCIAL SYSTEMS IMPROVE-
3 MENT.—Funds appropriated by this Act for the operations
4 of the Department of State under the headings “Diplo-
5 matic and Consular Programs” and “Capital Investment
6 Fund” shall be made available to implement the rec-
7 ommendations contained in the Foreign Assistance Data
8 Review Findings Report (FADR) and the Office of Inspec-
9 tor General (OIG) report entitled “Department Financial
10 Systems Are Insufficient to Track and Report on Foreign
11 Assistance Funds”: *Provided*, That not later than 45 days
12 after enactment of this Act, the Secretary of State shall
13 submit to the Committees on Appropriations a plan, in-
14 cluding timeline and costs, for implementing the FADR
15 and OIG recommendations: *Provided further*, That such
16 funds may not be obligated for enhancements to, or expan-
17 sions of, the Budget System Modernization Financial Sys-
18 tem, Central Resource Management System, Joint Finan-
19 cial Management System, or Foreign Assistance Coordina-
20 tion and Tracking System until such plan is submitted to
21 the Committees on Appropriations: *Provided further*, That
22 such funds may not be obligated for new, or expansion
23 of existing, ad hoc electronic systems to track commit-
24 ments, obligations or expenditures of funds unless the Sec-
25 retary of State, following consultation with the Chief In-

1 formation Officer of the Department of State, has re-
2 viewed and certified that such new system or expansion
3 is consistent with the FADR and OIG recommendations.

4 (b) WORKING CAPITAL FUND.—Funds appropriated
5 by this Act or otherwise made available to the Department
6 of State for payments to the Working Capital Fund may
7 only be used for the service centers included in Appendix
8 1 of the Congressional Budget Justification, Department
9 of State, Diplomatic Engagement, Fiscal Year 2017: *Pro-*
10 *vided*, That the amounts for such service centers shall be
11 the amounts included in such budget justification, except
12 as provided in section 7015(b) of this Act: *Provided fur-*
13 *ther*, That Federal agency components shall be charged
14 only for their direct usage of each Working Capital Fund
15 service: *Provided further*, That prior to increasing the per-
16 centage charged to Department of State bureaus and of-
17 fices for procurement-related activities, the Secretary of
18 State shall include the proposed increase in the Depart-
19 ment of State budget justification or, at least 60 days
20 prior to the increase, provide the Committees on Appro-
21 priations a justification for such increase, including a de-
22 tailed assessment of the cost and benefit of the services
23 provided by the procurement fee: *Provided further*, That
24 Federal agency components may only pay for Working
25 Capital Fund services that are consistent with the purpose

1 and authorities of such components: *Provided further*,
2 That the Working Capital Fund shall be paid in advance
3 or reimbursed at rates which will return the full cost of
4 each service.

5 (c) CERTIFICATION REQUIREMENT.—Not later than
6 45 days after the initial obligation of funds appropriated
7 under titles III and IV of this Act that are made available
8 to a Department of State bureau or office with responsi-
9 bility for the oversight or management of such funds, the
10 Secretary of State shall certify and report to the Commit-
11 tees on Appropriations, on an individual bureau or office
12 basis, that such bureau or office is in compliance with De-
13 partment and Federal financial management policies, pro-
14 cedures and regulations, as appropriate: *Provided*, That
15 if the Secretary is unable to make such certification for
16 an individual bureau or office, the Secretary shall submit
17 a plan and timeline to such Committees detailing the steps
18 to be taken to ensure such compliance.

19 (d) REPORT ON SOLE SOURCE AWARDS.—Not later
20 than December 31, 2017, the Secretary of State shall sub-
21 mit a report to the appropriate congressional committees
22 detailing all sole-source awards made by the Department
23 of State during the previous fiscal year in excess of
24 \$2,000,000: *Provided*, That such report should be posted
25 on the Department of State Web site.

1 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
2 COUNTRIES

3 SEC. 7007. None of the funds appropriated or other-
4 wise made available pursuant to titles III through VI of
5 this Act shall be obligated or expended to finance directly
6 any assistance or reparations for the governments of
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) Not to exceed 5 percent of any appropria-
9 tion made available for the current fiscal year for
10 the Department of State under title I of this Act
11 may be transferred between, and merged with, such
12 appropriations, but no such appropriation, except as
13 otherwise specifically provided, shall be increased by
14 more than 10 percent by any such transfers, and no
15 such transfer may be made to increase the appro-
16 priation under the heading “Representation Ex-
17 penses”.

18 (2) Not to exceed 5 percent of any appropria-
19 tion made available for the current fiscal year for
20 the Broadcasting Board of Governors under title I
21 of this Act may be transferred between, and merged
22 with, such appropriations, but no such appropria-
23 tion, except as otherwise specifically provided, shall
24 be increased by more than 10 percent by any such
25 transfers.

1 (3) Any transfer pursuant to this subsection
2 shall be treated as a reprogramming of funds under
3 section 7015 of this Act and shall not be available
4 for obligation or expenditure except in compliance
5 with the procedures set forth in that section.

6 (b) TITLE VI AGENCIES.—Not to exceed 5 percent
7 of any appropriation other than for administrative ex-
8 penses made available for fiscal year 2017, for programs
9 under title VI of this Act may be transferred between such
10 appropriations for use for any of the purposes, programs,
11 and activities for which the funds in such receiving ac-
12 count may be used, but no such appropriation, except as
13 otherwise specifically provided, shall be increased by more
14 than 25 percent by any such transfer: *Provided*, That the
15 exercise of such authority shall be subject to the regular
16 notification procedures of the Committees on Appropria-
17 tions.

18 (c) LIMITATION ON TRANSFERS OF FUNDS BE-
19 TWEEN AGENCIES.—

20 (1) None of the funds made available under ti-
21 tles II through V of this Act may be transferred to
22 any department, agency, or instrumentality of the
23 United States Government, except pursuant to a
24 transfer made by, or transfer authority provided in,
25 this Act or any other appropriations Act.

1 (2) Notwithstanding paragraph (1), in addition
2 to transfers made by, or authorized elsewhere in,
3 this Act, funds appropriated by this Act to carry out
4 the purposes of the Foreign Assistance Act of 1961
5 may be allocated or transferred to agencies of the
6 United States Government pursuant to the provi-
7 sions of sections 109, 610, and 632 of the Foreign
8 Assistance Act of 1961.

9 (3) Any agreement entered into by the United
10 States Agency for International Development or the
11 Department of State with any department, agency,
12 or instrumentality of the United States Government
13 pursuant to section 632(b) of the Foreign Assistance
14 Act of 1961 valued in excess of \$1,000,000 and any
15 agreement made pursuant to section 632(a) of such
16 Act, with funds appropriated by this Act or prior
17 Acts making appropriations for the Department of
18 State, foreign operations, and related programs
19 under the headings “Global Health Programs”, “De-
20 velopment Assistance”, “Economic Support Fund”,
21 and “Assistance for Europe, Eurasia and Central
22 Asia” shall be subject to the regular notification pro-
23 cedures of the Committees on Appropriations: *Pro-*
24 *vided*, That the requirement in the previous sentence

1 shall not apply to agreements entered into between
2 USAID and the Department of State.

3 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—

4 None of the funds made available under titles II through
5 V of this Act may be obligated under an appropriations
6 account to which such funds were not appropriated, except
7 for transfers specifically provided for in this Act, unless
8 the President, not less than 5 days prior to the exercise
9 of any authority contained in the Foreign Assistance Act
10 of 1961 to transfer funds, consults with and provides a
11 written policy justification to the Committees on Appro-
12 priations.

13 (e) AUDIT OF INTER-AGENCY TRANSFERS OF

14 FUNDS.—Any agreement for the transfer or allocation of
15 funds appropriated by this Act or prior Acts making ap-
16 propriations for the Department of State, foreign oper-
17 ations and related programs, entered into between the De-
18 partment of State or USAID and another agency of the
19 United States Government under the authority of section
20 632(a) of the Foreign Assistance Act of 1961 or any com-
21 parable provision of law, shall expressly provide that the
22 Inspector General (IG) for the agency receiving the trans-
23 fer or allocation of such funds, or other entity with audit
24 responsibility if the receiving agency does not have an IG,
25 shall perform periodic program and financial audits of the

1 use of such funds and report to the Department of State
2 or USAID, as appropriate, upon completion of such au-
3 dits: *Provided*, That such audits shall be transmitted to
4 the Committees on Appropriations by the Department of
5 State or USAID, as appropriate: *Provided further*, That
6 funds transferred under such authority may be made
7 available for the cost of such audits.

8 (f) REPORT.—Not later than 90 days after enactment
9 of this Act, the Secretary of State and the USAID Admin-
10 istrator shall each submit a report to the Committees on
11 Appropriations detailing all transfers to another agency
12 of the United States Government made pursuant to sec-
13 tions 632(a) and 632(b) of the Foreign Assistance Act of
14 1961 with funds provided in the Department of State,
15 Foreign Operations, and Related Programs Appropria-
16 tions Act, 2016 (division K of Public Law 114–113) as
17 of the date of enactment of this Act: *Provided*, That such
18 reports shall include a list of each transfer made pursuant
19 to such sections with the respective funding level, appro-
20 priation account, and the receiving agency.

21 PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

22 SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the
23 funds made available by this Act may be used for first-
24 class travel by employees of United States Government de-
25 partments and agencies funded by this Act in contraven-

1 tion of section 301–10.122 through 301–10.124 of title
2 41, Code of Federal Regulations.

3 (b) COMPUTER NETWORKS.—None of the funds
4 made available by this Act for the operating expenses of
5 any United States Government department or agency may
6 be used to establish or maintain a computer network for
7 use by such department or agency unless such network
8 has filters designed to block access to sexually explicit Web
9 sites: *Provided*, That nothing in this subsection shall limit
10 the use of funds necessary for any Federal, State, tribal,
11 or local law enforcement agency, or any other entity car-
12 rying out the following activities: criminal investigations,
13 prosecutions, and adjudications; administrative discipline;
14 and the monitoring of such Web sites undertaken as part
15 of official business.

16 (c) PROHIBITION ON PROMOTION OF TOBACCO.—
17 None of the funds made available by this Act shall be
18 available to promote the sale or export of tobacco or to-
19 bacco products, or to seek the reduction or removal by any
20 foreign country of restrictions on the marketing of tobacco
21 or tobacco products, except for restrictions which are not
22 applied equally to all tobacco or tobacco products of the
23 same type.

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 notwithstanding any other provision of this
17 Act, any funds made available for the purposes of chapter
18 1 of part I and chapter 4 of part II of the Foreign Assist-
19 ance Act of 1961 which are allocated or obligated for cash
20 disbursements in order to address balance of payments or
21 economic policy reform objectives, shall remain available
22 for an additional 4 years from the date on which the avail-
23 ability of such funds would otherwise have expired, if such
24 funds are initially allocated or obligated before the expira-
25 tion of their respective periods of availability contained in

1 this Act: *Provided further*, That the Secretary of State
2 shall provide a report to the Committees on Appropria-
3 tions not later than October 30, 2017, detailing by ac-
4 count and source year, the use of this authority during
5 the previous fiscal year.

6 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

7 SEC. 7012. No part of any appropriation provided
8 under titles III through VI in this Act shall be used to
9 furnish assistance to the government of any country which
10 is in default during a period in excess of 1 calendar year
11 in payment to the United States of principal or interest
12 on any loan made to the government of such country by
13 the United States pursuant to a program for which funds
14 are appropriated under this Act unless the President de-
15 termines, following consultations with the Committees on
16 Appropriations, that assistance for such country is in the
17 national interest of the United States.

18 PROHIBITION ON TAXATION OF UNITED STATES

19 ASSISTANCE

20 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
21 of the funds appropriated under titles III through VI of
22 this Act may be made available to provide assistance for
23 a foreign country under a new bilateral agreement gov-
24 erning the terms and conditions under which such assist-
25 ance is to be provided unless such agreement includes a

1 provision stating that assistance provided by the United
2 States shall be exempt from taxation, or reimbursed, by
3 the foreign government, and the Secretary of State and
4 the Administrator of the United States Agency for Inter-
5 national Development shall expeditiously seek to negotiate
6 amendments to existing bilateral agreements, as nec-
7 essary, to conform with this requirement.

8 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
9 EIGN TAXES.—An amount equivalent to 200 percent of
10 the total taxes assessed during fiscal year 2017 on funds
11 appropriated by this Act and prior Acts making appropria-
12 tions for the Department of State, foreign operations, and
13 related programs by a foreign government or entity
14 against United States assistance programs, either directly
15 or through grantees, contractors, and subcontractors shall
16 be withheld from obligation from funds appropriated for
17 assistance for fiscal year 2018 and for prior fiscal years
18 and allocated for the central government of such country
19 or for the West Bank and Gaza program if, not later than
20 September 30, 2018, such taxes have not been reimbursed:
21 *Provided*, That the Secretary of State shall report to the
22 Committees on Appropriations by such date on the foreign
23 governments and entities that have not reimbursed such
24 taxes, including any amount of funds withheld pursuant
25 to this subsection.

1 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de
2 minimis nature shall not be subject to the provisions of
3 subsection (b).

4 (d) REPROGRAMMING OF FUNDS.—Funds withheld
5 from obligation for each foreign government or entity pur-
6 suant to subsection (b) shall be reprogrammed for assist-
7 ance for countries which do not assess taxes on United
8 States assistance or which have an effective arrangement
9 that is providing substantial reimbursement of such taxes,
10 and that can reasonably accommodate such assistance in
11 a programmatically responsible manner.

12 (e) DETERMINATIONS.—

13 (1) The provisions of this section shall not
14 apply to any foreign government or entity that as-
15 sesses such taxes if the Secretary of State reports to
16 the Committees on Appropriations that—

17 (A) such foreign government or entity has
18 an effective arrangement that is providing sub-
19 stantial reimbursement of such taxes; or

20 (B) the foreign policy interests of the
21 United States outweigh the purpose of this sec-
22 tion to ensure that United States assistance is
23 not subject to taxation.

24 (2) The Secretary of State shall consult with
25 the Committees on Appropriations at least 15 days

1 prior to exercising the authority of this subsection
2 with regard to any foreign government or entity.

3 (f) IMPLEMENTATION.—The Secretary of State shall
4 issue rules, regulations, or policy guidance, as appropriate,
5 to implement the prohibition against the taxation of assist-
6 ance contained in this section.

7 (g) DEFINITIONS.—As used in this section—

8 (1) the term “bilateral agreement” refers to a
9 framework bilateral agreement between the Govern-
10 ment of the United States and the government of
11 the country receiving assistance that describes the
12 privileges and immunities applicable to United
13 States foreign assistance for such country generally,
14 or an individual agreement between the Government
15 of the United States and such government that de-
16 scribes, among other things, the treatment for tax
17 purposes that will be accorded the United States as-
18 sistance provided under that agreement; and

19 (2) the term “taxes and taxation” shall include
20 value added taxes and customs duties but shall not
21 include individual income taxes assessed to local
22 staff.

23 (h) REPORT.—The Secretary of State, in consultation
24 with the heads of other relevant departments or agencies
25 of the United States Government, shall submit a report

1 fiscal year if the Secretary of State or the USAID Admin-
2 istrator, as appropriate, determines and reports promptly
3 to the Committees on Appropriations that the termination
4 of assistance to a country or a significant change in cir-
5 cumstances makes it unlikely that such designated funds
6 can be obligated during the original period of availability:
7 *Provided*, That such designated funds that continue to be
8 available for an additional fiscal year shall be obligated
9 only for the purpose of such designation.

10 (c) OTHER ACTS.—Ceilings and specifically des-
11 igned funding levels contained in this Act shall not be
12 applicable to funds or authorities appropriated or other-
13 wise made available by any subsequent Act unless such
14 Act specifically so directs: *Provided*, That specifically des-
15 igned funding levels or minimum funding requirements
16 contained in any other Act shall not be applicable to funds
17 appropriated by this Act.

18 NOTIFICATION REQUIREMENTS

19 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
20 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
21 made available in titles I and II of this Act or prior Acts
22 making appropriations for the Department of State, for-
23 eign operations, and related programs to the departments
24 and agencies funded by this Act that remain available for
25 obligation in fiscal year 2017, or provided from any ac-

1 counts in the Treasury of the United States derived by
2 the collection of fees or of currency reflows or other offset-
3 ting collections, or made available by transfer, to the de-
4 partments and agencies funded by this Act, shall be avail-
5 able for obligation to—

6 (1) create new programs;

7 (2) eliminate a program, project, or activity;

8 (3) close, suspend, open, or reopen a mission or
9 post;

10 (4) create, close, reorganize, or rename bureaus,
11 centers, or offices; or

12 (5) contract out or privatize any functions or
13 activities presently performed by Federal employees;

14 unless previously justified to the Committees on Appro-
15 priations or such Committees are notified 15 days in ad-
16 vance of such obligation.

17 (b) NOTIFICATION OF REPROGRAMMING OF
18 FUNDS.—None of the funds provided under titles I and
19 II of this Act or prior Acts making appropriations for the
20 Department of State, foreign operations, and related pro-
21 grams, to the departments and agencies funded under ti-
22 tles I and II of this Act that remain available for obliga-
23 tion in fiscal year 2017, or provided from any accounts
24 in the Treasury of the United States derived by the collec-
25 tion of fees available to the department and agency funded

1 under title I of this Act, shall be available for obligation
2 or expenditure for activities, programs, or projects
3 through a reprogramming of funds in excess of
4 \$1,000,000 or 10 percent, whichever is less, that—

5 (1) augments or changes existing programs,
6 projects, or activities;

7 (2) relocates an existing office or employees;

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

11 (4) results from any general savings, including
12 savings from a reduction in personnel, which would
13 result in a change in existing programs, activities, or
14 projects as approved by Congress;

15 unless the Committees on Appropriations are notified 15
16 days in advance of such reprogramming of funds.

17 (c) NOTIFICATION REQUIREMENT.—None of the
18 funds made available by this Act under the headings
19 “Global Health Programs”, “Development Assistance”,
20 “International Organizations and Programs”, “Trade and
21 Development Agency”, “International Narcotics Control
22 and Law Enforcement”, “Economic Support Fund”, “De-
23 mocracy Fund”, “Assistance for Europe, Eurasia and
24 Central Asia”, “Peacekeeping Operations”, “Non-
25 proliferation, Anti-terrorism, Demining and Related Pro-

1 grams”, “Millennium Challenge Corporation”, “Foreign
2 Military Financing Program”, “International Military
3 Education and Training”, and “Peace Corps”, shall be
4 available for obligation for activities, programs, projects,
5 type of materiel assistance, countries, or other operations
6 not justified or in excess of the amount justified to the
7 Committees on Appropriations for obligation under any of
8 these specific headings unless the Committees on Appro-
9 priations are notified 15 days in advance: *Provided*, That
10 the President shall not enter into any commitment of
11 funds appropriated for the purposes of section 23 of the
12 Arms Export Control Act for the provision of major de-
13 fense equipment, other than conventional ammunition, or
14 other major defense items defined to be aircraft, ships,
15 missiles, or combat vehicles, not previously justified to
16 Congress or 20 percent in excess of the quantities justified
17 to Congress unless the Committees on Appropriations are
18 notified 15 days in advance of such commitment: *Provided*
19 *further*, That requirements of this subsection or any simi-
20 lar provision of this or any other Act shall not apply to
21 any reprogramming for an activity, program, or project
22 for which funds are appropriated under titles III through
23 VI of this Act of less than 10 percent of the amount pre-
24 viously justified to Congress for obligation for such activ-
25 ity, program, or project for the current fiscal year: *Pro-*

1 *vided further*, That any notification submitted pursuant to
2 subsection (f) of this section shall include information (if
3 known on the date of transmittal of such notification) on
4 the use of notwithstanding authority: *Provided further*,
5 That if subsequent to the notification of assistance it be-
6 comes necessary to rely on notwithstanding authority, the
7 Committees on Appropriations should be informed at the
8 earliest opportunity and to the extent practicable.

9 (d) NOTIFICATION OF TRANSFER OF FUNDS.—Not-
10 withstanding any other provision of law, with the excep-
11 tion of funds transferred to, and merged with, funds ap-
12 propriated under title I of this Act, funds transferred by
13 the Department of Defense to the Department of State
14 and the United States Agency for International Develop-
15 ment for assistance for foreign countries and international
16 organizations, and funds made available for programs pre-
17 viously authorized under section 1206 of the National De-
18 fense Authorization Act for Fiscal Year 2006 (Public Law
19 109–163; 119 Stat. 3456), section 2282 of title 10, United
20 States Code, section 333 of title 10, United States Code,
21 as added by section 1241 of the National Defense Author-
22 ization Act for Fiscal Year 2017 (Public Law 114–328),
23 or any successor authorities, shall be subject to the regular
24 notification procedures of the Committees on Appropria-
25 tions.

1 (e) WAIVER.—The requirements of this section or
2 any similar provision of this Act or any other Act, includ-
3 ing any prior Act requiring notification in accordance with
4 the regular notification procedures of the Committees on
5 Appropriations, may be waived if failure to do so would
6 pose a substantial risk to human health or welfare: *Pro-*
7 *vided*, That in case of any such waiver, notification to the
8 Committees on Appropriations shall be provided as early
9 as practicable, but in no event later than 3 days after tak-
10 ing the action to which such notification requirement was
11 applicable, in the context of the circumstances necessi-
12 tating such waiver: *Provided further*, That any notification
13 provided pursuant to such a waiver shall contain an expla-
14 nation of the emergency circumstances.

15 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
16 of the funds appropriated under titles III through VI of
17 this Act may be obligated or expended for assistance for
18 Afghanistan, Bahrain, Bolivia, Burma, Cambodia, Colom-
19 bia, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guate-
20 mala, Haiti, Honduras, Iran, Iraq, Lebanon, Libya, Mex-
21 ico, Pakistan, Philippines, the Russian Federation, Soma-
22 lia, South Sudan, Sri Lanka, Sudan, Syria, Uzbekistan,
23 Venezuela, Yemen, and Zimbabwe except as provided
24 through the regular notification procedures of the Com-
25 mittees on Appropriations.

1 (g) TRUST FUNDS.—Funds appropriated or other-
2 wise made available in title III of this Act and prior Acts
3 making funds available for the Department of State, for-
4 eign operations, and related programs that are made avail-
5 able for a trust fund held by an international financial
6 institution as defined by section 7034(r)(3) of this Act
7 shall be subject to the regular notification procedures of
8 the Committees on Appropriations: *Provided*, That such
9 notification shall include the information specified under
10 this section in the explanatory statement described in sec-
11 tion 4 (in the matter preceding division A of this Consoli-
12 dated Act).

13 (h) PILOT PROGRAM NOTIFICATION REQUIRE-
14 MENT.—Funds appropriated under Title I of this Act
15 under the heading “Diplomatic and Consular Programs”
16 that are made available for a pilot program for lateral
17 entry into the Foreign Service shall be subject to prior
18 consultation with, and the regular notification procedures
19 of, the Committees on Appropriations.

20 (i) WITHHOLDING OF FUNDS.—Funds appropriated
21 by this Act under titles III and IV that are withheld from
22 obligation or otherwise not programmed as a result of ap-
23 plication of a provision of law in this or any other Act
24 shall, if reprogrammed, be subject to the regular notifica-
25 tion procedures of the Committees on Appropriations.

1 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

2 SEC. 7016. Prior to providing excess Department of
3 Defense articles in accordance with section 516(a) of the
4 Foreign Assistance Act of 1961, the Department of De-
5 fense shall notify the Committees on Appropriations to the
6 same extent and under the same conditions as other com-
7 mittees pursuant to subsection (f) of that section: *Pro-*
8 *vided*, That before issuing a letter of offer to sell excess
9 defense articles under the Arms Export Control Act, the
10 Department of Defense shall notify the Committees on
11 Appropriations in accordance with the regular notification
12 procedures of such Committees if such defense articles are
13 significant military equipment (as defined in section 47(9)
14 of the Arms Export Control Act) or are valued (in terms
15 of original acquisition cost) at \$7,000,000 or more, or if
16 notification is required elsewhere in this Act for the use
17 of appropriated funds for specific countries that would re-
18 ceive such excess defense articles: *Provided further*, That
19 such Committees shall also be informed of the original ac-
20 quisition cost of such defense articles.

21 LIMITATION ON AVAILABILITY OF FUNDS FOR

22 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

23 SEC. 7017. Subject to the regular notification proce-
24 dures of the Committees on Appropriations, funds appro-
25 priated under titles I and III through V of this Act, which

1 are returned or not made available for organizations and
2 programs because of the implementation of section 307(a)
3 of the Foreign Assistance Act of 1961, shall remain avail-
4 able for obligation until September 30, 2019: *Provided*,
5 That the requirement to withhold funds for programs in
6 Burma under section 307(a) of the Foreign Assistance Act
7 of 1961 shall not apply to funds appropriated by this Act.

8 PROHIBITION ON FUNDING FOR ABORTIONS AND
9 INVOLUNTARY STERILIZATION

10 SEC. 7018. None of the funds made available to carry
11 out part I of the Foreign Assistance Act of 1961, as
12 amended, may be used to pay for the performance of abor-
13 tions as a method of family planning or to motivate or
14 coerce any person to practice abortions. None of the funds
15 made available to carry out part I of the Foreign Assist-
16 ance Act of 1961, as amended, may be used to pay for
17 the performance of involuntary sterilization as a method
18 of family planning or to coerce or provide any financial
19 incentive to any person to undergo sterilizations. None of
20 the funds made available to carry out part I of the Foreign
21 Assistance Act of 1961, as amended, may be used to pay
22 for any biomedical research which relates in whole or in
23 part, to methods of, or the performance of, abortions or
24 involuntary sterilization as a means of family planning.
25 None of the funds made available to carry out part I of

1 the Foreign Assistance Act of 1961, as amended, may be
2 obligated or expended for any country or organization if
3 the President certifies that the use of these funds by any
4 such country or organization would violate any of the
5 above provisions related to abortions and involuntary steri-
6 lizations.

7
8 ALLOCATIONS

9 SEC. 7019. (a) ALLOCATION TABLES.—Subject to
10 subsection (b), funds appropriated by this Act under titles
11 III through V shall be made available in the amounts spe-
12 cifically designated in the respective tables included in the
13 explanatory statement described in section 4 (in the mat-
14 ter preceding division A of this Consolidated Act): *Pro-*
15 *vided*, That such designated amounts for foreign countries
16 and international organizations shall serve as the amounts
17 for such countries and international organizations trans-
18 mitted to Congress in the report required by section
19 653(a) of the Foreign Assistance Act of 1961.

20 (b) AUTHORIZED DEVIATIONS.—Unless otherwise
21 provided for by this Act, the Secretary of State and the
22 Administrator of the United States Agency for Inter-
23 national Development, as applicable, may only deviate up
24 to 5 percent from the amounts specifically designated in
25 the respective tables included in the explanatory statement
described in section 4 (in the matter preceding division

1 A of this Consolidated Act): *Provided*, That such percent-
2 age may be exceeded only to respond to significant, exi-
3 gent, or unforeseen events, or to address other exceptional
4 circumstances directly related to the national interest:
5 *Provided further*, That deviations pursuant to the previous
6 proviso shall be subject to prior consultation with, and the
7 regular notification procedures of, the Committees on Ap-
8 propriations.

9 (c) LIMITATION.—For specifically designated
10 amounts that are included, pursuant to subsection (a), in
11 the report required by section 653(a) of the Foreign As-
12 sistance Act of 1961, no deviations authorized by sub-
13 section (b) may take place until submission of such report.

14 (d) EXCEPTIONS.—

15 (1) Subsections (a) and (b) shall not apply to—

16 (A) amounts designated for “International
17 Military Education and Training” in the re-
18 spective tables included in the explanatory
19 statement described in section 4 (in the matter
20 preceding division A of this Consolidated Act);
21 and

22 (B) funds for which the initial period of
23 availability has expired.

24 (2) The authority in subsection (b) to deviate
25 below amounts designated in the respective tables in-

1 cluded in the joint explanatory statement described
2 in section 4 (in the matter preceding division A of
3 this Consolidated Act) shall not apply to the table
4 included under the heading “Global Health Pro-
5 grams” in such joint explanatory statement.

6 REPRESENTATION AND ENTERTAINMENT EXPENSES

7 SEC. 7020. (a) USES OF FUNDS.—Each Federal de-
8 partment, agency, or entity funded in titles I or II of this
9 Act, and the Department of the Treasury and independent
10 agencies funded in titles III or VI of this Act, shall take
11 steps to ensure that domestic and overseas representation
12 and entertainment expenses further official agency busi-
13 ness and United States foreign policy interests—

14 (1) are primarily for fostering relations outside
15 of the Executive Branch;

16 (2) are principally for meals and events of a
17 protocol nature;

18 (3) are not for employee-only events; and

19 (4) do not include activities that are substan-
20 tially of a recreational character.

21 (b) LIMITATIONS.—None of the funds appropriated
22 or otherwise made available by this Act under the head-
23 ings “International Military Education and Training” or
24 “Foreign Military Financing Program” for Informational
25 Program activities or under the headings “Global Health

1 Programs”, “Development Assistance”, “Economic Sup-
2 port Fund”, and “Assistance for Europe, Eurasia and
3 Central Asia” may be obligated or expended to pay for—

4 (1) alcoholic beverages; or

5 (2) entertainment expenses for activities that
6 are substantially of a recreational character, includ-
7 ing but not limited to entrance fees at sporting
8 events, theatrical and musical productions, and
9 amusement parks.

10 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

11 SUPPORTING INTERNATIONAL TERRORISM

12 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
13 PORTS.—

14 (1) PROHIBITION.—None of the funds appro-
15 priated or otherwise made available by titles III
16 through VI of this Act may be made available to any
17 foreign government which provides lethal military
18 equipment to a country the government of which the
19 Secretary of State has determined supports inter-
20 national terrorism for purposes of section 6(j) of the
21 Export Administration Act of 1979 as continued in
22 effect pursuant to the International Emergency Eco-
23 nomic Powers Act: *Provided*, That the prohibition
24 under this section with respect to a foreign govern-
25 ment shall terminate 12 months after that govern-

1 ment ceases to provide such military equipment:
2 *Provided further*, That this section applies with re-
3 spect to lethal military equipment provided under a
4 contract entered into after October 1, 1997.

5 (2) DETERMINATION.—Assistance restricted by
6 paragraph (1) or any other similar provision of law,
7 may be furnished if the President determines that to
8 do so is important to the national interest of the
9 United States.

10 (3) REPORT.—Whenever the President makes a
11 determination pursuant to paragraph (2), the Presi-
12 dent shall submit to the Committees on Appropria-
13 tions a report with respect to the furnishing of such
14 assistance, including a detailed explanation of the
15 assistance to be provided, the estimated dollar
16 amount of such assistance, and an explanation of
17 how the assistance furthers United States national
18 interest.

19 (b) BILATERAL ASSISTANCE.—

20 (1) LIMITATIONS.—Funds appropriated for bi-
21 lateral assistance in titles III through VI of this Act
22 and funds appropriated under any such title in prior
23 Acts making appropriations for the Department of
24 State, foreign operations, and related programs,

1 shall not be made available to any foreign govern-
2 ment which the President determines—

3 (A) grants sanctuary from prosecution to
4 any individual or group which has committed
5 an act of international terrorism;

6 (B) otherwise supports international ter-
7 rorism; or

8 (C) is controlled by an organization des-
9 igned as a terrorist organization under sec-
10 tion 219 of the Immigration and Nationality
11 Act (8 U.S.C. 1189).

12 (2) WAIVER.—The President may waive the ap-
13 plication of paragraph (1) to a government if the
14 President determines that national security or hu-
15 manitarian reasons justify such waiver: *Provided*,
16 That the President shall publish each such waiver in
17 the Federal Register and, at least 15 days before the
18 waiver takes effect, shall notify the Committees on
19 Appropriations of the waiver (including the justifica-
20 tion for the waiver) in accordance with the regular
21 notification procedures of the Committees on Appro-
22 priations.

23 AUTHORIZATION REQUIREMENTS

24 SEC. 7022. Funds appropriated by this Act, except
25 funds appropriated under the heading “Trade and Devel-

1 opment Agency”, may be obligated and expended notwith-
2 standing section 10 of Public Law 91–672 (22 U.S.C.
3 2412), section 15 of the State Department Basic Authori-
4 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
5 eign Relations Authorization Act, Fiscal Years 1994 and
6 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
7 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

8 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

9 SEC. 7023. For the purpose of titles II through VI
10 of this Act “program, project, and activity” shall be de-
11 fined at the appropriations Act account level and shall in-
12 clude all appropriations and authorizations Acts funding
13 directives, ceilings, and limitations with the exception that
14 for the following accounts: “Economic Support Fund”,
15 “Assistance for Europe, Eurasia and Central Asia”, and
16 “Foreign Military Financing Program”, “program,
17 project, and activity” shall also be considered to include
18 country, regional, and central program level funding with-
19 in each such account; and for the development assistance
20 accounts of the United States Agency for International
21 Development, “program, project, and activity” shall also
22 be considered to include central, country, regional, and
23 program level funding, either as—

24 (1) justified to Congress; or

1 (2) allocated by the Executive Branch in ac-
2 cordance with a report, to be provided to the Com-
3 mittees on Appropriations within 30 days of the en-
4 actment of this Act, as required by section 653(a)
5 of the Foreign Assistance Act of 1961 or as modi-
6 fied pursuant to section 7019 of this Act.

7 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
8 FOUNDATION AND UNITED STATES AFRICAN DEVEL-
9 OPMENT FOUNDATION

10 SEC. 7024. Unless expressly provided to the contrary,
11 provisions of this or any other Act, including provisions
12 contained in prior Acts authorizing or making appropria-
13 tions for the Department of State, foreign operations, and
14 related programs, shall not be construed to prohibit activi-
15 ties authorized by or conducted under the Peace Corps
16 Act, the Inter-American Foundation Act or the African
17 Development Foundation Act: *Provided*, That prior to con-
18 ducting activities in a country for which assistance is pro-
19 hibited, the agency shall consult with the Committees on
20 Appropriations and report to such Committees within 15
21 days of taking such action.

22 COMMERCE, TRADE AND SURPLUS COMMODITIES

23 SEC. 7025. (a) WORLD MARKETS.—None of the
24 funds appropriated or made available pursuant to titles
25 III through VI of this Act for direct assistance and none

1 of the funds otherwise made available to the Export-Im-
2 port Bank and the Overseas Private Investment Corpora-
3 tion shall be obligated or expended to finance any loan,
4 any assistance, or any other financial commitments for es-
5 tablishing or expanding production of any commodity for
6 export by any country other than the United States, if
7 the commodity is likely to be in surplus on world markets
8 at the time the resulting productive capacity is expected
9 to become operative and if the assistance will cause sub-
10 stantial injury to United States producers of the same,
11 similar, or competing commodity: *Provided*, That such
12 prohibition shall not apply to the Export-Import Bank if
13 in the judgment of its Board of Directors the benefits to
14 industry and employment in the United States are likely
15 to outweigh the injury to United States producers of the
16 same, similar, or competing commodity, and the Chairman
17 of the Board so notifies the Committees on Appropria-
18 tions: *Provided further*, That this subsection shall not pro-
19 hibit—

20 (1) activities in a country that is eligible for as-
21 sistance from the International Development Asso-
22 ciation, is not eligible for assistance from the Inter-
23 national Bank for Reconstruction and Development,
24 and does not export on a consistent basis the agri-

1 cultural commodity with respect to which assistance
2 is furnished; or

3 (2) activities in a country the President deter-
4 mines is recovering from widespread conflict, a hu-
5 manitarian crisis, or a complex emergency.

6 (b) EXPORTS.—None of the funds appropriated by
7 this or any other Act to carry out chapter 1 of part I
8 of the Foreign Assistance Act of 1961 shall be available
9 for any testing or breeding feasibility study, variety im-
10 provement or introduction, consultancy, publication, con-
11 ference, or training in connection with the growth or pro-
12 duction in a foreign country of an agricultural commodity
13 for export which would compete with a similar commodity
14 grown or produced in the United States: *Provided*, That
15 this subsection shall not prohibit—

16 (1) activities designed to increase food security
17 in developing countries where such activities will not
18 have a significant impact on the export of agricul-
19 tural commodities of the United States;

20 (2) research activities intended primarily to
21 benefit United States producers;

22 (3) activities in a country that is eligible for as-
23 sistance from the International Development Asso-
24 ciation, is not eligible for assistance from the Inter-
25 national Bank for Reconstruction and Development,

1 and does not export on a consistent basis the agri-
2 cultural commodity with respect to which assistance
3 is furnished; or

4 (4) activities in a country the President deter-
5 mines is recovering from widespread conflict, a hu-
6 manitarian crisis, or a complex emergency.

7 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—
8 The Secretary of the Treasury shall instruct the United
9 States executive directors of the international financial in-
10 stitutions, as defined in section 7034(r)(3) of this Act, to
11 use the voice and vote of the United States to oppose any
12 assistance by such institutions, using funds appropriated
13 or made available by this Act, for the production or extrac-
14 tion of any commodity or mineral for export, if it is in
15 surplus on world markets and if the assistance will cause
16 substantial injury to United States producers of the same,
17 similar, or competing commodity.

18 SEPARATE ACCOUNTS

19 SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL
20 CURRENCIES.—

21 (1) AGREEMENTS.—If assistance is furnished to
22 the government of a foreign country under chapters
23 1 and 10 of part I or chapter 4 of part II of the
24 Foreign Assistance Act of 1961 under agreements
25 which result in the generation of local currencies of

1 that country, the Administrator of the United States
2 Agency for International Development shall—

3 (A) require that local currencies be depos-
4 ited in a separate account established by that
5 government;

6 (B) enter into an agreement with that gov-
7 ernment which sets forth—

8 (i) the amount of the local currencies
9 to be generated; and

10 (ii) the terms and conditions under
11 which the currencies so deposited may be
12 utilized, consistent with this section; and

13 (C) establish by agreement with that gov-
14 ernment the responsibilities of USAID and that
15 government to monitor and account for deposits
16 into and disbursements from the separate ac-
17 count.

18 (2) USES OF LOCAL CURRENCIES.—As may be
19 agreed upon with the foreign government, local cur-
20 rencies deposited in a separate account pursuant to
21 subsection (a), or an equivalent amount of local cur-
22 rencies, shall be used only—

23 (A) to carry out chapter 1 or 10 of part
24 I or chapter 4 of part II of the Foreign Assist-

1 ance Act of 1961 (as the case may be), for such
2 purposes as—

3 (i) project and sector assistance activi-
4 ties; or

5 (ii) debt and deficit financing; or

6 (B) for the administrative requirements of
7 the United States Government.

8 (3) PROGRAMMING ACCOUNTABILITY.—USAID
9 shall take all necessary steps to ensure that the
10 equivalent of the local currencies disbursed pursuant
11 to subsection (a)(2)(A) from the separate account
12 established pursuant to subsection (a)(1) are used
13 for the purposes agreed upon pursuant to subsection
14 (a)(2).

15 (4) TERMINATION OF ASSISTANCE PRO-
16 GRAMS.—Upon termination of assistance to a coun-
17 try under chapter 1 or 10 of part I or chapter 4 of
18 part II of the Foreign Assistance Act of 1961 (as
19 the case may be), any unencumbered balances of
20 funds which remain in a separate account estab-
21 lished pursuant to subsection (a) shall be disposed of
22 for such purposes as may be agreed to by the gov-
23 ernment of that country and the United States Gov-
24 ernment.

1 (5) REPORTING REQUIREMENT.—The USAID
2 Administrator shall report as part of the congress-
3 sional budget justification submitted to the Commit-
4 tees on Appropriations on the use of local currencies
5 for the administrative requirements of the United
6 States Government as authorized in subsection
7 (a)(2)(B), and such report shall include the amount
8 of local currency (and United States dollar equiva-
9 lent) used or to be used for such purpose in each ap-
10 plicable country.

11 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

12 (1) IN GENERAL.—If assistance is made avail-
13 able to the government of a foreign country, under
14 chapter 1 or 10 of part I or chapter 4 of part II of
15 the Foreign Assistance Act of 1961, as cash transfer
16 assistance or as nonproject sector assistance, that
17 country shall be required to maintain such funds in
18 a separate account and not commingle with any
19 other funds.

20 (2) APPLICABILITY OF OTHER PROVISIONS OF
21 LAW.—Such funds may be obligated and expended
22 notwithstanding provisions of law which are incon-
23 sistent with the nature of this assistance including
24 provisions which are referenced in the Joint Explan-
25 atory Statement of the Committee of Conference ac-

1 companying House Joint Resolution 648 (House Re-
2 port No. 98–1159).

3 (3) NOTIFICATION.—At least 15 days prior to
4 obligating any such cash transfer or nonproject sec-
5 tor assistance, the President shall submit a notifica-
6 tion through the regular notification procedures of
7 the Committees on Appropriations, which shall in-
8 clude a detailed description of how the funds pro-
9 posed to be made available will be used, with a dis-
10 discussion of the United States interests that will be
11 served by such assistance (including, as appropriate,
12 a description of the economic policy reforms that will
13 be promoted by such assistance).

14 (4) EXEMPTION.—Nonproject sector assistance
15 funds may be exempt from the requirements of para-
16 graph (1) only through the regular notification pro-
17 cedures of the Committees on Appropriations.

18 ELIGIBILITY FOR ASSISTANCE

19 SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-
20 MENTAL ORGANIZATIONS.—Restrictions contained in this
21 or any other Act with respect to assistance for a country
22 shall not be construed to restrict assistance in support of
23 programs of nongovernmental organizations from funds
24 appropriated by this Act to carry out the provisions of
25 chapters 1, 10, 11, and 12 of part I and chapter 4 of

1 part II of the Foreign Assistance Act of 1961 and from
2 funds appropriated under the heading “Assistance for Eu-
3 rope, Eurasia and Central Asia”: *Provided*, That before
4 using the authority of this subsection to furnish assistance
5 in support of programs of nongovernmental organizations,
6 the President shall notify the Committees on Appropria-
7 tions pursuant to the regular notification procedures, in-
8 cluding a description of the program to be assisted, the
9 assistance to be provided, and the reasons for furnishing
10 such assistance: *Provided further*, That nothing in this
11 subsection shall be construed to alter any existing statu-
12 tory prohibitions against abortion or involuntary steriliza-
13 tions contained in this or any other Act.

14 (b) PUBLIC LAW 480.—During fiscal year 2017, re-
15 strictions contained in this or any other Act with respect
16 to assistance for a country shall not be construed to re-
17 strict assistance under the Food for Peace Act (Public
18 Law 83–480): *Provided*, That none of the funds appro-
19 priated to carry out title I of such Act and made available
20 pursuant to this subsection may be obligated or expended
21 except as provided through the regular notification proce-
22 dures of the Committees on Appropriations.

23 (c) EXCEPTION.—This section shall not apply—

24 (1) with respect to section 620A of the Foreign
25 Assistance Act of 1961 or any comparable provision

1 of law prohibiting assistance to countries that sup-
2 port international terrorism; or

3 (2) with respect to section 116 of the Foreign
4 Assistance Act of 1961 or any comparable provision
5 of law prohibiting assistance to the government of a
6 country that violates internationally recognized
7 human rights.

8 LOCAL COMPETITION

9 SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO
10 COMPETITION FOR LOCAL ENTITIES.—Funds appro-
11 priated by this Act that are made available to the United
12 States Agency for International Development may only be
13 made available for limited competitions through local enti-
14 ties if—

15 (1) prior to the determination to limit competi-
16 tion to local entities, USAID has—

17 (A) assessed the level of local capacity to
18 effectively implement, manage, and account for
19 programs included in such competition; and

20 (B) documented the written results of the
21 assessment and decisions made; and

22 (2) prior to making an award after limiting
23 competition to local entities—

1 (A) each successful local entity has been
2 determined to be responsible in accordance with
3 USAID guidelines; and

4 (B) effective monitoring and evaluation
5 systems are in place to ensure that award fund-
6 ing is used for its intended purposes; and

7 (3) no level of acceptable fraud is assumed.

8 (b) REPORTING REQUIREMENT.—In addition to the
9 requirements of subsection (a)(1), the USAID Adminis-
10 trator shall report to the appropriate congressional com-
11 mittees not later than 45 days after the end of fiscal year
12 2017 on all awards subject to limited or no competition
13 for local entities: *Provided*, That such report should be
14 posted on the USAID Web site: *Provided further*, That
15 the requirements of this subsection shall only apply to
16 awards in excess of \$3,000,000 and sole source awards
17 to local entities in excess of \$2,000,000.

18 (c) EXTENSION OF PROCUREMENT AUTHORITY.—
19 Section 7077 of the Department of State, Foreign Oper-
20 ations, and Related Programs Appropriations Act, 2012
21 (division I of Public Law 112–74), as amended, shall con-
22 tinue in effect during fiscal year 2017.

23 INTERNATIONAL FINANCIAL INSTITUTIONS

24 SEC. 7029. (a) EVALUATIONS AND REPORT.—The
25 Secretary of the Treasury shall instruct the United States

1 executive director of each international financial institu-
2 tion to seek to require that such institution adopts and
3 implements a publicly available policy, including the stra-
4 tegic use of peer reviews and external experts, to conduct
5 independent, in-depth evaluations of the effectiveness of
6 at least 25 percent of all loans, grants, programs, and sig-
7 nificant analytical non-lending activities in advancing the
8 institution's goals of reducing poverty and promoting equi-
9 table economic growth, consistent with relevant safe-
10 guards, to ensure that decisions to support such loans,
11 grants, programs, and activities are based on accurate
12 data and objective analysis: *Provided*, That not later than
13 45 days after enactment of this Act, the Secretary shall
14 submit a report to the Committees on Appropriations on
15 steps taken by the United States executive directors and
16 the international financial institutions consistent with this
17 subsection.

18 (b) SAFEGUARDS.—

19 (1) The Secretary of the Treasury shall instruct
20 the United States Executive Director of the Inter-
21 national Bank for Reconstruction and Development
22 and the International Development Association to
23 vote against any loan, grant, policy, or strategy if
24 such institution has adopted and is implementing
25 any social or environmental safeguard relevant to

1 such loan, grant, policy, or strategy that provides
2 less protection than World Bank safeguards in effect
3 on September 30, 2015.

4 (2) The Secretary of the Treasury should in-
5 struct the United States executive director of each
6 international financial institution to vote against
7 loans or other financing for projects unless such
8 projects—

9 (A) provide for accountability and trans-
10 parency, including the collection, verification
11 and publication of beneficial ownership informa-
12 tion related to extractive industries and on-site
13 monitoring during the life of the project;

14 (B) will be developed and carried out in ac-
15 cordance with best practices regarding environ-
16 mental conservation; cultural protection; and
17 empowerment of local populations, including
18 free, prior and informed consent of affected in-
19 digenous communities;

20 (C) do not provide incentives for, or facili-
21 tate, forced displacement; and

22 (D) do not partner with or otherwise in-
23 volve enterprises owned or controlled by the
24 armed forces.

1 (c) COMPENSATION.—None of the funds appro-
2 priated under title V of this Act may be made as payment
3 to any international financial institution while the United
4 States executive director to such institution is com-
5 pensated by the institution at a rate which, together with
6 whatever compensation such executive director receives
7 from the United States, is in excess of the rate provided
8 for an individual occupying a position at level IV of the
9 Executive Schedule under section 5315 of title 5, United
10 States Code, or while any alternate United States execu-
11 tive director to such institution is compensated by the in-
12 stitution at a rate in excess of the rate provided for an
13 individual occupying a position at level V of the Executive
14 Schedule under section 5316 of title 5, United States
15 Code.

16 (d) HUMAN RIGHTS.—The Secretary of the Treasury
17 shall instruct the United States executive director of each
18 international financial institution to seek to require that
19 such institution conducts rigorous human rights due dili-
20 gence and risk management, as appropriate, in connection
21 with any loan, grant, policy, or strategy of such institu-
22 tion: *Provided*, That prior to voting on any such loan,
23 grant, policy, or strategy the executive director shall con-
24 sult with the Assistant Secretary for Democracy, Human
25 Rights, and Labor, Department of State, if the executive

1 director has reason to believe that such loan, grant, policy,
2 or strategy could result in forced displacement or other
3 violation of human rights.

4 (e) FRAUD AND CORRUPTION.—The Secretary of the
5 Treasury shall instruct the United States executive direc-
6 tor of each international financial institution to promote
7 in loan, grant, and other financing agreements improve-
8 ments in borrowing countries' financial management and
9 judicial capacity to investigate, prosecute, and punish
10 fraud and corruption.

11 (f) BENEFICIAL OWNERSHIP INFORMATION.—The
12 Secretary of the Treasury shall instruct the United States
13 executive director of each international financial institu-
14 tion to seek to require that such institution collects,
15 verifies, and publishes, to the maximum extent practicable,
16 beneficial ownership information (excluding proprietary
17 information) for any corporation or limited liability com-
18 pany, other than a publicly listed company, that receives
19 funds from any such financial institution: *Provided*, That
20 not later than 45 days after enactment of this Act, the
21 Secretary shall submit a report to the Committees on Ap-
22 propriations on steps taken by the United States executive
23 directors and the international financial institutions con-
24 sistent with this subsection.

1 (g) WHISTLEBLOWER PROTECTIONS.—The Secretary
2 of the Treasury shall instruct the United States executive
3 director of each international financial institution to seek
4 to require that each such institution is effectively imple-
5 menting and enforcing policies and procedures which re-
6 flect best practices for the protection of whistleblowers
7 from retaliation, including best practices for—

8 (1) protection against retaliation for internal
9 and lawful public disclosure;

10 (2) legal burdens of proof;

11 (3) statutes of limitation for reporting retalia-
12 tion;

13 (4) access to independent adjudicative bodies,
14 including external arbitration; and

15 (5) results that eliminate the effects of proven
16 retaliation.

17 DEBT-FOR-DEVELOPMENT

18 SEC. 7030. In order to enhance the continued partici-
19 pation of nongovernmental organizations in debt-for-devel-
20 opment and debt-for-nature exchanges, a nongovern-
21 mental organization which is a grantee or contractor of
22 the United States Agency for International Development
23 may place in interest bearing accounts local currencies
24 which accrue to that organization as a result of economic
25 assistance provided under title III of this Act and, subject

1 to the regular notification procedures of the Committees
2 on Appropriations, any interest earned on such investment
3 shall be used for the purpose for which the assistance was
4 provided to that organization.

5 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

6 SEC. 7031. (a) LIMITATION ON DIRECT GOVERN-
7 MENT-TO-GOVERNMENT ASSISTANCE.—

8 (1) REQUIREMENTS.—Funds appropriated by
9 this Act may be made available for direct govern-
10 ment-to-government assistance only if—

11 (A)(i) each implementing agency or min-
12 istry to receive assistance has been assessed
13 and is considered to have the systems required
14 to manage such assistance and any identified
15 vulnerabilities or weaknesses of such agency or
16 ministry have been addressed;

17 (ii) the recipient agency or ministry em-
18 ploys and utilizes staff with the necessary tech-
19 nical, financial, and management capabilities;

20 (iii) the recipient agency or ministry has
21 adopted competitive procurement policies and
22 systems;

23 (iv) effective monitoring and evaluation
24 systems are in place to ensure that such assist-
25 ance is used for its intended purposes;

1 (v) no level of acceptable fraud is assumed;
2 and

3 (vi) the government of the recipient coun-
4 try is taking steps to publicly disclose on an an-
5 nual basis its national budget, to include in-
6 come and expenditures;

7 (B) the recipient government is in compli-
8 ance with the principles set forth in section
9 7013 of this Act;

10 (C) the recipient agency or ministry is not
11 headed or controlled by an organization des-
12 ignated as a foreign terrorist organization
13 under section 219 of the Immigration and Na-
14 tionality Act (8 U.S.C. 1189);

15 (D) the Government of the United States
16 and the government of the recipient country
17 have agreed, in writing, on clear and achievable
18 objectives for the use of such assistance, which
19 should be made available on a cost-reimbursable
20 basis; and

21 (E) the recipient government is taking
22 steps to protect the rights of civil society, in-
23 cluding freedoms of expression, association, and
24 assembly.

1 (2) CONSULTATION AND NOTIFICATION.—In
2 addition to the requirements in paragraph (1), no
3 funds may be made available for direct government-
4 to-government assistance without prior consultation
5 with, and notification of, the Committees on Appro-
6 priations: *Provided*, That such notification shall con-
7 tain an explanation of how the proposed activity
8 meets the requirements of paragraph (1): *Provided*
9 *further*, That the requirements of this paragraph
10 shall only apply to direct government-to-government
11 assistance in excess of \$10,000,000 and all funds
12 available for cash transfer, budget support, and cash
13 payments to individuals.

14 (3) SUSPENSION OF ASSISTANCE.—The Admin-
15 istrator of the United States Agency for Inter-
16 national Development or the Secretary of State, as
17 appropriate, shall suspend any direct government-to-
18 government assistance if the Administrator or the
19 Secretary has credible information of material mis-
20 use of such assistance, unless the Administrator or
21 the Secretary reports to the Committees on Appro-
22 priations that it is in the national interest of the
23 United States to continue such assistance, including
24 a justification, or that such misuse has been appro-
25 priately addressed.

1 (4) SUBMISSION OF INFORMATION.—The Sec-
2 retary of State shall submit to the Committees on
3 Appropriations, concurrent with the fiscal year 2018
4 congressional budget justification materials, amounts
5 planned for assistance described in paragraph (1) by
6 country, proposed funding amount, source of funds,
7 and type of assistance.

8 (5) REPORT.—Not later than 90 days after the
9 enactment of this Act and 6 months thereafter until
10 September 30, 2018, the USAID Administrator
11 shall submit to the Committees on Appropriations a
12 report that—

13 (A) details all assistance described in para-
14 graph (1) provided during the previous 6-month
15 period by country, funding amount, source of
16 funds, and type of such assistance; and

17 (B) the type of procurement instrument or
18 mechanism utilized and whether the assistance
19 was provided on a reimbursable basis.

20 (6) DEBT SERVICE PAYMENT PROHIBITION.—
21 None of the funds made available by this Act may
22 be used by the government of any foreign country
23 for debt service payments owed by any country to
24 any international financial institution: *Provided,*
25 That for purposes of this paragraph, the term

1 “international financial institution” has the meaning
2 given the term in section 7034(r)(3) of this Act.

3 (b) NATIONAL BUDGET AND CONTRACT TRANS-
4 PARENCY.—

5 (1) MINIMUM REQUIREMENTS OF FISCAL
6 TRANSPARENCY.—The Secretary of State shall con-
7 tinue to update and strengthen the “minimum re-
8 quirements of fiscal transparency” for each govern-
9 ment receiving assistance appropriated by this Act,
10 as identified in the report required by section
11 7031(b) of the Department of State, Foreign Oper-
12 ations, and Related Programs Appropriations Act,
13 2014 (division K of Public Law 113–76).

14 (2) DEFINITION.—For purposes of paragraph
15 (1), “minimum requirements of fiscal transparency”
16 are requirements consistent with those in subsection
17 (a)(1), and the public disclosure of national budget
18 documentation (to include receipts and expenditures
19 by ministry) and government contracts and licenses
20 for natural resource extraction (to include bidding
21 and concession allocation practices).

22 (3) DETERMINATION AND REPORT.—For each
23 government identified pursuant to paragraph (1),
24 the Secretary of State, not later than 180 days after
25 enactment of this Act, shall make or update any de-

1 termination of “significant progress” or “no signifi-
2 cant progress” in meeting the minimum require-
3 ments of fiscal transparency, and make such deter-
4 minations publicly available in an annual “Fiscal
5 Transparency Report” to be posted on the Depart-
6 ment of State Web site: *Provided*, That the Sec-
7 retary shall identify the significant progress made by
8 each such government to publicly disclose national
9 budget documentation, contracts, and licenses which
10 are additional to such information disclosed in pre-
11 vious fiscal years, and include specific recommenda-
12 tions of short- and long-term steps such government
13 should take to improve fiscal transparency: *Provided*
14 *further*, That the annual report shall include a de-
15 tailed description of how funds appropriated by this
16 Act are being used to improve fiscal transparency,
17 and identify benchmarks for measuring progress.

18 (4) ASSISTANCE.—Funds appropriated under
19 title III of this Act shall be made available for pro-
20 grams and activities to assist governments identified
21 pursuant to paragraph (1) to improve budget trans-
22 parency and to support civil society organizations in
23 such countries that promote budget transparency:
24 *Provided*, That such sums shall be in addition to
25 funds otherwise available for such purposes: *Pro-*

1 *vided further*, That a description of the uses of such
2 funds shall be included in the annual “Fiscal Trans-
3 parency Report” required by paragraph (3).

4 (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

5 (1)(A) INELIGIBILITY.—Officials of foreign gov-
6 ernments and their immediate family members about
7 whom the Secretary of State has credible informa-
8 tion have been involved in significant corruption, in-
9 cluding corruption related to the extraction of nat-
10 ural resources, or a gross violation of human rights
11 shall be ineligible for entry into the United States.

12 (B) The Secretary shall also publicly or pri-
13 vately designate or identify officials of foreign gov-
14 ernments and their immediate family members about
15 whom the Secretary has such credible information
16 without regard to whether the individual has applied
17 for a visa.

18 (2) EXCEPTION.—Individuals shall not be ineli-
19 gible if entry into the United States would further
20 important United States law enforcement objectives
21 or is necessary to permit the United States to fulfill
22 its obligations under the United Nations Head-
23 quarters Agreement: *Provided*, That nothing in
24 paragraph (1) shall be construed to derogate from

1 United States Government obligations under applica-
2 ble international agreements.

3 (3) WAIVER.—The Secretary may waive the ap-
4 plication of paragraph (1) if the Secretary deter-
5 mines that the waiver would serve a compelling na-
6 tional interest or that the circumstances which
7 caused the individual to be ineligible have changed
8 sufficiently.

9 (4) REPORT.—Not later than 6 months after
10 enactment of this Act, the Secretary of State shall
11 submit a report, including a classified annex if nec-
12 essary, to the Committees on Appropriations and the
13 Committees on the Judiciary describing the informa-
14 tion related to corruption or violation of human
15 rights concerning each of the individuals found ineli-
16 gible in the previous 12 months pursuant to para-
17 graph (1)(A) as well as the individuals who the Sec-
18 retary designated or identified pursuant to para-
19 graph (1)(B), or who would be ineligible but for the
20 application of paragraph (2), a list of any waivers
21 provided under paragraph (3), and the justification
22 for each waiver.

23 (5) POSTING OF REPORT.—Any unclassified
24 portion of the report required under paragraph (4)

1 shall be posted on the Department of State Web
2 site.

3 (6) CLARIFICATION.—For purposes of para-
4 graphs (1)(B), (4), and (5), the records of the De-
5 partment of State and of diplomatic and consular of-
6 fices of the United States pertaining to the issuance
7 or refusal of visas or permits to enter the United
8 States shall not be considered confidential.

9 (d) NETWORKS OF CORRUPTION.—If the Secretary
10 of State has credible information of networks of corruption
11 involving the participation of, or support from, a senior
12 official in a country that receives assistance funded by this
13 Act under titles III or IV, the Secretary shall submit a
14 report to the Committees on Appropriations describing
15 such networks, which shall include the information re-
16 quired under the heading “Economic Support Fund” in
17 Senate Report 114–290.

18 (e) EXTRACTION OF NATURAL RESOURCES.—

19 (1) ASSISTANCE.—Funds appropriated by this
20 Act shall be made available to promote and support
21 transparency and accountability of expenditures and
22 revenues related to the extraction of natural re-
23 sources, including by strengthening implementation
24 and monitoring of the Extractive Industries Trans-
25 parency Initiative, implementing and enforcing sec-

1 tion 8204 of the Food, Conservation, and Energy
2 Act of 2008 (Public Law 110–246; 122 Stat. 2052)
3 and to prevent the sale of conflict diamonds, and
4 provide technical assistance to promote independent
5 audit mechanisms and support civil society partici-
6 pation in natural resource management.

7 (2) UNITED STATES POLICY.—

8 (A) The Secretary of the Treasury shall in-
9 form the management of the international fi-
10 nancial institutions, and post on the Depart-
11 ment of the Treasury Web site, that it is the
12 policy of the United States to vote against any
13 assistance by such institutions (including any
14 loan, credit, grant, or guarantee) to any coun-
15 try for the extraction and export of a natural
16 resource if the government of such country has
17 in place laws, regulations, or procedures to pre-
18 vent or limit the public disclosure of company
19 payments as required by United States law, and
20 unless such government has adopted laws, regu-
21 lations, or procedures in the sector in which as-
22 sistance is being considered for—

23 (i) accurately accounting for and pub-
24 lic disclosure of payments to the host gov-

1 ernment by companies involved in the ex-
2 traction and export of natural resources;

3 (ii) the independent auditing of ac-
4 counts receiving such payments and public
5 disclosure of the findings of such audits;
6 and

7 (iii) public disclosure of such docu-
8 ments as Host Government Agreements,
9 Concession Agreements, and bidding docu-
10 ments, allowing in any such dissemination
11 or disclosure for the redaction of, or excep-
12 tions for, information that is commercially
13 proprietary or that would create competi-
14 tive disadvantage.

15 (B) The requirements of subparagraph (A)
16 shall not apply to assistance for the purpose of
17 building the capacity of such government to
18 meet the requirements of this subparagraph.

19 (f) FOREIGN ASSISTANCE WEB SITE.—Funds appro-
20 priated by this Act under titles I and II, and funds made
21 available for any independent agency in title III, as appro-
22 priate, shall be made available to support the provision
23 of additional information on United States Government
24 foreign assistance on the Department of State foreign as-
25 sistance Web site: *Provided*, That all Federal agencies

1 funded under this Act shall provide such information on
2 foreign assistance, upon request, to the Department of
3 State.

4 DEMOCRACY PROGRAMS

5 SEC. 7032. (a) FUNDING AND STRATEGY.—

6 (1) Of the funds appropriated by this Act under
7 the headings “Development Assistance”, “Economic
8 Support Fund”, “Democracy Fund”, “Assistance
9 for Europe, Eurasia and Central Asia”, and “Inter-
10 national Narcotics Control and Law Enforcement”,
11 not less than \$2,308,517,000 shall be made available
12 for democracy programs.

13 (2) Not later than 180 days after enactment of
14 this Act, the Secretary of State, in consultation with
15 the relevant heads of other United States Govern-
16 ment agencies, shall submit to the appropriate con-
17 gressional committees a comprehensive, multi-year
18 strategy for the promotion of democracy abroad, to
19 include the identification of the national interest
20 served by such activity, and the specific roles and re-
21 sponsibilities of such agencies in implementing the
22 strategy.

23 (b) AUTHORITY.—Funds made available by this Act
24 for democracy programs may be made available notwith-
25 standing any other provision of law, and with regard to

1 the National Endowment for Democracy (NED), any reg-
2 ulation.

3 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For
4 purposes of funds appropriated by this Act, the term “de-
5 mocracy programs” means programs that support good
6 governance, credible and competitive elections, freedom of
7 expression, association, assembly, and religion, human
8 rights, labor rights, independent media, and the rule of
9 law, and that otherwise strengthen the capacity of demo-
10 cratic political parties, governments, nongovernmental or-
11 ganizations and institutions, and citizens to support the
12 development of democratic states, and institutions that are
13 responsive and accountable to citizens.

14 (d) PROGRAM PRIORITIZATION.—Funds made avail-
15 able pursuant to this section that are made available for
16 programs to strengthen government institutions shall be
17 prioritized for those institutions that demonstrate a com-
18 mitment to democracy and the rule of law, as determined
19 by the Secretary of State or the USAID Administrator,
20 as appropriate.

21 (e) RESTRICTION ON PRIOR APPROVAL.—With re-
22 spect to the provision of assistance for democracy pro-
23 grams in this Act, the organizations implementing such
24 assistance, the specific nature of that assistance, and the
25 participants in such programs shall not be subject to the

1 prior approval by the government of any foreign country:
2 *Provided*, That the Secretary of State, in coordination
3 with the USAID Administrator, shall report to the Com-
4 mittees on Appropriations, not later than 120 days after
5 enactment of this Act, detailing steps taken by the Depart-
6 ment of State and USAID to comply with the require-
7 ments of this subsection.

8 (f) CONTINUATION OF CURRENT PRACTICES.—
9 USAID shall continue to implement civil society and polit-
10 ical competition and consensus building programs abroad
11 with funds appropriated by this Act in a manner that rec-
12 ognizes the unique benefits of grants and cooperative
13 agreements in implementing such programs: *Provided*,
14 That nothing in this paragraph shall be construed to af-
15 fect the ability of any entity, including United States small
16 businesses, from competing for proposals for USAID-
17 funded civil society and political competition and con-
18 sensus building programs.

19 (g) COUNTRY STRATEGY STRATEGIC REVIEWS.—
20 Prior to the obligation of funds made available by this Act
21 for Department of State and USAID democracy programs
22 for a nondemocratic or democratic transitioning country
23 for which a country strategy has been concluded after the
24 date of enactment of this Act, as required by section
25 2111(c)(1) of the ADVANCE Democracy Act of 2007

1 (title XXI of Public Law 110–53; 22 U.S.C. 8211) or
2 similar provision of law or regulation, the Under Secretary
3 for Civilian Security, Democracy and Human Rights, De-
4 partment of State, in consultation with the Assistant Sec-
5 retary for Democracy, Human Rights, and Labor, Depart-
6 ment of State, and the Assistant Administrator for De-
7 mocracy, Conflict, and Humanitarian Assistance, USAID,
8 shall review such strategy to ensure that it includes—

9 (1) specific goals and objectives for such pro-
10 gram, including a specific plan and timeline to meas-
11 ure impacts;

12 (2) an assessment of the risks associated with
13 the conduct of such program to intended bene-
14 ficiaries and implementers, including steps to sup-
15 port and protect such individuals; and

16 (3) the funding requirements to initiate and
17 sustain such program in fiscal year 2017 and subse-
18 quent fiscal years, as appropriate:

19 *Provided*, That for the purposes of this subsection, the
20 term “nondemocratic or democratic transitioning country”
21 shall have the same meaning as in section 2104(6) of Pub-
22 lic Law 110–53.

23 (h) COMMUNICATION AND REPORTING REQUIRE-
24 MENTS.—

1 (1) INFORMING THE NATIONAL ENDOWMENT
2 FOR DEMOCRACY.—The Assistant Secretary for De-
3 mocracy, Human Rights, and Labor, Department of
4 State, and the Assistant Administrator for Democ-
5 racy, Conflict, and Humanitarian Assistance,
6 USAID, shall regularly inform the National Endow-
7 ment for Democracy of democracy programs that
8 are planned and supported by funds made available
9 by this Act and prior Acts making appropriations
10 for the Department of State, foreign operations, and
11 related programs.

12 (2) REPORT ON FUNDING INSTRUMENTS.—Not
13 later than September 30, 2017, the Secretary of
14 State and USAID Administrator shall each submit
15 to the Committees on Appropriations a report detail-
16 ing the use of contracts, grants, and cooperative
17 agreements in the conduct of democracy programs
18 with funds made available by the Department of
19 State, Foreign Operations, and Related Programs
20 Act, 2016 (division K of Public Law 114–113),
21 which shall include funding level, account, program
22 sector and subsector, and a brief summary of pur-
23 pose.

24 (3) REPORT ON PROGRAM CHANGES.—The Sec-
25 retary of State or the USAID Administrator, as ap-

1 appropriate, shall report to the Committees on Appro-
2 priations within 30 days of a decision to significantly
3 change the objectives or the content of a democracy
4 program or to close such a program due to the in-
5 creasingly repressive nature of the host country gov-
6 ernment: *Provided*, That the report shall also include
7 a strategy for continuing support for democracy pro-
8 motion, if such programming is feasible, and may be
9 submitted in classified form, if necessary.

10 INTERNATIONAL RELIGIOUS FREEDOM

11 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
12 DOM OFFICE AND SPECIAL ENVOY TO PROMOTE RELI-
13 GIOUS FREEDOM.—

14 (1) Funds appropriated by this Act under the
15 heading “Diplomatic and Consular Programs” shall
16 be made available for the Office of International Re-
17 ligious Freedom, Bureau of Democracy, Human
18 Rights, and Labor, Department of State, the Office
19 of the Ambassador-at-Large for International Reli-
20 gious Freedom, and the Special Envoy to Promote
21 Religious Freedom of Religious Minorities in the
22 Near East and South Central Asia, as authorized in
23 the Near East and South Central Asia Religious
24 Freedom Act of 2014 (Public Law 113–161), includ-
25 ing for support staff at not less than the amounts

1 specified for such offices in the table under such
2 heading in the explanatory statement described in
3 section 4 (in the matter preceding division A of this
4 Consolidated Act).

5 (2) Funds appropriated under the heading
6 “Diplomatic and Consular Programs” and des-
7 ignated for the Office of International Religious
8 Freedom shall be made available for the development
9 and implementation of an international religious
10 freedom curriculum in accordance with the criteria
11 specified under such heading in the explanatory
12 statement described in section 4 (in the matter pre-
13 ceding division A of this Consolidated Act).

14 (b) ASSISTANCE.—

15 (1) INTERNATIONAL RELIGIOUS FREEDOM PRO-
16 GRAMS.—Of the funds appropriated by this Act
17 under the heading “Democracy Fund” and available
18 for the Human Rights and Democracy Fund
19 (HRDF), not less than \$10,000,000 shall be made
20 available for international religious freedom pro-
21 grams: *Provided*, That the Ambassador-at-Large for
22 International Religious Freedom shall consult with
23 the Committees on Appropriations on the uses of
24 such funds.

1 (2) PROTECTION AND INVESTIGATION PRO-
2 GRAMS.—Of the funds appropriated by this Act
3 under the heading “Economic Support Fund”, not
4 less than \$10,000,000 shall be made available for
5 programs to protect vulnerable and persecuted reli-
6 gious minorities: *Provided*, That a portion of such
7 funds shall be made available for programs to inves-
8 tigate the persecution of such minorities by govern-
9 ments and non-state actors and for the public dis-
10 semination of information collected on such persecu-
11 tion, including on the Department of State Web site.

12 (3) HUMANITARIAN PROGRAMS.—Funds appro-
13 priated by this Act under the headings “Inter-
14 national Disaster Assistance” and “Migration and
15 Refugee Assistance” shall be made available for hu-
16 manitarian assistance for vulnerable and persecuted
17 religious minorities, including victims of genocide
18 designated by the Secretary of State and other
19 groups that have suffered crimes against humanity
20 and ethnic cleansing, to—

21 (A) accelerate the implementation of an
22 immediate, coordinated, and sustained response
23 to provide humanitarian assistance;

24 (B) enhance protection of conflict victims,
25 including those facing a dire humanitarian cri-

1 sis and severe persecution because of their faith
2 or ethnicity; and

3 (C) improve access to secure locations for
4 obtaining humanitarian and resettlement serv-
5 ices.

6 (4) TRANSITIONAL JUSTICE, RECONCILIATION,
7 AND REINTEGRATION PROGRAMS IN THE MIDDLE
8 EAST AND NORTH AFRICA REGIONS.—

9 (A) Not later than 90 days after enact-
10 ment of this Act and after consultation with rel-
11 evant central governments in the Middle East
12 and North Africa regions, the Secretary of
13 State shall submit to the Committees on Appro-
14 priations a plan for transitional justice, rec-
15 onciliation, and reintegration programs for vul-
16 nerable and persecuted religious minorities in
17 such regions: *Provided*, That such plan shall in-
18 clude a description of actions to be taken by
19 such governments to safeguard and promote the
20 political and economic rights of such minorities,
21 including the return, rehabilitation, and protec-
22 tion of property in areas of conflict.

23 (B) Of the funds appropriated by this Act
24 under the heading “Economic Support Fund”
25 that are made available for assistance for Iraq

1 and Syria, not less than \$5,000,000 shall be
2 made available to support the implementation
3 of the plan required by subparagraph (A): *Pro-*
4 *vided*, That such funds shall be matched, to the
5 maximum extent practicable, from sources other
6 than the United States Government.

7 (5) RESPONSIBILITY OF FUNDS.—Funds made
8 available by paragraphs (1), (2), and (4) shall be the
9 responsibility of the Ambassador-at-Large for Inter-
10 national Religious Freedom, in consultation with
11 other relevant United States Government officials.

12 (c) INTERNATIONAL BROADCASTING.—Funds appro-
13 priated by this Act under the heading “Broadcasting
14 Board of Governors, International Broadcasting Oper-
15 ations” shall be made available for programs related to
16 international religious freedom, including reporting on the
17 condition of vulnerable and persecuted religious groups.

18 (d) ATROCITIES PREVENTION.—Funds appropriated
19 by this Act under the headings “Economic Support Fund”
20 and “International Narcotics Control and Law Enforce-
21 ment” shall be made available for programs to prevent
22 atrocities and to implement the recommendations of the
23 Atrocities Prevention Board, including with respect to the
24 evaluation required by section 7033(d) of the Department
25 of State, Foreign Operations, and Related Programs Ap-

1 appropriations Act, 2016 (division K of Public Law 114–
2 113): *Provided*, That the Under Secretary for Civilian Se-
3 curity, Democracy, and Human Rights, Department of
4 State, shall be responsible for providing the strategic pol-
5 icy direction for, and policy oversight of, funds made avail-
6 able pursuant to this subsection to the Bureaus of Inter-
7 national Narcotics Control and Law Enforcement and De-
8 mocracy, Human Rights, and Labor, Department of
9 State: *Provided further*, That such funds shall be subject
10 to the regular notification procedures of the Committees
11 on Appropriations.

12 (e) DESIGNATION OF NON-STATE ACTORS.—The
13 President shall, concurrent with the annual foreign coun-
14 try review required by section 402(b)(1) of the Inter-
15 national Religious Freedom Act of 1998 (22 U.S.C.
16 6442(b)(1)), review and identify any non-state actors in
17 such countries that have engaged in particularly severe
18 violations of religious freedom, and designate, in a manner
19 consistent with such Act, each such group as a non-state
20 actor of particular concern for religious freedom operating
21 in such reviewed country or surrounding region: *Provided*,
22 That whenever the President designates such a non-state
23 actor under this subsection, the President shall, as soon
24 as practicable after the designation is made, submit a re-

1 port to the appropriate congressional committees detailing
2 the reasons for such designation.

3 (f) FUNDING CLARIFICATION.—Funds made avail-
4 able pursuant to subsections (b) and (d) are in addition
5 to amounts otherwise made available for such purposes.

6 SPECIAL PROVISIONS

7 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
8 DREN, AND DISPLACED BURMESE.—Funds appropriated
9 in titles III and VI of this Act that are made available
10 for victims of war, displaced children, displaced Burmese,
11 and to combat trafficking in persons and assist victims
12 of such trafficking, may be made available notwith-
13 standing any other provision of law.

14 (b) LAW ENFORCEMENT AND SECURITY.—

15 (1) CHILD SOLDIERS.—Funds appropriated by
16 this Act should not be used to support any military
17 training or operations that include child soldiers.

18 (2) CROWD CONTROL ITEMS.—Funds appro-
19 priated by this Act should not be used for tear gas,
20 small arms, light weapons, ammunition, or other
21 items for crowd control purposes for foreign security
22 forces that use excessive force to repress peaceful ex-
23 pression, association, or assembly in countries un-
24 dergoing democratic transition.

1 (3) DISARMAMENT, DEMOBILIZATION, AND RE-
2 INTEGRATION.—Section 7034(d) of the Department
3 of State, Foreign Operations, and Related Programs
4 Appropriations Act, 2015 (division J of Public Law
5 113–235) shall continue in effect during fiscal year
6 2017.

7 (4) FORENSIC ASSISTANCE.—

8 (A) Of the funds appropriated by this Act
9 under the heading “Economic Support Fund”,
10 not less than \$6,500,000 shall be made avail-
11 able for forensic anthropology assistance related
12 to the exhumation of mass graves and the iden-
13 tification of victims of war crimes, genocide,
14 and crimes against humanity, including in Iraq,
15 Guatemala, Colombia, El Salvador, Syria, and
16 Sri Lanka, which shall be administered by the
17 Assistant Secretary for Democracy, Human
18 Rights, and Labor, Department of State.

19 (B) Of the funds appropriated by this Act
20 under the heading “International Narcotics
21 Control and Law Enforcement”, not less than
22 \$6,000,000 shall be made available for DNA fo-
23 rensic technology programs to combat human
24 trafficking in Central America and Mexico.

1 (5) INTERNATIONAL PRISON CONDITIONS.—
2 Section 7065 of the Department of State, Foreign
3 Operations, and Related Programs Appropriations
4 Act, 2015 (division J of Public Law 113–235) shall
5 continue in effect during fiscal year 2017.

6 (6) RECONSTITUTING CIVILIAN POLICE AU-
7 THORITY.—In providing assistance with funds ap-
8 propriated by this Act under section 660(b)(6) of
9 the Foreign Assistance Act of 1961, support for a
10 nation emerging from instability may be deemed to
11 mean support for regional, district, municipal, or
12 other sub-national entity emerging from instability,
13 as well as a nation emerging from instability.

14 (7) SECURITY ASSISTANCE REPORT.—Not later
15 than 120 days after enactment of this Act, the Sec-
16 retary of State shall submit to the Committees on
17 Appropriations a report on funds obligated and ex-
18 pended during fiscal year 2016, by country and pur-
19 pose of assistance, under the headings “Peace-
20 keeping Operations”, “International Military Edu-
21 cation and Training”, and “Foreign Military Fi-
22 nancing Program”.

23 (8) FOREIGN MILITARY SALES AND FOREIGN
24 MILITARY FINANCING PROGRAM.—

1 (A) AVAILABILITY.—Funds appropriated
2 by this Act under the heading “Foreign Military
3 Financing Program” for the general costs
4 of administering military assistance and sales
5 shall be made available to increase the efficiency
6 and effectiveness of programs authorized
7 by Chapter 2 of the Arms Export Control Act:
8 *Provided*, That prior to the obligation of funds
9 for such purposes, the Secretary of State shall
10 consult with the Committees on Appropriations.

11 (B) REVIEW AND REPORT.—The Secretary
12 of State, in coordination with the Secretary of
13 Defense, shall review the resources, personnel,
14 and practices of the Departments of State and
15 Defense that are associated with administering
16 military assistance and sales programs and, not
17 later than 120 days after enactment of this Act,
18 submit to the appropriate congressional committees
19 a report on steps taken or planned to
20 be taken to increase the efficiency and effectiveness
21 of such programs.

22 (C) QUARTERLY STATUS REPORT.—Following
23 the submission of the quarterly report
24 required by section 36 of Public Law 90–629
25 (22 U.S.C. 2776), the Secretary of State, in co-

1 ordination with the Secretary of Defense, shall
2 submit to the Committees on Appropriations a
3 status report that contains the information de-
4 scribed under this heading in the explanatory
5 statement described in section 4 (in the matter
6 preceding division A of this Consolidated Act).

7 (D) FOREIGN MILITARY FINANCING PRO-
8 GRAM LOANS.—Not later than 60 days after en-
9 actment of this Act, the Secretary of State, in
10 coordination with the Secretary of Defense,
11 shall submit to the Committees on Appropria-
12 tions a report assessing the potential impact of
13 transitioning assistance made available by this
14 Act under the heading “Foreign Military Fi-
15 nancing Program” from grants to loans, includ-
16 ing the budgetary and diplomatic impacts, and
17 the extent to which such transition would affect
18 the foreign policy interest of the United States:
19 *Provided*, That such report shall also include an
20 assessment of the impact of proposals included
21 in the fiscal year 2018 congressional budget
22 justification that would transition such assist-
23 ance from grants to loans.

24 (9) VETTING REPORT.—

1 (A) Not later than 90 days after enact-
2 ment of this Act, the Secretary of State shall
3 submit a report to the appropriate congress-
4 sional committees on foreign assistance cases
5 submitted for vetting for purposes of section
6 620M of the Foreign Assistance Act of 1961
7 during the preceding fiscal year, including—

8 (i) the total number of cases sub-
9 mitted, approved, suspended, or rejected
10 for human rights reasons; and

11 (ii) for cases rejected, a description of
12 the steps taken to assist the foreign gov-
13 ernment in taking effective measures to
14 bring the responsible members of the secu-
15 rity forces to justice, in accordance with
16 section 620M(c) of the Foreign Assistance
17 Act of 1961.

18 (B) The report required by this paragraph
19 shall be submitted in unclassified form, but may
20 be accompanied by a classified annex.

21 (10) ANNUAL FOREIGN MILITARY TRAINING RE-
22 PORT.—For the purposes of implementing section
23 656 of the Foreign Assistance Act of 1961, the term
24 “military training provided to foreign military per-
25 sonnel by the Department of Defense and the De-

1 partment of State” shall be deemed to include all
2 military training provided by foreign governments
3 with funds appropriated to the Department of De-
4 fense or the Department of State, except for train-
5 ing provided by the government of a country des-
6 ignated by section 517(b) of such Act as a major
7 non-NATO ally.

8 (11) PROLIFERATION SECURITY INITIATIVE.—
9 Funds appropriated by this Act under the heading
10 “Nonproliferation, Anti-terrorism, Demining and
11 Related Programs” shall be made available for pro-
12 grams to increase international participation in the
13 Proliferation Security Initiative (PSI) and endorse-
14 ment of the PSI Statement of Interdiction Prin-
15 ciples: *Provided*, That not later than 45 days after
16 enactment of this Act, the Secretary of State shall
17 submit a report to the Committees on Appropria-
18 tions detailing steps to be taken to implement the
19 requirements of this paragraph.

20 (12) AUTHORITY TO COUNTER EXTREMISM.—
21 Funds made available by this Act under the heading
22 “Economic Support Fund” to counter extremism
23 may be made available notwithstanding any other
24 provision of law restricting assistance to foreign
25 countries, except sections 502B and 620A of the

1 Foreign Assistance Act of 1961: *Provided*, That the
2 Secretary of State, or the USAID Administrator, as
3 appropriate, shall consult with the Committees on
4 Appropriations prior to exercising the authority of
5 this paragraph.

6 (c) WORLD FOOD PROGRAMME.—Funds managed by
7 the Bureau for Democracy, Conflict, and Humanitarian
8 Assistance, United States Agency for International Devel-
9 opment, from this or any other Act, may be made available
10 as a general contribution to the World Food Programme,
11 notwithstanding any other provision of law.

12 (d) DIRECTIVES AND AUTHORITIES.—

13 (1) RESEARCH AND TRAINING.—Funds appro-
14 priated by this Act under the heading “Assistance
15 for Europe, Eurasia and Central Asia” shall be
16 made available to carry out the Program for Re-
17 search and Training on Eastern Europe and the
18 Independent States of the Former Soviet Union as
19 authorized by the Soviet-Eastern European Research
20 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

21 (2) GENOCIDE VICTIMS MEMORIAL SITES AND
22 TRIBUNALS.—

23 (A) Funds appropriated by this Act and
24 prior Acts making appropriations for the De-
25 partment of State, foreign operations, and re-

1 lated programs under the headings “Economic
2 Support Fund” and “Assistance for Europe,
3 Eurasia and Central Asia” may be made avail-
4 able as contributions to establish and maintain
5 memorial sites of genocide, subject to the reg-
6 ular notification procedures of the Committees
7 on Appropriations.

8 (B) Of the funds appropriated by this Act
9 under the heading “Economic Support Fund”,
10 not less than \$3,500,000 shall be made avail-
11 able, on a competitive basis, for reimbursement
12 of costs related to research and documentation
13 in support of the activities of international tri-
14 bunals established to try cases of war crimes,
15 genocide, and crimes against humanity.

16 (3) ADDITIONAL AUTHORITIES.—Of the
17 amounts made available by title I of this Act under
18 the heading “Diplomatic and Consular Programs”,
19 up to \$500,000 may be made available for grants
20 pursuant to section 504 of Public Law 95–426 (22
21 U.S.C. 2656d), including to facilitate collaboration
22 with indigenous communities, and up to \$1,000,000
23 may be made available for grants to carry out the
24 activities of the Cultural Antiquities Task Force.

1 (4) AUTHORITY.—The USAID Administrator
2 may use funds appropriated by this Act under title
3 III to make innovation incentive awards: *Provided*,
4 That each individual award may not exceed
5 \$100,000: *Provided further*, That no more than 10
6 such awards may be made during fiscal year 2017:
7 *Provided further*, That for purposes of this para-
8 graph the term “innovation incentive award” means
9 the provision of funding on a competitive basis
10 that—

11 (A) encourages and rewards the develop-
12 ment of solutions for a particular, well-defined
13 problem related to the alleviation of poverty; or

14 (B) helps identify and promote a broad
15 range of ideas and practices facilitating further
16 development of an idea or practice by third par-
17 ties.

18 (e) PARTNER VETTING.—

19 (1) In lieu of the requirements in the second
20 and third provisos of section 7034(e) of the Depart-
21 ment of State, Foreign Operations, and Related Pro-
22 grams Appropriations Act, 2016 (division K of Pub-
23 lic Law 114–113), not later than 60 days after en-
24 actment of this Act, the Secretary of State and the
25 USAID Administrator shall jointly submit a report

1 to the Committees on Appropriations, in classified
2 form if necessary, detailing the findings, conclusions,
3 and recommendations of the evaluation of the Part-
4 ner Vetting System pilot program and recommenda-
5 tions for any new partner vetting program: *Provided*,
6 That prior to the submission of the report, the Sec-
7 retary and Administrator shall jointly consult with
8 the Committees on Appropriations, and also consult
9 with representatives of implementing organizations,
10 on such findings, conclusions, and recommendations.

11 (2) The Secretary of State and USAID Admin-
12 istrator may initiate a partner vetting program to
13 mitigate the risk of diversion of foreign assistance,
14 or make significant modifications to any existing
15 partner vetting program, only following consultation
16 with the Committees on Appropriations: *Provided*,
17 That the Secretary and Administrator should pro-
18 vide a direct vetting option for prime awardees in
19 any partner vetting program initiated after the date
20 of the enactment of this Act.

21 (f) CONTINGENCIES.—During fiscal year 2017, the
22 President may use up to \$125,000,000 under the author-
23 ity of section 451 of the Foreign Assistance Act of 1961,
24 notwithstanding any other provision of law.

1 (g) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-
2 retary of State should withhold funds appropriated under
3 title III of this Act for assistance for the central govern-
4 ment of any country that is not taking appropriate steps
5 to comply with the Convention on the Civil Aspects of
6 International Child Abductions, done at the Hague on Oc-
7 tober 25, 1980: *Provided*, That the Secretary shall report
8 to the Committees on Appropriations within 15 days of
9 withholding funds under this subsection.

10 (h) CULTURAL PRESERVATION PROJECT DETER-
11 MINATION.—None of the funds appropriated in titles I and
12 III of this Act may be used for the preservation of reli-
13 gious sites unless the Secretary of State or the USAID
14 Administrator, as appropriate, determines and reports to
15 the Committees on Appropriations that such sites are his-
16 torically, artistically, or culturally significant, that the
17 purpose of the project is neither to advance nor to inhibit
18 the free exercise of religion, and that the project is in the
19 national interest of the United States.

20 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-
21 TECTION.—The Secretary of State may transfer to, and
22 merge with, funds under the heading “Protection of For-
23 eign Missions and Officials” unobligated balances of ex-
24 pired funds appropriated under the heading “Diplomatic
25 and Consular Programs” for fiscal year 2017, except for

1 funds designated for Overseas Contingency Operations/
2 Global War on Terrorism pursuant to section
3 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985, at no later than the end of
5 the fifth fiscal year after the last fiscal year for which such
6 funds are available for the purposes for which appro-
7 priated: *Provided*, That not more than \$50,000,000 may
8 be transferred.

9 (j) PROTECTIONS AND REMEDIES FOR EMPLOYEES
10 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
11 ZATIONS.—Section 7034(k) of the Department of State,
12 Foreign Operations, and Related Programs Appropria-
13 tions Act, 2015 (division J of Public Law 113–235) shall
14 continue in effect during fiscal year 2017.

15 (k) EXTENSION OF AUTHORITIES.—

16 (1) PASSPORT FEES.—Section 1(b)(2) of the
17 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))
18 shall be applied by substituting “September 30,
19 2017” for “September 30, 2010”.

20 (2) INCENTIVES FOR CRITICAL POSTS.—The
21 authority contained in section 1115(d) of the Sup-
22 plemental Appropriations Act, 2009 (Public Law
23 111–32) shall remain in effect through September
24 30, 2017.

1 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
2 ER.—Section 625(j)(1) of the Foreign Assistance
3 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
4 by substituting “September 30, 2017” for “October
5 1, 2010” in subparagraph (B).

6 (4) OVERSEAS PAY COMPARABILITY AND LIM-
7 TATION.—

8 (A) Subject to the limitation described in
9 subparagraph (B), the authority provided by
10 section 1113 of the Supplemental Appropria-
11 tions Act, 2009 (Public Law 111–32; 123 Stat.
12 1904) shall remain in effect through September
13 30, 2017.

14 (B) The authority described in subpara-
15 graph (A) may not be used to pay an eligible
16 member of the Foreign Service (as defined in
17 section 1113(b) of the Supplemental Appropria-
18 tions Act, 2009) a locality-based comparability
19 payment (stated as a percentage) that exceeds
20 two-thirds of the amount of the locality-based
21 comparability payment (stated as a percentage)
22 that would be payable to such member under
23 section 5304 of title 5, United States Code, if
24 such member’s official duty station were in the
25 District of Columbia.

1 (5) CATEGORICAL ELIGIBILITY.—The Foreign
2 Operations, Export Financing, and Related Pro-
3 grams Appropriations Act, 1990 (Public Law 101–
4 167) is amended—

5 (A) in section 599D (8 U.S.C. 1157
6 note)—

7 (i) in subsection (b)(3), by striking
8 “and 2016” and inserting “2016, and
9 2017”; and

10 (ii) in subsection (e), by striking
11 “2016” each place it appears and inserting
12 “2017”; and

13 (B) in section 599E (8 U.S.C. 1255 note)
14 in subsection (b)(2), by striking “2016” and in-
15 serting “2017”.

16 (6) INSPECTOR GENERAL ANNUITANT WAIV-
17 ER.—The authorities provided in section 1015(b) of
18 the Supplemental Appropriations Act, 2010 (Public
19 Law 111–212) shall remain in effect through Sep-
20 tember 30, 2017.

21 (7) EXTENSION OF WAR RESERVES STOCKPILE
22 AUTHORITY.—

23 (A) Section 12001(d) of the Department of
24 Defense Appropriations Act, 2005 (Public Law

1 108–287; 118 Stat. 1011) is amended by strik-
2 ing “2017” and inserting “2018”.

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 2017” and inserting “2017, and 2018”.

7 (8) MODIFICATION OF LIFE INSURANCE SUP-
8 PLEMENT.—Section 415(a)(1) of the Foreign Serv-
9 ice Act of 1980 (22 U.S.C. 3975(a)(1)) is amended
10 by adding—“The group life insurance supplement
11 employee benefit paid or scheduled to be paid pursu-
12 ant to this section should not be used to reduce any
13 other payment to which a recipient is otherwise eligi-
14 ble under Federal law.”.

15 (I) DEPARTMENT OF STATE AND THE UNITED
16 STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—
17 Prior to implementing any reorganization of the Depart-
18 ment of State or the United States Agency for Inter-
19 national Development, including any action taken pursu-
20 ant to the March 31, 2017 Executive Order 13781 on a
21 Comprehensive Plan for Reorganizing the Executive
22 Branch, the Secretary of State shall submit a report to
23 the Committees on Appropriations on such reorganization:
24 *Provided*, That such report shall include a detailed jus-
25 tification and analysis containing—

1 (1) the impact on personnel, both foreign serv-
2 ice and civil service;

3 (2) the process used to identify the merger,
4 closing or termination of any operating unit, includ-
5 ing the process used to assess the impact of such ac-
6 tion on programs, projects, and activities funded by
7 this Act;

8 (3) the impact any such merger, closing or ter-
9 mination would have on the ability to conduct ade-
10 quate monitoring and oversight of foreign assistance
11 programs; and

12 (4) the national security interest served by each
13 such merger, closing or termination, including a de-
14 termination that such merger, closing or termination
15 will not expand the influence of any adversary or
16 competitor of the United States, including foreign
17 terrorist organizations.

18 (m) HUMANITARIAN ASSISTANCE.—Funds appro-
19 priated by this Act that are available for monitoring and
20 evaluation of assistance under the headings “International
21 Disaster Assistance” and “Migration and Refugee Assist-
22 ance” shall, as appropriate, be made available for the reg-
23 ular collection of feedback obtained directly from bene-
24 ficiaries on the quality and relevance of such assistance:
25 *Provided*, That the Department of State and USAID shall

1 conduct regular oversight to ensure that such feedback is
2 collected and used by implementing partners to maximize
3 the cost-effectiveness and utility of such assistance, and
4 require such partners that receive funds under such head-
5 ings to establish procedures for collecting and responding
6 to such feedback and inform the Department of State or
7 USAID, as appropriate, of such procedures.

8 (n) HIV/AIDS WORKING CAPITAL FUND.—Funds
9 available in the HIV/AIDS Working Capital Fund estab-
10 lished pursuant to section 525(b)(1) of the Foreign Oper-
11 ations, Export Financing, and Related Programs Appro-
12 priations Act, 2005 (Public Law 108–477) may be made
13 available for pharmaceuticals and other products for child
14 survival, malaria, and tuberculosis to the same extent as
15 HIV/AIDS pharmaceuticals and other products, subject to
16 the terms and conditions in such section: *Provided*, That
17 the authority in section 525(b)(5) of the Foreign Oper-
18 ations, Export Financing, and Related Programs Appro-
19 priation Act, 2005 (Public Law 108–477) shall be exer-
20 cised by the Assistant Administrator for Global Health,
21 USAID, with respect to funds deposited for such non-
22 HIV/AIDS pharmaceuticals and other products, and shall
23 be subject to the regular notification procedures of the
24 Committees on Appropriations: *Provided further*, That the
25 Secretary of State shall include in the congressional budg-

1 et justification an accounting of budgetary resources, dis-
2 bursements, balances, and reimbursements related to such
3 fund.

4 (o) LOANS AND ENTERPRISE FUNDS.—

5 (1) LOAN GUARANTEES.—Funds appropriated
6 under the headings “Economic Support Fund” and
7 “Assistance for Europe, Eurasia and Central Asia”
8 by this Act and prior Acts making appropriations
9 for the Department of State, foreign operations, and
10 related programs may be made available for the
11 costs, as defined in section 502 of the Congressional
12 Budget Act of 1974, of loan guarantees for Jordan,
13 Ukraine, Iraq, Egypt, and Tunisia, which are au-
14 thorized to be provided: *Provided*, That amounts
15 made available under this paragraph for the costs of
16 such guarantees shall not be considered assistance
17 for the purposes of provisions of law limiting assist-
18 ance to a country.

19 (2) ENTERPRISE FUNDS.—Funds appropriated
20 under the heading “Economic Support Fund” in
21 this Act may be made available to establish and op-
22 erate one or more enterprise funds for Egypt and
23 Tunisia: *Provided*, That the first, third and fifth
24 provisos under section 7041(b) of the Department of
25 State, Foreign Operations, and Related Programs

1 Appropriations Act, 2012 (division I of Public Law
2 112–74) shall apply to funds appropriated by this
3 Act under the heading “Economic Support Fund”
4 for an enterprise fund or funds to the same extent
5 and in the same manner as such provision of law ap-
6 plied to funds made available under such section (ex-
7 cept that the clause excluding subsection (d)(3) of
8 section 201 of the SEED Act shall not apply): *Pro-*
9 *vided further*, That in addition to the previous pro-
10 viso, the authorities in the matter preceding the first
11 proviso of such section may apply to any such enter-
12 prise fund or funds: *Provided further*, That the au-
13 thority of any such enterprise fund or funds to pro-
14 vide assistance shall cease to be effective on Decem-
15 ber 31, 2027.

16 (3) DESIGNATION REQUIREMENT.—Funds
17 made available pursuant to paragraph (1) from prior
18 Acts making appropriations for the Department of
19 State, foreign operations, and related programs that
20 were previously designated by the Congress for Over-
21 seas Contingency Operations/Global War on Ter-
22 rorism pursuant to section 251(b)(2)(A)(ii) of the
23 Balanced Budget and Emergency Deficit Control
24 Act of 1985 are designated by the Congress for
25 Overseas Contingency Operations/Global War on

1 Terrorism pursuant to section 251(b)(2)(A)(ii) of
2 such Act.

3 (4) CONSULTATION AND NOTIFICATION.—
4 Funds made available pursuant to the authorities of
5 this subsection shall be subject to prior consultation
6 with the appropriate congressional committees, and
7 subject to the regular notification procedures of the
8 Committees on Appropriations.

9 (p) SMALL GRANTS AND ENTITIES.—

10 (1) Of the funds appropriated by this Act under
11 the headings “Development Assistance”, “Economic
12 Support Fund”, and “Assistance for Europe, Eur-
13 asia and Central Asia”, not less than \$47,000,000
14 shall be made available for the Small Grants Pro-
15 gram pursuant to section 7080 of the Department of
16 State, Foreign Operations, and Related Programs
17 Appropriations Act, 2015 (division J of Public Law
18 113–235), which may remain available until Sep-
19 tember 30, 2021.

20 (2) For the purposes of section 7080 of division
21 J of Public Law 113–235, “eligible entities” shall be
22 defined as small local, international, and United
23 States-based nongovernmental organizations, edu-
24 cational institutions, and other small entities that
25 have received less than a total of \$5,000,000 from

1 USAID over the previous 5 fiscal years: *Provided*,
2 That departments or centers of such educational in-
3 stitutions may be considered individually in deter-
4 mining such eligibility.

5 (q) EXCEPTION.—Notwithstanding section 201 of the
6 Security Assistance Appropriations Act, 2017 (division B
7 of Public Law 114–254), funds appropriated or otherwise
8 made available by title II of such Act are in addition to
9 amounts specifically designated by this Act or in the re-
10 spective tables in the explanatory statement described in
11 section 4 (in the matter preceding division A of this Con-
12 solidated Act).

13 (r) DEFINITIONS.—

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—Unless otherwise defined in this Act, for
16 purposes of this Act the term “appropriate congress-
17 sional committees” means the Committees on Appro-
18 priations and Foreign Relations of the Senate and
19 the Committees on Appropriations and Foreign Af-
20 fairs of the House of Representatives.

21 (2) FUNDS APPROPRIATED BY THIS ACT AND
22 PRIOR ACTS.—Unless otherwise defined in this Act,
23 for purposes of this Act the term “funds appro-
24 priated by this Act and prior Acts making appro-
25 priations for the Department of State, foreign oper-

1 ations, and related programs” means funds that re-
2 main available for obligation, and have not expired.

3 (3) INTERNATIONAL FINANCIAL INSTITU-
4 TIONS.—In this Act “international financial institu-
5 tions” means the International Bank for Recon-
6 struction and Development, the International Devel-
7 opment Association, the International Finance Cor-
8 poration, the Inter-American Development Bank, the
9 International Monetary Fund, the Asian Develop-
10 ment Bank, the Asian Development Fund, the Inter-
11 American Investment Corporation, the North Amer-
12 ican Development Bank, the European Bank for Re-
13 construction and Development, the African Develop-
14 ment Bank, the African Development Fund, and the
15 Multilateral Investment Guarantee Agency.

16 (4) SOUTHERN KORDOFAN REFERENCE.—Any
17 reference to Southern Kordofan in this or any other
18 Act making appropriations for the Department of
19 State, foreign operations, and related programs shall
20 be deemed to include portions of Western Kordofan
21 that were previously part of Southern Kordofan
22 prior to the 2013 division of Southern Kordofan.

23 (5) USAID.—In this Act, the term “USAID”
24 means the United States Agency for International
25 Development.

1 (6) CLARIFICATION.—Unless otherwise provided
2 for in this Act, for the purposes of this Act the
3 terms “under this heading”, “under the heading”,
4 “under the headings”, or similar phrases mean
5 funds appropriated or otherwise made available
6 under such heading or headings in all titles of this
7 Act: *Provided*, That the term “under the heading in
8 this title” or similar phrases means funds appro-
9 priated or otherwise made available only in such
10 title.

11 (7) SPEND PLAN.—In this Act, the term
12 “spend plan” means a plan for the uses of funds ap-
13 propriated for a particular entity, country, program,
14 purpose, or account and which shall include, at a
15 minimum, a description of—

16 (A) realistic and sustainable goals, and a
17 timeline for achieving such goals;

18 (B) amounts and sources of funds by ac-
19 count;

20 (C) criteria for measuring progress in
21 achieving such goals;

22 (D) how such funds will complement other
23 ongoing or planned programs; and

24 (E) implementing partners, to the max-
25 imum extent practicable.

1 ARAB LEAGUE BOYCOTT OF ISRAEL

2 SEC. 7035. It is the sense of the Congress that—

3 (1) the Arab League boycott of Israel, and the
4 secondary boycott of American firms that have com-
5 mercial ties with Israel, is an impediment to peace
6 in the region and to United States investment and
7 trade in the Middle East and North Africa;

8 (2) the Arab League boycott, which was regret-
9 tably reinstated in 1997, should be immediately and
10 publicly terminated, and the Central Office for the
11 Boycott of Israel immediately disbanded;

12 (3) all Arab League states should normalize re-
13 lations with their neighbor Israel;

14 (4) the President and the Secretary of State
15 should continue to vigorously oppose the Arab
16 League boycott of Israel and find concrete steps to
17 demonstrate that opposition by, for example, taking
18 into consideration the participation of any recipient
19 country in the boycott when determining to sell
20 weapons to said country; and

21 (5) the President should report to Congress an-
22 nually on specific steps being taken by the United
23 States to encourage Arab League states to normalize
24 their relations with Israel to bring about the termi-
25 nation of the Arab League boycott of Israel, includ-

1 ing those to encourage allies and trading partners of
2 the United States to enact laws prohibiting busi-
3 nesses from complying with the boycott and penal-
4 izing businesses that do comply.

5 PALESTINIAN STATEHOOD

6 SEC. 7036. (a) LIMITATION ON ASSISTANCE.—None
7 of the funds appropriated under titles III through VI of
8 this Act may be provided to support a Palestinian state
9 unless the Secretary of State determines and certifies to
10 the appropriate congressional committees that—

11 (1) the governing entity of a new Palestinian
12 state—

13 (A) has demonstrated a firm commitment
14 to peaceful co-existence with the State of Israel;
15 and

16 (B) is taking appropriate measures to
17 counter terrorism and terrorist financing in the
18 West Bank and Gaza, including the dismantling
19 of terrorist infrastructures, and is cooperating
20 with appropriate Israeli and other appropriate
21 security organizations; and

22 (2) the Palestinian Authority (or the governing
23 entity of a new Palestinian state) is working with
24 other countries in the region to vigorously pursue ef-
25 forts to establish a just, lasting, and comprehensive

1 peace in the Middle East that will enable Israel and
2 an independent Palestinian state to exist within the
3 context of full and normal relationships, which
4 should include—

5 (A) termination of all claims or states of
6 belligerency;

7 (B) respect for and acknowledgment of the
8 sovereignty, territorial integrity, and political
9 independence of every state in the area through
10 measures including the establishment of demili-
11 tarized zones;

12 (C) their right to live in peace within se-
13 cure and recognized boundaries free from
14 threats or acts of force;

15 (D) freedom of navigation through inter-
16 national waterways in the area; and

17 (E) a framework for achieving a just set-
18 tlement of the refugee problem.

19 (b) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that the governing entity should enact a constitution
21 assuring the rule of law, an independent judiciary, and
22 respect for human rights for its citizens, and should enact
23 other laws and regulations assuring transparent and ac-
24 countable governance.

1 (c) WAIVER.—The President may waive subsection
2 (a) if the President determines that it is important to the
3 national security interest of the United States to do so.

4 (d) EXEMPTION.—The restriction in subsection (a)
5 shall not apply to assistance intended to help reform the
6 Palestinian Authority and affiliated institutions, or the
7 governing entity, in order to help meet the requirements
8 of subsection (a), consistent with the provisions of section
9 7040 of this Act (“Limitation on Assistance for the Pales-
10 tinian Authority”).

11 RESTRICTIONS CONCERNING THE PALESTINIAN
12 AUTHORITY

13 SEC. 7037. None of the funds appropriated under ti-
14 tles II through VI of this Act may be obligated or ex-
15 pended to create in any part of Jerusalem a new office
16 of any department or agency of the United States Govern-
17 ment for the purpose of conducting official United States
18 Government business with the Palestinian Authority over
19 Gaza and Jericho or any successor Palestinian governing
20 entity provided for in the Israel-PLO Declaration of Prin-
21 ciples: *Provided*, That this restriction shall not apply to
22 the acquisition of additional space for the existing Con-
23 sulate General in Jerusalem: *Provided further*, That meet-
24 ings between officers and employees of the United States
25 and officials of the Palestinian Authority, or any successor

1 Palestinian governing entity provided for in the Israel-
2 PLO Declaration of Principles, for the purpose of con-
3 ducting official United States Government business with
4 such authority should continue to take place in locations
5 other than Jerusalem: *Provided further*, That as has been
6 true in the past, officers and employees of the United
7 States Government may continue to meet in Jerusalem on
8 other subjects with Palestinians (including those who now
9 occupy positions in the Palestinian Authority), have social
10 contacts, and have incidental discussions.

11 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN

12 BROADCASTING CORPORATION

13 SEC. 7038. None of the funds appropriated or other-
14 wise made available by this Act may be used to provide
15 equipment, technical support, consulting services, or any
16 other form of assistance to the Palestinian Broadcasting
17 Corporation.

18 ASSISTANCE FOR THE WEST BANK AND GAZA

19 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2017,
20 30 days prior to the initial obligation of funds for the bi-
21 lateral West Bank and Gaza Program, the Secretary of
22 State shall certify to the Committees on Appropriations
23 that procedures have been established to assure the Comp-
24 troller General of the United States will have access to
25 appropriate United States financial information in order

1 to review the uses of United States assistance for the Pro-
2 gram funded under the heading “Economic Support
3 Fund” for the West Bank and Gaza.

4 (b) VETTING.—Prior to the obligation of funds ap-
5 propriated by this Act under the heading “Economic Sup-
6 port Fund” for assistance for the West Bank and Gaza,
7 the Secretary of State shall take all appropriate steps to
8 ensure that such assistance is not provided to or through
9 any individual, private or government entity, or edu-
10 cational institution that the Secretary knows or has reason
11 to believe advocates, plans, sponsors, engages in, or has
12 engaged in, terrorist activity nor, with respect to private
13 entities or educational institutions, those that have as a
14 principal officer of the entity’s governing board or gov-
15 erning board of trustees any individual that has been de-
16 termined to be involved in, or advocating terrorist activity
17 or determined to be a member of a designated foreign ter-
18 rorist organization: *Provided*, That the Secretary of State
19 shall, as appropriate, establish procedures specifying the
20 steps to be taken in carrying out this subsection and shall
21 terminate assistance to any individual, entity, or edu-
22 cational institution which the Secretary has determined to
23 be involved in or advocating terrorist activity.

24 (c) PROHIBITION.—

1 (1) RECOGNITION OF ACTS OF TERRORISM.—

2 None of the funds appropriated under titles III
3 through VI of this Act for assistance under the West
4 Bank and Gaza Program may be made available for
5 the purpose of recognizing or otherwise honoring in-
6 dividuals who commit, or have committed acts of
7 terrorism.

8 (2) SECURITY ASSISTANCE AND REPORTING RE-

9 QUIREMENT.—Notwithstanding any other provision
10 of law, none of the funds made available by this or
11 prior appropriations Acts, including funds made
12 available by transfer, may be made available for obli-
13 gation for security assistance for the West Bank and
14 Gaza until the Secretary of State reports to the
15 Committees on Appropriations on the benchmarks
16 that have been established for security assistance for
17 the West Bank and Gaza and reports on the extent
18 of Palestinian compliance with such benchmarks.

19 (d) AUDITS BY THE UNITED STATES AGENCY FOR
20 INTERNATIONAL DEVELOPMENT.—

21 (1) The Administrator of the United States
22 Agency for International Development shall ensure
23 that Federal or non-Federal audits of all contractors
24 and grantees, and significant subcontractors and
25 sub-grantees, under the West Bank and Gaza Pro-

1 gram, are conducted at least on an annual basis to
2 ensure, among other things, compliance with this
3 section.

4 (2) Of the funds appropriated by this Act up to
5 \$500,000 may be used by the Office of Inspector
6 General of the United States Agency for Inter-
7 national Development for audits, inspections, and
8 other activities in furtherance of the requirements of
9 this subsection: *Provided*, That such funds are in ad-
10 dition to funds otherwise available for such pur-
11 poses.

12 (e) COMPTROLLER GENERAL OF THE UNITED
13 STATES AUDIT.—Subsequent to the certification specified
14 in subsection (a), the Comptroller General of the United
15 States shall conduct an audit and an investigation of the
16 treatment, handling, and uses of all funds for the bilateral
17 West Bank and Gaza Program, including all funds pro-
18 vided as cash transfer assistance, in fiscal year 2017
19 under the heading “Economic Support Fund”, and such
20 audit shall address—

21 (1) the extent to which such Program complies
22 with the requirements of subsections (b) and (c);
23 and

1 Appropriations that waiving such prohibition is important
2 to the national security interest of the United States.

3 (c) PERIOD OF APPLICATION OF WAIVER.—Any
4 waiver pursuant to subsection (b) shall be effective for no
5 more than a period of 6 months at a time and shall not
6 apply beyond 12 months after the enactment of this Act.

7 (d) REPORT.—Whenever the waiver authority pursu-
8 ant to subsection (b) is exercised, the President shall sub-
9 mit a report to the Committees on Appropriations detail-
10 ing the justification for the waiver, the purposes for which
11 the funds will be spent, and the accounting procedures in
12 place to ensure that the funds are properly disbursed: *Pro-*
13 *vided*, That the report shall also detail the steps the Pales-
14 tinian Authority has taken to arrest terrorists, confiscate
15 weapons and dismantle the terrorist infrastructure.

16 (e) CERTIFICATION.—If the President exercises the
17 waiver authority under subsection (b), the Secretary of
18 State must certify and report to the Committees on Ap-
19 propriations prior to the obligation of funds that the Pal-
20 estinian Authority has established a single treasury ac-
21 count for all Palestinian Authority financing and all fi-
22 nancing mechanisms flow through this account, no parallel
23 financing mechanisms exist outside of the Palestinian Au-
24 thority treasury account, and there is a single comprehen-
25 sive civil service roster and payroll, and the Palestinian

1 Authority is acting to counter incitement of violence
2 against Israelis and is supporting activities aimed at pro-
3 moting peace, coexistence, and security cooperation with
4 Israel.

5 (f) PROHIBITION TO HAMAS AND THE PALESTINE
6 LIBERATION ORGANIZATION.—

7 (1) None of the funds appropriated in titles III
8 through VI of this Act may be obligated for salaries
9 of personnel of the Palestinian Authority located in
10 Gaza or may be obligated or expended for assistance
11 to Hamas or any entity effectively controlled by
12 Hamas, any power-sharing government of which
13 Hamas is a member, or that results from an agree-
14 ment with Hamas and over which Hamas exercises
15 undue influence.

16 (2) Notwithstanding the limitation of paragraph
17 (1), assistance may be provided to a power-sharing
18 government only if the President certifies and re-
19 ports to the Committees on Appropriations that such
20 government, including all of its ministers or such
21 equivalent, has publicly accepted and is complying
22 with the principles contained in section 620K(b)(1)
23 (A) and (B) of the Foreign Assistance Act of 1961,
24 as amended.

1 (3) The President may exercise the authority in
2 section 620K(e) of the Foreign Assistance Act of
3 1961, as added by the Palestinian Anti-Terrorism
4 Act of 2006 (Public Law 109–446) with respect to
5 this subsection.

6 (4) Whenever the certification pursuant to
7 paragraph (2) is exercised, the Secretary of State
8 shall submit a report to the Committees on Appro-
9 priations within 120 days of the certification and
10 every quarter thereafter on whether such govern-
11 ment, including all of its ministers or such equiva-
12 lent are continuing to comply with the principles
13 contained in section 620K(b)(1) (A) and (B) of the
14 Foreign Assistance Act of 1961, as amended: *Pro-*
15 *vided*, That the report shall also detail the amount,
16 purposes and delivery mechanisms for any assistance
17 provided pursuant to the abovementioned certifi-
18 cation and a full accounting of any direct support of
19 such government.

20 (5) None of the funds appropriated under titles
21 III through VI of this Act may be obligated for as-
22 sistance for the Palestine Liberation Organization.

23 MIDDLE EAST AND NORTH AFRICA
24 SEC. 7041. (a) EGYPT.—

1 (1) CERTIFICATION AND REPORT.—Funds ap-
2 propriated by this Act that are available for assist-
3 ance for Egypt may be made available notwith-
4 standing any other provision of law restricting as-
5 sistance for Egypt, except for this subsection and
6 section 620M of the Foreign Assistance Act of 1961,
7 and may only be made available for assistance for
8 the Government of Egypt if the Secretary of State
9 certifies and reports to the Committees on Appro-
10 priations that such government is—

11 (A) sustaining the strategic relationship
12 with the United States; and

13 (B) meeting its obligations under the 1979
14 Egypt-Israel Peace Treaty.

15 (2) ECONOMIC SUPPORT FUND.—

16 (A) FUNDING.—Of the funds appropriated
17 by this Act under the heading “Economic Sup-
18 port Fund”, up to \$112,500,000 may be made
19 available for assistance for Egypt, of which not
20 less than \$35,000,000 should be made available
21 for higher education programs including not
22 less than \$10,000,000 for scholarships for
23 Egyptian students with high financial need to
24 attend not-for-profit institutions of higher edu-
25 cation: *Provided*, That such funds may be made

1 available for democracy programs and for devel-
2 opment programs in the Sinai: *Provided further*,
3 That such funds may not be made available for
4 cash transfer assistance or budget support un-
5 less the Secretary of State certifies and reports
6 to the appropriate congressional committees
7 that the Government of Egypt is taking con-
8 sistent and effective steps to stabilize the econ-
9 omy and implement market-based economic re-
10 forms.

11 (B) WITHHOLDING.—The Secretary of
12 State shall withhold from obligation funds ap-
13 propriated by this Act under the heading “Eco-
14 nomic Support Fund” for assistance for Egypt,
15 an amount of such funds that the Secretary de-
16 termines to be equivalent to that expended by
17 the United States Government for bail, and by
18 nongovernmental organizations for legal and
19 court fees, associated with democracy-related
20 trials in Egypt until the Secretary certifies and
21 reports to the Committees on Appropriations
22 that the Government of Egypt has dismissed
23 the convictions issued by the Cairo Criminal
24 Court on June 4, 2013, in “Public Prosecution
25 Case No. 1110 for the Year 2012”.

1 (3) FOREIGN MILITARY FINANCING PRO-
2 GRAM.—

3 (A) CERTIFICATION.—Of the funds appro-
4 priated by this Act under the heading “Foreign
5 Military Financing Program”, \$1,300,000,000,
6 to remain available until September 30, 2018,
7 may be made available for assistance for Egypt:
8 *Provided*, That 15 percent of such funds shall
9 be withheld from obligation until the Secretary
10 of State certifies and reports to the Committees
11 on Appropriations that the Government of
12 Egypt is taking effective steps to—

13 (i) advance democracy and human
14 rights in Egypt, including to govern demo-
15 cratically and protect religious minorities
16 and the rights of women, which are in ad-
17 dition to steps taken during the previous
18 calendar year for such purposes;

19 (ii) implement reforms that protect
20 freedoms of expression, association, and
21 peaceful assembly, including the ability of
22 civil society organizations and the media to
23 function without interference;

24 (iii) release political prisoners and
25 provide detainees with due process of law;

1 (iv) hold Egyptian security forces ac-
2 countable, including officers credibly al-
3 leged to have violated human rights; and

4 (v) provide regular access for United
5 States officials to monitor such assistance
6 in areas where the assistance is used:

7 *Provided further*, That such funds may be
8 transferred to an interest bearing account in
9 the Federal Reserve Bank of New York, fol-
10 lowing consultation with the Committees on Ap-
11 propriations: *Provided further*, That the certifi-
12 cation requirement of this paragraph shall not
13 apply to funds appropriated by this Act under
14 such heading for counterterrorism, border secu-
15 rity, and nonproliferation programs for Egypt.

16 (B) WAIVER.—The Secretary of State may
17 waive the certification requirement in subpara-
18 graph (A) if the Secretary determines and re-
19 ports to the Committees on Appropriations that
20 to do so is important to the national security
21 interest of the United States, and submits a re-
22 port to such Committees containing a detailed
23 justification for the use of such waiver and the
24 reasons why any of the requirements of sub-
25 paragraph (A) cannot be met.

1 (4) OVERSIGHT AND CONSULTATION REQUIRE-
2 MENTS.—

3 (A) The Secretary of State shall take all
4 practicable steps to ensure that mechanisms are
5 in place for monitoring, oversight, and control
6 of funds made available by this subsection for
7 assistance for Egypt.

8 (B) Not later than 90 days after enact-
9 ment of this Act, the Secretary shall submit a
10 report to the Committees on Appropriations on
11 any plan to restructure military assistance for
12 Egypt, which should include an assessment of
13 the potential benefits of such restructuring on
14 the capabilities of the Egyptian military, and a
15 description of any planned modifications re-
16 garding the procurement of military equipment.

17 (b) IRAN.—

18 (1) FUNDING.—Funds appropriated by this Act
19 under the headings “Diplomatic and Consular Pro-
20 grams”, “Economic Support Fund”, and “Non-
21 proliferation, Anti-terrorism, Demining and Related
22 Programs” shall be used by the Secretary of State—

23 (A) to support the United States policy to
24 prevent Iran from achieving the capability to
25 produce or otherwise obtain a nuclear weapon;

1 (B) to support an expeditious response to
2 any violation of the Joint Comprehensive Plan
3 of Action or United Nations Security Council
4 Resolution 2231;

5 (C) to support the implementation and en-
6 forcement of sanctions against Iran for support
7 of terrorism, human rights abuses, and ballistic
8 missile and weapons proliferation; and

9 (D) for democracy programs for Iran, to
10 be administered by the Assistant Secretary for
11 Near Eastern Affairs, Department of State, in
12 consultation with the Assistant Secretary for
13 Democracy, Human Rights, and Labor, Depart-
14 ment of State.

15 (2) CONTINUATION OF PROHIBITION.—The
16 terms and conditions of paragraph (2) of section
17 7041(e) in division I of Public Law 112–74 shall
18 continue in effect during fiscal year 2017.

19 (3) REPORTS.—

20 (A) The Secretary of State shall submit to
21 the Committees on Appropriations the semi-an-
22 nual report required by section 2 of the Iran
23 Nuclear Agreement Review Act of 2015 (42
24 U.S.C. 2160e(d)(4)).

1 (B) Not later than 180 days after the date
2 of enactment of this Act, the Secretary of
3 State, in consultation with the Secretary of the
4 Treasury, shall submit to the appropriate con-
5 gressional committees a report on the status of
6 the implementation and enforcement of bilateral
7 United States and multilateral sanctions
8 against Iran and actions taken by the United
9 States and the international community to en-
10 force such sanctions against Iran: *Provided*,
11 That the report shall also include any entities
12 involved in providing significant support for the
13 development of a ballistic missile by the Govern-
14 ment of Iran after October 1, 2015, including
15 shipping and financing, and note whether such
16 entities are currently under United States sanc-
17 tions: *Provided further*, That such report shall
18 be submitted in an unclassified form, but may
19 contain a classified annex if necessary.

20 (C) The Secretary of State, in consultation
21 with the Secretary of the Treasury, shall submit
22 to the appropriate congressional committees the
23 report on Iran contained in section
24 7041(b)(3)(C) of S. 3117, the Department of
25 State, Foreign Operations, and Related Pro-

1 grams Appropriations Act, 2017 (as introduced
2 in the Senate on June 29, 2016), in the manner
3 described.

4 (c) IRAQ.—

5 (1) PURPOSES.—Funds appropriated by this
6 Act shall be made available for assistance for Iraq
7 to promote governance, security, and internal and
8 regional stability, including in the Kurdistan Region
9 of Iraq and other areas impacted by the conflict in
10 Syria, and among religious and ethnic minority pop-
11 ulations in Iraq.

12 (2) EXPLOSIVE ORDNANCE DISPOSAL PRO-
13 GRAMS.—Funds appropriated by this Act under the
14 heading “Nonproliferation, Anti-terrorism, Demining
15 and Related Programs” shall be made available for
16 explosive ordnance disposal programs in areas liber-
17 ated from extremist organizations in Iraq.

18 (3) KURDISTAN REGIONAL GOVERNMENT.—

19 (A) Funds appropriated by this Act under
20 the headings “International Narcotics Control
21 and Law Enforcement” and “Foreign Military
22 Financing Program” that are available for as-
23 sistance for Iraq shall be made available to en-
24 hance the capacity of Kurdistan Regional Gov-
25 ernment security services and for security pro-

1 grams in the Kurdistan Region of Iraq to ad-
2 dress requirements arising from the violence in
3 Syria and Iraq: *Provided*, That the Secretary of
4 State shall consult with the Committees on Ap-
5 propriations prior to obligating such funds.

6 (B) Funds appropriated by this Act under
7 the headings “International Disaster Assist-
8 ance” and “Migration and Refugee Assistance”
9 should be made available for assistance for the
10 Kurdistan Region of Iraq to address the needs
11 of internally displaced persons (IDPs) and refu-
12 gees: *Provided*, That funds appropriated by this
13 Act under the heading “Economic Support
14 Fund” shall be made available for programs to
15 mitigate the impact of such IDPs and refugees
16 in such Region, including for assistance for
17 communities hosting such persons.

18 (4) BASING RIGHTS AGREEMENT.—None of the
19 funds appropriated or otherwise made available by
20 this Act may be used by the Government of the
21 United States to enter into a permanent basing
22 rights agreement between the United States and
23 Iraq.

24 (d) ISRAEL.—Title II of the Security Assistance Ap-
25 propriations Act, 2017 (division B of Public Law 114—

1 254), under the heading “Foreign Military Financing Pro-
2 gram”, is amended by inserting after “Middle East” and
3 before the colon the following, “, of which \$75,000,000
4 shall be made available for grants only for Israel in fiscal
5 year 2017”: *Provided*, That amounts that were previously
6 designated by the Congress for Overseas Contingency Op-
7 erations/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 are designated by the Con-
10 gress for Overseas Contingency Operations/Global War on
11 Terrorism pursuant to section 251(b)(2)(A)(ii) of such
12 Act.

13 (e) JORDAN.—

14 (1) FUNDING LEVELS.—Of the funds appro-
15 priated by this Act under titles III and IV, not less
16 than \$1,279,950,000 shall be made available for as-
17 sistance for Jordan, of which not less than
18 \$475,000,000 shall be for budget support for the
19 Government of Jordan.

20 (2) RESPONSE TO THE SYRIAN CRISIS.—Funds
21 appropriated by this Act shall be made available for
22 programs to implement the Jordan Compact Action
23 Plan and the Jordan Response Plan for the Syria
24 Crisis 2016–2018, including assistance for host com-
25 munities in Jordan.

1 (f) LEBANON.—

2 (1) LIMITATION.—None of the funds appro-
3 priated by this Act may be made available for the
4 Lebanese Internal Security Forces (ISF) or the Leb-
5 anese Armed Forces (LAF) if the ISF or the LAF
6 is controlled by a foreign terrorist organization, as
7 designated pursuant to section 219 of the Immigra-
8 tion and Nationality Act (8 U.S.C. 1189).

9 (2) CONSULTATION REQUIREMENT.—Funds ap-
10 propriated by this Act under the headings “Inter-
11 national Narcotics Control and Law Enforcement”
12 and “Foreign Military Financing Program” that are
13 available for assistance for Lebanon may be made
14 available for programs and equipment for the ISF
15 and the LAF to address security and stability re-
16 quirements in areas affected by the conflict in Syria,
17 following consultation with the appropriate congres-
18 sional committees.

19 (3) ECONOMIC SUPPORT FUND.—Funds appro-
20 priated by this Act under the heading “Economic
21 Support Fund” that are available for assistance for
22 Lebanon may be made available notwithstanding
23 section 1224 of the Foreign Relations Authorization
24 Act, Fiscal Year 2003 (Public Law 107–228; 22
25 U.S.C. 2346 note).

1 (4) FOREIGN MILITARY FINANCING PRO-
2 GRAM.—In addition to the activities described in
3 paragraph (2), funds appropriated by this Act under
4 the heading “Foreign Military Financing Program”
5 for assistance for Lebanon may be made available
6 only to professionalize the LAF and to strengthen
7 border security and combat terrorism, including
8 training and equipping the LAF to secure Lebanon’s
9 borders, interdicting arms shipments, preventing the
10 use of Lebanon as a safe haven for terrorist groups,
11 and to implement United Nations Security Council
12 Resolution 1701: *Provided*, That funds may not be
13 obligated for assistance for the LAF until the Sec-
14 retary of State submits to the Committees on Appro-
15 priations a spend plan, including actions to be taken
16 to ensure equipment provided to the LAF is only
17 used for the intended purposes, except such plan
18 may not be considered as meeting the notification
19 requirements under section 7015 of this Act or
20 under section 634A of the Foreign Assistance Act of
21 1961, and shall be submitted not later than Sep-
22 tember 1, 2017: *Provided further*, That any notifica-
23 tion submitted pursuant to such sections shall in-
24 clude any funds specifically intended for lethal mili-
25 tary equipment.

1 (g) LIBYA.—

2 (1) FUNDING.—

3 (A) Funds appropriated by titles III and
4 IV of this Act shall be made available for as-
5 sistance for Libya for programs to strengthen
6 governing institutions and civil society, improve
7 border security, and promote democracy and
8 stability in Libya, and for activities to address
9 the humanitarian needs of the people of Libya.

10 (B) Funds appropriated by this Act under
11 the heading “Nonproliferation, Anti-terrorism,
12 Demining and Related Programs” shall be
13 made available for explosive ordnance disposal
14 programs in areas liberated from extremist or-
15 ganizations in Libya.

16 (C) The Secretary of State shall promptly
17 inform the appropriate congressional commit-
18 tees of each instance in which assistance pro-
19 vided pursuant to this subsection has been di-
20 verted or destroyed, to include the type and
21 amount of assistance, a description of the inci-
22 dent and parties involved, and an explanation of
23 the response of the Department of State.

24 (2) LIMITATIONS.—

1 (A) COOPERATION ON THE SEPTEMBER
2 2012 ATTACK ON UNITED STATES PERSONNEL
3 AND FACILITIES.—None of the funds appro-
4 priated by this Act may be made available for
5 assistance for the central Government of Libya
6 unless the Secretary of State certifies and re-
7 ports to the Committees on Appropriations that
8 such government is cooperating with United
9 States Government efforts to investigate and
10 bring to justice those responsible for the attack
11 on United States personnel and facilities in
12 Benghazi, Libya in September 2012: *Provided*,
13 That the limitation in this paragraph shall not
14 apply to funds made available for the purpose
15 of protecting United States Government per-
16 sonnel or facilities.

17 (B) INFRASTRUCTURE PROJECTS.—The
18 limitation on the uses of funds in section
19 7041(f)(2) of the Department of State, Foreign
20 Operations, and Related Programs Appropria-
21 tions Act, 2014 (division K of Public Law 113–
22 76) shall apply to funds appropriated by this
23 Act that are made available for assistance for
24 Libya.

1 (3) CERTIFICATION REQUIREMENT.—Prior to
2 the initial obligation of funds made available by this
3 Act for assistance for Libya, the Secretary of State
4 shall certify and report to the Committees on Appro-
5 priations that all practicable steps have been taken
6 to ensure that mechanisms are in place for moni-
7 toring, oversight, and control of funds made avail-
8 able by this subsection for assistance for Libya.

9 (h) MOROCCO.—

10 (1) AVAILABILITY AND CONSULTATION RE-
11 QUIREMENT.—Funds appropriated under title III of
12 this Act shall be made available for assistance for
13 the Western Sahara: *Provided*, That not later than
14 90 days after enactment of this Act and prior to the
15 obligation of such funds, the Secretary of State, in
16 consultation with the USAID Administrator, shall
17 consult with the Committees on Appropriations on
18 the proposed uses of such funds.

19 (2) FOREIGN MILITARY FINANCING PRO-
20 GRAM.—Funds appropriated by this Act under the
21 heading “Foreign Military Financing Program” that
22 are available for assistance for Morocco may only be
23 used for the purposes requested in the Congressional
24 Budget Justification, Foreign Operations, Fiscal
25 Year 2017.

1 (i) REFUGEE ASSISTANCE IN NORTH AFRICA.—Not
2 later than 45 days after enactment of this Act, the Sec-
3 retary of State, after consultation with the United Nations
4 High Commissioner for Refugees and the Executive Direc-
5 tor of the World Food Programme, shall submit a report
6 to the Committees on Appropriations describing steps
7 taken to strengthen monitoring of the delivery of humani-
8 tarian assistance provided for refugees in North Africa,
9 including any steps taken to ensure that all vulnerable ref-
10 ugees are receiving such assistance.

11 (j) SYRIA.—

12 (1) NON-LETHAL ASSISTANCE.—Funds appro-
13 priated by this Act under the headings “Economic
14 Support Fund”, “International Narcotics Control
15 and Law Enforcement”, and “Peacekeeping Oper-
16 ations” shall be made available, to the extent prac-
17 ticable and notwithstanding any other provision of
18 law, for non-lethal assistance for programs to ad-
19 dress the needs of civilians affected by conflict in
20 Syria, and for programs that seek to—

21 (A) establish governance in Syria that is
22 representative, inclusive, and accountable;

23 (B) empower women through political and
24 economic programs, and address the psycho-

1 social needs of women and their families in
2 Syria and neighboring countries;

3 (C) develop and implement political proc-
4 esses that are democratic, transparent, and
5 strengthen the rule of law;

6 (D) further the legitimacy and viability of
7 the Syrian opposition through cross-border pro-
8 grams;

9 (E) develop and sustain civil society and
10 independent media in Syria;

11 (F) promote stability and economic devel-
12 opment in Syria;

13 (G) document, investigate, and prosecute
14 human rights violations in Syria, including
15 through transitional justice programs and sup-
16 port for nongovernmental organizations;

17 (H) expand the role of women in negotia-
18 tions to end the violence and in any political
19 transition in Syria;

20 (I) assist Syrian refugees whose education
21 has been interrupted by the ongoing conflict to
22 complete higher education requirements at uni-
23 versities and other academic institutions in the
24 region, and through distance learning;

1 (J) assist vulnerable populations in Syria
2 and in neighboring countries;

3 (K) protect and preserve the cultural iden-
4 tity of the people of Syria as a counterbalance
5 to extremism, particularly those living in neigh-
6 boring countries and among youth;

7 (L) protect and preserve cultural heritage
8 sites in Syria, particularly those damaged and
9 destroyed by extremists; and

10 (M) counter extremism in Syria.

11 (2) EXPLOSIVE ORDNANCE DISPOSAL PRO-
12 GRAMS.—Funds appropriated by this Act under the
13 heading “Nonproliferation, Anti-terrorism, Demining
14 and Related Programs” shall be made available for
15 explosive ordnance disposal programs in areas liber-
16 ated from extremist organizations in Syria.

17 (3) SYRIAN ORGANIZATIONS.—Funds appro-
18 priated by this Act that are made available for as-
19 sistance for Syria pursuant to the authority of this
20 subsection shall be made available, on an open and
21 competitive basis, to continue a program to strength-
22 en the capability of Syrian civil society organizations
23 to address the immediate and long-term needs of the
24 Syrian people inside Syria in a manner that sup-
25 ports the sustainability of such organizations in im-

1 plementing Syrian-led humanitarian and develop-
2 ment programs and the comprehensive strategy re-
3 quired in section 7041(i)(3) of the Department of
4 State, Foreign Operations, and Related Programs
5 Appropriations Act, 2014 (division K of Public Law
6 113–76): *Provided*, That funds made available by
7 this paragraph shall be the responsibility of the As-
8 sistant Secretary for Democracy, Human Rights,
9 and Labor, Department of State.

10 (4) STRATEGY UPDATE.—Funds appropriated
11 by this Act that are made available for assistance for
12 Syria pursuant to the authority of this subsection
13 may only be made available after the Secretary of
14 State, in consultation with the heads of relevant
15 United States Government agencies, submits, in
16 classified form if necessary, an update to the com-
17 prehensive strategy required in section 7041(i)(3) of
18 Public Law 113–76.

19 (5) MONITORING AND OVERSIGHT.—Prior to
20 the obligation of funds appropriated by this Act and
21 made available for assistance for Syria, the Sec-
22 retary of State shall take all practicable steps to en-
23 sure that mechanisms are in place for monitoring,
24 oversight, and control of such assistance inside
25 Syria: *Provided*, That the Secretary shall promptly

1 inform the appropriate congressional committees of
2 each instance in which assistance provided pursuant
3 to this subsection has been diverted or destroyed, to
4 include the type and amount of assistance, a descrip-
5 tion of the incident and parties involved, and an ex-
6 planation of the response of the Department of
7 State.

8 (6) CONSULTATION AND NOTIFICATION.—
9 Funds made available pursuant to this subsection
10 may only be made available following consultation
11 with the appropriate congressional committees, and
12 shall be subject to the regular notification proce-
13 dures of the Committees on Appropriations.

14 (k) TUNISIA.—Of the funds appropriated under titles
15 III and IV of this Act, not less than \$165,400,000 shall
16 be made available for assistance for Tunisia.

17 (l) WEST BANK AND GAZA.—

18 (1) REPORT ON ASSISTANCE.—Prior to the ini-
19 tial obligation of funds made available by this Act
20 under the heading “Economic Support Fund” for
21 assistance for the West Bank and Gaza, the Sec-
22 retary of State shall report to the Committees on
23 Appropriations that the purpose of such assistance
24 is to—

25 (A) advance Middle East peace;

1 (B) improve security in the region;

2 (C) continue support for transparent and
3 accountable government institutions;

4 (D) promote a private sector economy; or

5 (E) address urgent humanitarian needs.

6 (2) LIMITATIONS.—

7 (A)(i) None of the funds appropriated
8 under the heading “Economic Support Fund”
9 in this Act may be made available for assistance
10 for the Palestinian Authority, if after the date
11 of enactment of this Act—

12 (I) the Palestinians obtain the same
13 standing as member states or full member-
14 ship as a state in the United Nations or
15 any specialized agency thereof outside an
16 agreement negotiated between Israel and
17 the Palestinians; or

18 (II) the Palestinians initiate an Inter-
19 national Criminal Court (ICC) judicially
20 authorized investigation, or actively sup-
21 port such an investigation, that subjects
22 Israeli nationals to an investigation for al-
23 leged crimes against Palestinians.

24 (ii) The Secretary of State may waive the
25 restriction in clause (i) of this subparagraph re-

1 sulting from the application of subclause (I) of
2 such clause if the Secretary certifies to the
3 Committees on Appropriations that to do so is
4 in the national security interest of the United
5 States, and submits a report to such Commit-
6 tees detailing how the waiver and the continu-
7 ation of assistance would assist in furthering
8 Middle East peace.

9 (B)(i) The President may waive the provi-
10 sions of section 1003 of the Foreign Relations
11 Authorization Act, Fiscal Years 1988 and 1989
12 (Public Law 100–204) if the President deter-
13 mines and certifies in writing to the Speaker of
14 the House of Representatives, the President pro
15 tempore of the Senate, and the appropriate con-
16 gressional committees that the Palestinians
17 have not, after the date of enactment of this
18 Act—

19 (I) obtained in the United Nations or
20 any specialized agency thereof the same
21 standing as member states or full member-
22 ship as a state outside an agreement nego-
23 tiated between Israel and the Palestinians;
24 and

1 (II) taken any action with respect to
2 the ICC that is intended to influence a de-
3 termination by the ICC to initiate a judi-
4 cially authorized investigation, or to ac-
5 tively support such an investigation, that
6 subjects Israeli nationals to an investiga-
7 tion for alleged crimes against Palestin-
8 ians.

9 (ii) Not less than 90 days after the Presi-
10 dent is unable to make the certification pursu-
11 ant to clause (i) of this subparagraph, the
12 President may waive section 1003 of Public
13 Law 100–204 if the President determines and
14 certifies in writing to the Speaker of the House
15 of Representatives, the President pro tempore
16 of the Senate, and the Committees on Appro-
17 priations that the Palestinians have entered
18 into direct and meaningful negotiations with
19 Israel: *Provided*, That any waiver of the provi-
20 sions of section 1003 of Public Law 100–204
21 under clause (i) of this subparagraph or under
22 previous provisions of law must expire before
23 the waiver under the preceding sentence may be
24 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 2017 prior to the obligation of
21 funds for the Palestinian Authority.

22 (4) SECURITY REPORT.—The reporting require-
23 ments contained in section 1404 of the Supple-
24 mental Appropriations Act, 2008 (Public Law 110–
25 252) shall apply to funds made available by this Act,

1 including a description of modifications, if any, to
2 the security strategy of the Palestinian Authority.

3 (5) INCITEMENT REPORT.—Not later than 90
4 days after enactment of this Act, the Secretary of
5 State shall submit a report to the Committees on
6 Appropriations detailing steps taken by the Pales-
7 tinian Authority to counter incitement of violence
8 against Israelis and to promote peace and coexist-
9 ence with Israel.

10 AFRICA

11 SEC. 7042. (a) AFRICAN GREAT LAKES REGION AS-
12 SISTANCE RESTRICTION.—Funds appropriated by this Act
13 under the heading “International Military Education and
14 Training” for the central government of a country in the
15 African Great Lakes region may be made available only
16 for Expanded International Military Education and Train-
17 ing and professional military education until the Secretary
18 of State determines and reports to the Committees on Ap-
19 propriations that such government is not facilitating or
20 otherwise participating in destabilizing activities in a
21 neighboring country, including aiding and abetting armed
22 groups.

23 (b) BOKO HARAM.—Funds appropriated by this Act
24 that are made available for assistance for Cameroon,
25 Chad, Niger, and Nigeria—

1 (1) shall be made available for assistance for
2 women and girls who are targeted by the terrorist
3 organization Boko Haram, consistent with the provi-
4 sions of section 7059 of this Act, and for individuals
5 displaced by Boko Haram violence; and

6 (2) may be made available for counterterrorism
7 programs to combat Boko Haram.

8 (c) CENTRAL AFRICAN REPUBLIC.—Funds made
9 available by this Act for assistance for the Central African
10 Republic shall be made available for reconciliation and
11 peacebuilding programs, including activities to promote
12 inter-faith dialogue at the national and local levels, and
13 for programs to prevent crimes against humanity.

14 (d) ETHIOPIA.—

15 (1) FORCED EVICTIONS.—

16 (A) Funds appropriated by this Act for as-
17 sistance for Ethiopia may not be made available
18 for any activity that supports forced evictions.

19 (B) The Secretary of the Treasury should
20 instruct the United States executive director of
21 each international financial institution to use
22 the voice and vote of the United States to sup-
23 port projects in Ethiopia only if such projects
24 are developed and carried out in accordance

1 with the requirements of section 7029(b)(2) of
2 this Act.

3 (2) CONSULTATION REQUIREMENT.—Programs
4 and activities to improve livelihoods shall include
5 prior consultation with, and the participation of, af-
6 fected communities, including in the South Omo and
7 Gambella regions.

8 (3) FOREIGN MILITARY FINANCING PRO-
9 GRAM.—Funds appropriated by this Act under the
10 heading “Foreign Military Financing Program” for
11 assistance for Ethiopia may only be made available
12 for border security and counterterrorism programs,
13 support for international peacekeeping efforts, and
14 assistance for professional military education.

15 (e) LAKE CHAD BASIN COUNTRIES.—Funds appro-
16 priated by this Act for democracy and other development
17 programs for Cameroon, Chad, Niger, and Nigeria should
18 be made available, following consultation with the Com-
19 mittees on Appropriations, to protect freedoms of expres-
20 sion, association and religion, including support for jour-
21 nalists, civil society, and opposition political parties, and
22 should be used to assist the governments of such countries
23 to strengthen accountability and the rule of law, including
24 within the security forces.

1 (f) LORD’S RESISTANCE ARMY.—Funds appropriated
2 by this Act shall be made available for programs and ac-
3 tivities in areas affected by the Lord’s Resistance Army
4 (LRA) consistent with the goals of the Lord’s Resistance
5 Army Disarmament and Northern Uganda Recovery Act
6 (Public Law 111–172), including to improve physical ac-
7 cess, telecommunications infrastructure, and early-warn-
8 ing mechanisms and to support the disarmament, demobi-
9 lization, and reintegration of former LRA combatants, es-
10 pecially child soldiers.

11 (g) MALAWI.—Of the funds appropriated by this Act
12 under the heading “Development Assistance”, not less
13 than \$56,000,000 shall be made available for assistance
14 for Malawi, of which up to \$10,000,000 shall be made
15 available for higher education programs.

16 (h) POWER AFRICA INITIATIVE.—Funds appro-
17 priated by this Act that are made available for the Power
18 Africa initiative shall be subject to the regular notification
19 procedures of the Committees on Appropriations.

20 (i) SOUTH SUDAN.—

21 (1) STRATEGY REQUIREMENT.—Not later than
22 45 days after enactment of this Act and prior to the
23 initial obligation of funds made available by this Act
24 for assistance for the central Government of South
25 Sudan, the Secretary of State, in consultation with

1 the USAID Administrator, shall submit to the ap-
2 propriate congressional committees a United States
3 diplomatic and assistance strategy for South Sudan,
4 consistent with the requirements under this section
5 in the explanatory statement described in section 4
6 (in the matter preceding division A of this Consoli-
7 dated Act): *Provided*, That such strategy shall in-
8 clude a description of how the cessation of hostilities
9 and the delivery of humanitarian assistance and es-
10 sential services will be prioritized: *Provided further*,
11 That the Secretary of State shall consult with such
12 committees prior to submitting such strategy.

13 (2) CERTIFICATION.—None of the funds appro-
14 priated by this Act that are available for assistance
15 for the central Government of South Sudan may be
16 made available until the Secretary of State certifies
17 and reports to the Committees on Appropriations
18 that such government is taking effective steps to—

19 (A) end hostilities and pursue good faith
20 negotiations for a political settlement of the
21 conflict;

22 (B) provide access for humanitarian orga-
23 nizations;

24 (C) end the recruitment and use of child
25 soldiers;

1 (D) protect freedoms of expression, asso-
2 ciation, and assembly;

3 (E) reduce corruption related to the ex-
4 traction and sale of oil and gas;

5 (F) establish democratic institutions;

6 (G) establish accountable military and po-
7 lice forces under civilian authority; and

8 (H) investigate and prosecute individuals
9 credibly alleged to have committed gross viola-
10 tions of human rights, including at the Terrain
11 compound in Juba, South Sudan on July 11,
12 2016.

13 (3) EXCLUSIONS.—The limitation of paragraph
14 (2) shall not apply to—

15 (A) humanitarian assistance;

16 (B) assistance to support South Sudan
17 peace negotiations or to advance or implement
18 a peace agreement; and

19 (C) assistance to support implementation
20 of outstanding issues of the Comprehensive
21 Peace Agreement and mutual arrangements re-
22 lated to such Agreement.

23 (4) CONSULTATION.—Prior to the initial obliga-
24 tion of funds made available for the central Govern-
25 ment of South Sudan pursuant to paragraphs (3)(B)

1 and (C), the Secretary of State shall consult with
2 the Committees on Appropriations on the intended
3 uses of such funds, steps taken by such government
4 to advance or implement a peace agreement, and
5 progress made by the Government of South Sudan
6 in meeting the requirements in paragraph (2).

7 (j) SUDAN.—

8 (1) LIMITATION.—Notwithstanding any other
9 provision of law, none of the funds appropriated by
10 this Act may be made available for assistance for the
11 Government of Sudan.

12 (2) LIMITATION ON LOANS.—None of the funds
13 appropriated by this Act may be made available for
14 the cost, as defined in section 502 of the Congres-
15 sional Budget Act of 1974, of modifying loans and
16 loan guarantees held by the Government of Sudan,
17 including the cost of selling, reducing, or canceling
18 amounts owed to the United States, and modifying
19 concessional loans, guarantees, and credit agree-
20 ments.

21 (3) EXCLUSIONS.—The limitations of para-
22 graphs (1) and (2) shall not apply to—

23 (A) humanitarian assistance;

24 (B) assistance for democracy programs;

1 (C) assistance for the Darfur region,
2 Southern Kordofan State, Blue Nile State,
3 other marginalized areas and populations in
4 Sudan, and Abyei; and

5 (D) assistance to support implementation
6 of outstanding issues of the Comprehensive
7 Peace Agreement, mutual arrangements related
8 to post-referendum issues associated with such
9 Agreement, or any other internationally recog-
10 nized viable peace agreement in Sudan.

11 (k) ZIMBABWE.—

12 (1) INSTRUCTION.—The Secretary of the Treas-
13 ury shall instruct the United States executive direc-
14 tor of each international financial institution to vote
15 against any extension by the respective institution of
16 any loan or grant to the Government of Zimbabwe,
17 except to meet basic human needs or to promote de-
18 mocracy, unless the Secretary of State certifies and
19 reports to the Committees on Appropriations that
20 the rule of law has been restored, including respect
21 for ownership and title to property, and freedoms of
22 expression, association, and assembly.

23 (2) LIMITATIONS.—None of the funds appro-
24 priated by this Act shall be made available for as-
25 sistance for the central Government of Zimbabwe,

1 for this subsection, and following consultation
2 with the appropriate congressional committees.

3 (B) Funds appropriated under title III of
4 this Act for assistance for Burma—

5 (i) shall be made available to
6 strengthen civil society organizations in
7 Burma and for programs to strengthen
8 independent media;

9 (ii) shall be made available for com-
10 munity-based organizations operating in
11 Thailand to provide food, medical, and
12 other humanitarian assistance to internally
13 displaced persons in eastern Burma, in ad-
14 dition to assistance for Burmese refugees
15 from funds appropriated by this Act under
16 the heading “Migration and Refugee As-
17 sistance”;

18 (iii) shall be made available for pro-
19 grams to promote ethnic and religious tol-
20 erance, including in Rakhine and Kachin
21 states;

22 (iv) shall be made available to pro-
23 mote rural economic development in
24 Burma, including through microfinance

1 and sustainable power generation pro-
2 grams;

3 (v) shall be made available to increase
4 opportunities for foreign direct investment
5 by strengthening the rule of law, trans-
6 parency, and accountability;

7 (vi) may not be made available to any
8 individual or organization if the Secretary
9 of State has credible information that such
10 individual or organization has committed a
11 gross violation of human rights, including
12 against Rohingya and other minority
13 groups, or that advocates violence against
14 ethnic or religious groups and individuals
15 in Burma;

16 (vii) may not be made available to any
17 organization or entity controlled by the
18 military of Burma; and

19 (viii) may be made available for pro-
20 grams administered by the Office of Tran-
21 sition Initiatives, United States Agency for
22 International Development, for ethnic
23 groups and civil society in Burma to help
24 sustain ceasefire agreements and further
25 prospects for reconciliation and peace,

1 which may include support to representa-
2 tives of ethnic armed groups for this pur-
3 pose.

4 (2) INTERNATIONAL SECURITY ASSISTANCE.—
5 None of the funds appropriated by this Act under
6 the headings “International Military Education and
7 Training” and “Foreign Military Financing Pro-
8 gram” may be made available for assistance for
9 Burma: *Provided*, That the Department of State
10 may continue consultations with the armed forces of
11 Burma only on human rights and disaster response
12 in a manner consistent with the prior fiscal year,
13 and following consultation with the appropriate con-
14 gressional committees.

15 (3) MULTILATERAL ASSISTANCE.—The Sec-
16 retary of the Treasury should instruct the United
17 States executive director of each international finan-
18 cial institution to use the voice and vote of the
19 United States to support projects in Burma only if
20 such projects are developed and carried out in ac-
21 cordance with the requirements of section
22 7029(b)(2) of this Act.

23 (4) PROGRAMS, POSITION, AND RESPONSIBIL-
24 ITIES.—

1 (A) Any new program or activity in Burma
2 initiated in fiscal year 2017 shall be subject to
3 prior consultation with the appropriate congress-
4 sional committees.

5 (B) Section 7043(b)(7) of the Department
6 of State, Foreign Operations, and Related Pro-
7 grams Appropriations Act, 2015 (division J of
8 Public Law 113–235) shall continue in effect
9 during fiscal year 2017.

10 (C) The United States Chief of Mission in
11 Burma, in consultation with the Assistant Sec-
12 retary for Democracy, Human Rights, and
13 Labor, Department of State, shall be respon-
14 sible for democracy and human rights programs
15 in Burma.

16 (c) CAMBODIA.—

17 (1) HUMAN RIGHTS CONDITIONS.—Of the funds
18 appropriated in title IV of this Act that are made
19 available for assistance for the central Government
20 of Cambodia, 25 percent shall be withheld from obli-
21 gation until the Secretary of State certifies and re-
22 ports to the Committees on Appropriations that such
23 government—

24 (A) is taking effective steps to strengthen
25 regional security and stability, particularly re-

1 garding territorial disputes in the South China
2 Sea;

3 (B) has ceased efforts to intimidate civil
4 society and the political opposition in Cam-
5 bodia, is credibly investigating the murder of
6 social and political activists, and is taking ac-
7 tions to address the concerns detailed in the
8 September 14, 2016 United Nations Human
9 Rights Situation in Cambodia—Joint State-
10 ment; and

11 (C) is establishing conditions for the hold-
12 ing of free and fair elections in Cambodia in
13 2017 and 2018 through a non-partisan election
14 commission; fair election processes; credible
15 post-election dispute resolution mechanisms;
16 open and inclusive participation, to include the
17 return of exiled former opposition leaders; and
18 respect for freedoms of assembly and speech.

19 (2) KHMER ROUGE TRIBUNAL.—Of the funds
20 appropriated by this Act that are made available for
21 assistance for Cambodia under the heading “Eco-
22 nomic Support Fund”, not more than \$1,500,000
23 may be made available for a contribution to the Ex-
24 traordinary Chambers in the Court of Cambodia
25 (ECCC): *Provided*, That such funds may only be

1 made available if the Secretary of State certifies and
2 reports to the Committees on Appropriations that
3 such contribution is in the national interest of the
4 United States and will support the prosecution and
5 punishment of individuals responsible for genocide in
6 Cambodia in a credible manner: *Provided further*,
7 That if the Secretary of State is unable to make the
8 certification required by the previous proviso, such
9 funds shall be made available for research and edu-
10 cation programs associated with the Khmer Rouge
11 genocide in Cambodia, which are in addition to
12 funds otherwise made available under paragraph (3):
13 *Provided further*, That such funds shall be subject to
14 prior consultation with, and the regular notification
15 procedures of, such Committees: *Provided further*,
16 That the Secretary of State shall seek reimburse-
17 ments from the Principal Donors Group for the Doc-
18 umentation Center of Cambodia for costs incurred in
19 support of the ECCC.

20 (3) RESEARCH AND EDUCATION.—Funds made
21 available by this Act for democracy programs in
22 Cambodia shall be made available for research and
23 education programs associated with the Khmer
24 Rouge genocide in Cambodia.

25 (d) NORTH KOREA.—

1 (1) 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 (2) 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 (3) DATABASE AND REPORT.—Funds appro-
13 priated by this Act under title III shall be made
14 available to maintain a database of prisons and
15 gulags in North Korea, in accordance with section
16 7032(i) of the Department of State, Foreign Oper-
17 ations, and Related Programs Appropriations Act,
18 2014 (division K of Public Law 113–76).

19 (4) LIMITATION ON USE OF FUNDS.—None of
20 the funds made available by this Act under the
21 heading “Economic Support Fund” may be made
22 available for assistance for the Government of North
23 Korea.

24 (e) PEOPLE’S REPUBLIC OF CHINA.—

1 (1) LIMITATION ON USE OF FUNDS.—None of
2 the funds appropriated under the heading “Diplo-
3 matic and Consular Programs” in this Act may be
4 obligated or expended for processing licenses for the
5 export of satellites of United States origin (including
6 commercial satellites and satellite components) to
7 the People’s Republic of China (PRC) unless, at
8 least 15 days in advance, the Committees on Appro-
9 priations are notified of such proposed action.

10 (2) PEOPLE’S LIBERATION ARMY.—The terms
11 and requirements of section 620(h) of the Foreign
12 Assistance Act of 1961 shall apply to foreign assist-
13 ance projects or activities of the People’s Liberation
14 Army (PLA) of the PRC, to include such projects or
15 activities by any entity that is owned or controlled
16 by, or an affiliate of, the PLA: *Provided*, That none
17 of the funds appropriated or otherwise made avail-
18 able pursuant to this Act may be used to finance
19 any grant, contract, or cooperative agreement with
20 the PLA, or any entity that the Secretary of State
21 has reason to believe is owned or controlled by, or
22 an affiliate of, the PLA.

23 (3) COUNTER INFLUENCE PROGRAMS.—Funds
24 appropriated by this Act for public diplomacy under
25 title I and for assistance under titles III and IV

1 shall be made available to counter the influence of
2 the PRC, in accordance with the strategy required
3 by section 7043(e)(3) of the Department of State,
4 Foreign Operations, and Related Programs Appro-
5 priations Act, 2014 (division K of Public Law 113–
6 76), following consultation with the Committees on
7 Appropriations.

8 (4) AUTHORITY AND NOTIFICATION REQUIRE-
9 MENT.—

10 (A) The uses of funds made available by
11 this Act for the promotion of democracy in the
12 PRC, except for funds made available under
13 subsection (g), shall be the responsibility of the
14 Assistant Secretary for Democracy, Human
15 Rights, and Labor, Department of State.

16 (B) Funds appropriated by this Act that
17 are made available for trilateral programs con-
18 ducted with the PRC shall be subject to the
19 regular notification procedures of the Commit-
20 tees on Appropriations.

21 (f) PHILIPPINES.—Prior to the initial obligation of
22 funds appropriated by this Act for assistance for the Phil-
23 ippines, but not later than 180 days after enactment of
24 this Act, the Secretary of State shall submit a report to
25 the Committees on Appropriations, which shall include the

1 information required under this section in the explanatory
2 statement described in section 4 (in the matter preceding
3 division A of this Consolidated Act).

4 (g) TIBET.—

5 (1) FINANCING OF PROJECTS IN TIBET.—The
6 Secretary of the Treasury should instruct the United
7 States executive director of each international finan-
8 cial institution to use the voice and vote of the
9 United States to support financing of projects in
10 Tibet if such projects do not provide incentives for
11 the migration and settlement of non-Tibetans into
12 Tibet or facilitate the transfer of ownership of Ti-
13 betan land and natural resources to non-Tibetans,
14 are based on a thorough needs-assessment, foster
15 self-sufficiency of the Tibetan people and respect Ti-
16 betan culture and traditions, and are subject to ef-
17 fective monitoring.

18 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

19 (A) Notwithstanding any other provision of
20 law, funds appropriated by this Act under the
21 heading “Economic Support Fund” shall be
22 made available to nongovernmental organiza-
23 tions to support activities which preserve cul-
24 tural traditions and promote sustainable devel-
25 opment, education, and environmental conserva-

1 tion in Tibetan communities in the Tibetan Au-
2 tonomous Region and in other Tibetan commu-
3 nities in China.

4 (B) Funds appropriated by this Act under
5 the heading “Economic Support Fund” shall be
6 made available for programs to promote and
7 preserve Tibetan culture, development, and the
8 resilience of Tibetan communities in India and
9 Nepal, and to assist in the education and devel-
10 opment of the next generation of Tibetan lead-
11 ers from such communities: *Provided*, That
12 such funds are in addition to amounts made
13 available in subparagraph (A) for programs in-
14 side Tibet.

15 (h) VIETNAM.—

16 (1) DIOXIN REMEDIATION.—Notwithstanding
17 any other provision of law, of the funds appropriated
18 by this Act under the heading “Economic Support
19 Fund”, not less than \$20,000,000 shall be made
20 available for activities related to the remediation of
21 dioxin contaminated sites in Vietnam and may be
22 made available for assistance for the Government of
23 Vietnam, including the military, for such purposes.

24 (2) HEALTH AND DISABILITY PROGRAMS.—Of
25 the funds appropriated by this Act under the head-

1 ing “Development Assistance”, not less than
2 \$10,000,000 shall be made available for health and
3 disability programs in areas sprayed with Agent Or-
4 ange and otherwise contaminated with dioxin, to as-
5 sist individuals with severe upper or lower body mo-
6 bility impairment and/or cognitive or developmental
7 disabilities.

8 SOUTH AND CENTRAL ASIA

9 SEC. 7044. (a) AFGHANISTAN.—

10 (1) STRATEGY AND PERSONNEL.—

11 (A) STRATEGY.—Not later than 90 days
12 after enactment of this Act and prior to the ini-
13 tial obligation of funds made available for as-
14 sistance for Afghanistan by this Act under the
15 headings “Economic Support Fund” and
16 “International Narcotics Control and Law En-
17 forcement”, the Secretary of State, in consulta-
18 tion with the Secretary of Defense, shall submit
19 to the appropriate congressional committees a
20 revised strategy for United States engagement
21 in Afghanistan: *Provided*, That such strategy
22 shall include detailed information on the roles
23 and responsibilities of the Department of State,
24 the United States Agency for International De-
25 velopment, and other non-defense United States

1 Government agencies in Afghanistan, including
2 the anticipated number of government and con-
3 tractor personnel to be assigned in Afghanistan
4 in fiscal years 2018 and 2019: *Provided further*,
5 That such strategy shall also include detailed
6 information on development programs to be
7 supported by funds made available by this Act
8 and prior Acts making appropriations for the
9 Department of State, foreign operations, and
10 related programs, including a description of
11 specific safeguards to ensure that any such
12 funds supporting projects in areas under the
13 control of the Taliban or other extremist orga-
14 nizations do not further the legitimacy of such
15 organizations: *Provided further*, That such
16 strategy shall also include detailed information,
17 in classified form if necessary, on specific steps
18 to be taken to encourage a negotiated political
19 resolution of the conflict in Afghanistan.

20 (B) PERSONNEL REPORT.—Not later than
21 30 days after enactment of this Act and every
22 120 days thereafter until September 30, 2018,
23 the Secretary of State shall submit a report, in
24 classified form if necessary, to the appropriate
25 congressional committees detailing by agency

1 the number of personnel present in Afghanistan
2 under Chief of Mission authority per section
3 3927 of title 22, United States Code, at the end
4 of the 120 day period preceding the submission
5 of such report: *Provided*, That such report shall
6 also include the number of locally employed
7 staff and contractors supporting United States
8 Embassy operations in Afghanistan during the
9 reporting period.

10 (2) ASSISTANCE AND CONDITIONS.—

11 (A) FUNDING AND LIMITATIONS.—Funds
12 appropriated by this Act under the headings
13 “Economic Support Fund” and “International
14 Narcotics Control and Law Enforcement” may
15 be made available for assistance for Afghani-
16 stan: *Provided*, That such funds may not be ob-
17 ligated for any project or activity that—

18 (i) includes the participation of any
19 Afghan individual or organization, includ-
20 ing government entity, that the Secretary
21 of State determines to be involved in cor-
22 rupt practices, illicit narcotics production
23 or trafficking, or a violation of human
24 rights;

1 (ii) cannot be sustained, as appro-
2 priate, by the Government of Afghanistan
3 or another Afghan entity;

4 (iii) is not regularly accessible for the
5 purposes of conducting effective oversight
6 in accordance with applicable Federal stat-
7 utes and regulations;

8 (iv) initiates any new, major infra-
9 structure development; or

10 (v) legitimizes the Taliban or other
11 extremist organizations in areas not under
12 the control of the Government of Afghani-
13 stan.

14 (B) CERTIFICATION AND REPORT.—Prior
15 to the initial obligation of funds made available
16 by this Act under the headings “Economic Sup-
17 port Fund” and “International Narcotics Con-
18 trol and Law Enforcement” for assistance for
19 the central Government of Afghanistan, the
20 Secretary of State shall certify and report to
21 the Committees on Appropriations, after con-
22 sultation with the Government of Afghanistan,
23 that—

24 (i) goals and benchmarks for the spe-
25 cific uses of such funds have been estab-

1 lished by the Governments of the United
2 States and Afghanistan;

3 (ii) conditions are in place that in-
4 crease the transparency and accountability
5 of the Government of Afghanistan for
6 funds obligated under the New Develop-
7 ment Partnership;

8 (iii) the Government of Afghanistan is
9 implementing laws and policies to govern
10 democratically and protect the rights of in-
11 dividuals, civil society, and the media;

12 (iv) the Government of Afghanistan is
13 taking consistent steps to protect and ad-
14 vance the rights of women and girls in Af-
15 ghanistan;

16 (v) the Government of Afghanistan is
17 effectively implementing a whole-of-govern-
18 ment, anti-corruption strategy that has
19 been endorsed by the High Council on
20 Rule of Law and Anti-Corruption, as
21 agreed to at the Brussels Conference on
22 Afghanistan in October 2016, and is pros-
23 ecuting individuals alleged to be involved in
24 corrupt or illegal activities in Afghanistan;

1 (vi) monitoring and oversight frame-
2 works for programs implemented with such
3 funds are in accordance with all applicable
4 audit policies of the Department of State
5 and USAID, including in areas under the
6 control of the Taliban or other extremist
7 organizations;

8 (vii) the necessary policies and proce-
9 dures are in place to ensure Government of
10 Afghanistan compliance with section 7013
11 of this Act, “Prohibition on Taxation of
12 United States Assistance”; and

13 (viii) the Government of Afghanistan
14 is publicly reporting its national budget,
15 including revenues and expenditures.

16 (C) WAIVER.—The Secretary of State may
17 waive the certification requirement of subpara-
18 graph (B) if the Secretary determines that to
19 do so is important to the national security in-
20 terest of the United States and the Secretary
21 submits a report to the Committees on Appro-
22 priations, in classified form if necessary, on the
23 justification for the waiver and the reasons why
24 any of the requirements of subparagraph (B)
25 cannot be met.

1 (D) PROGRAMS.—Funds appropriated by
2 this Act that are made available for assistance
3 for Afghanistan shall be made available in the
4 following manner—

5 (i) for programs that protect and
6 strengthen the rights of women and girls
7 and promote the political and economic
8 empowerment of women, including their
9 meaningful inclusion in political processes:
10 *Provided*, That such assistance to promote
11 economic empowerment of women shall be
12 made available as grants to Afghan and
13 international organizations, to the max-
14 imum extent practicable;

15 (ii) for programs in South and Cen-
16 tral Asia to expand linkages between Af-
17 ghanistan and countries in the region, sub-
18 ject to the regular notification procedures
19 of the Committees on Appropriations; and

20 (iii) to assist the Government of Af-
21 ghanistan to increase revenue collection
22 and expenditure.

23 (E) TAXATION.—None of the funds appro-
24 priated by this Act for assistance for Afghani-
25 stan may be made available for direct govern-

1 ment-to-government assistance unless the Sec-
2 retary of State certifies and reports to the Com-
3 mittees on Appropriations that United States
4 companies and organizations that are imple-
5 menting United States foreign assistance pro-
6 grams in Afghanistan in a manner consistent
7 with United States laws and regulations are not
8 subjected by such government to taxes or other
9 fees in contravention of diplomatic and other
10 agreements between the Governments of the
11 United States and Afghanistan, or to retaliation
12 for the nonpayment of taxes or fees imposed in
13 the past: *Provided*, That not later than 90 days
14 after enactment of this Act, the Secretary of
15 State shall submit to the Committees on Appro-
16 priations an assessment of the dollar value of
17 improper taxes or fees levied by such govern-
18 ment against such companies and organizations
19 in fiscal years 2014, 2015, and 2016.

20 (3) GOALS AND BENCHMARKS.—Not later than
21 90 days after enactment of this Act, the Secretary
22 of State shall submit to the appropriate congress-
23 sional committees a report describing the goals and
24 benchmarks required in paragraph (2)(B)(i): *Pro-*
25 *vided*, That not later than 6 months after the sub-

1 mission of such report and every 6 months there-
2 after until September 30, 2018, the Secretary of
3 State shall submit a report to such committees on
4 the status of achieving such goals and benchmarks:
5 *Provided further*, That the Secretary of State should
6 suspend assistance for the Government of Afghani-
7 stan if any report required by this paragraph indi-
8 cates that such government is failing to make meas-
9 urable progress in meeting such goals and bench-
10 marks.

11 (4) AUTHORITIES.—

12 (A) Funds appropriated by this Act under
13 title III through VI that are made available for
14 assistance for Afghanistan may be made avail-
15 able—

16 (i) notwithstanding section 7012 of
17 this Act or any similar provision of law
18 and section 660 of the Foreign Assistance
19 Act of 1961;

20 (ii) for reconciliation programs and
21 disarmament, demobilization, and re-
22 integration activities for former combat-
23 ants who have renounced violence against
24 the Government of Afghanistan, in accord-
25 ance with section 7046(a)(2)(B)(ii) of the

1 Department of State, Foreign Operations,
2 and Related Programs Appropriations Act,
3 2012 (division I of Public Law 112–74);
4 and

5 (iii) for an endowment to empower
6 women and girls.

7 (B) Section 7046(a)(2)(A) of division I of
8 Public Law 112–74 shall apply to funds appro-
9 priated by this Act for assistance for Afghani-
10 stan.

11 (C) Section 1102(c) of the Supplemental
12 Appropriations Act, 2009 (title XI of Public
13 Law 111–32) shall continue in effect during fis-
14 cal year 2017.

15 (5) BASING RIGHTS AGREEMENT.—None of the
16 funds made available by this Act may be used by the
17 United States Government to enter into a perma-
18 nent basing rights agreement between the United
19 States and Afghanistan.

20 (b) NEPAL.—

21 (1) ASSISTANCE.—Not less than \$112,500,000
22 of the funds appropriated by this Act under the
23 headings “Global Health Programs”, “Economic
24 Support Fund”, “International Narcotics Control
25 and Law Enforcement”, and “Nonproliferation,

1 Anti-terrorism, Demining and Related Programs”
2 shall be made available for assistance for Nepal, in-
3 cluding for earthquake recovery and reconstruction
4 programs.

5 (2) FOREIGN MILITARY FINANCING PRO-
6 GRAM.—Funds appropriated by this Act under the
7 heading “Foreign Military Financing Program”
8 shall only be made available for humanitarian and
9 disaster relief and reconstruction activities in Nepal,
10 and in support of international peacekeeping oper-
11 ations: *Provided*, That such funds may only be made
12 available for any additional uses if the Secretary of
13 State certifies and reports to the Committees on Ap-
14 propriations that the Government of Nepal is inves-
15 tigating and prosecuting violations of human rights
16 and the laws of war, and the Nepal Army is cooper-
17 ating fully with civilian judicial authorities in such
18 cases.

19 (c) PAKISTAN.—

20 (1) CERTIFICATION REQUIREMENT.—None of
21 the funds appropriated or otherwise made available
22 by this Act under the headings “Economic Support
23 Fund”, “International Narcotics Control and Law
24 Enforcement”, and “Foreign Military Financing
25 Program” for assistance for the Government of

1 Pakistan may be made available unless the Secretary
2 of State certifies and reports to the Committees on
3 Appropriations that the Government of Pakistan
4 is—

5 (A) cooperating with the United States in
6 counterterrorism efforts against the Haqqani
7 Network, the Quetta Shura Taliban, Lashkar e-
8 Tayyiba, Jaish-e-Mohammed, Al-Qaeda, and
9 other domestic and foreign terrorist organiza-
10 tions, including taking effective steps to end
11 support for such groups and prevent them from
12 basing and operating in Pakistan and carrying
13 out cross border attacks into neighboring coun-
14 tries;

15 (B) not supporting terrorist activities
16 against United States or coalition forces in Af-
17 ghanistan, and Pakistan's military and intel-
18 ligence agencies are not intervening extra-judi-
19 cially into political and judicial processes in
20 Pakistan;

21 (C) not financing or otherwise supporting
22 schools supported by, affiliated with, or run by
23 the Taliban or any designated foreign terrorist
24 organization;

1 (D) dismantling improvised explosive de-
2 vice (IED) networks and interdicting precursor
3 chemicals used in the manufacture of IEDs;

4 (E) preventing the proliferation of nuclear-
5 related material and expertise;

6 (F) issuing visas in a timely manner for
7 United States visitors engaged in counterter-
8 rorism efforts and assistance programs in Paki-
9 stan; and

10 (G) providing humanitarian organizations
11 access to detainees, internally displaced per-
12 sons, and other Pakistani civilians affected by
13 the conflict.

14 (2) WAIVER AND REPORTS.—

15 (A) The Secretary of State may waive the
16 certification requirement of paragraph (1) with
17 respect to funds appropriated or otherwise
18 made available by this Act under the headings
19 “Economic Support Fund” and “International
20 Narcotics Control and Law Enforcement” for
21 assistance for the Government of Pakistan if
22 the Secretary determines that to do so is impor-
23 tant to the national security interest of the
24 United States.

1 (B) The Secretary of State may waive the
2 certification requirement of paragraph (1) with
3 respect to 95 percent of the funds appropriated
4 or otherwise made available by this Act under
5 the heading “Foreign Military Financing Pro-
6 gram” for assistance for the Government of
7 Pakistan if the Secretary determines that to do
8 so is important to the national security interest
9 of the United States: *Provided*, That funds
10 withheld by application of this subparagraph
11 shall be withheld from obligation until the Sec-
12 retary submits to the Committees on Appro-
13 priations the certification required by para-
14 graph (1).

15 (C) In exercising the authority of this
16 paragraph, the Secretary of State shall submit
17 a report to the Committees on Appropriations,
18 in classified form if necessary, on the justifica-
19 tion for any waivers in subparagraphs (A) and
20 (B) and the reasons why any of the require-
21 ments of paragraph (1) cannot be met.

22 (3) ASSISTANCE.—

23 (A) Funds appropriated by this Act under
24 the heading “Foreign Military Financing Pro-
25 gram” for assistance for Pakistan may be made

1 available only to support counterterrorism and
2 counterinsurgency capabilities in Pakistan.

3 (B) Funds appropriated by this Act under
4 the headings “Economic Support Fund” and
5 “Nonproliferation, Anti-terrorism, Demining
6 and Related Programs” that are available for
7 assistance for Pakistan shall be made available
8 to interdict precursor materials from Pakistan
9 to Afghanistan that are used to manufacture
10 IEDs, including calcium ammonium nitrate; to
11 support programs to train border and customs
12 officials in Pakistan and Afghanistan; and for
13 agricultural extension programs that encourage
14 alternative fertilizer use among Pakistani farm-
15 ers.

16 (C) Funds appropriated by this Act under
17 the heading “Economic Support Fund” that are
18 made available for assistance for infrastructure
19 projects in Pakistan shall be implemented in a
20 manner consistent with section 507(6) of the
21 Trade Act of 1974 (19 U.S.C. 2467(6)).

22 (D) Funds appropriated by this Act under
23 titles III and IV for assistance for Pakistan
24 may be made available notwithstanding any

1 other provision of law, except for section 620M
2 of the Foreign Assistance Act of 1961.

3 (E) Of the funds appropriated under titles
4 III and IV of this Act that are made available
5 for assistance for Pakistan, \$33,000,000 shall
6 be withheld from obligation until the Secretary
7 of State reports to the Committees on Appro-
8 priations that Dr. Shakil Afridi has been re-
9 leased from prison and cleared of all charges re-
10 lating to the assistance provided to the United
11 States in locating Osama bin Laden.

12 (4) SCHOLARSHIPS FOR WOMEN.—The author-
13 ity and directives of section 7044(d)(4) of the De-
14 partment of State, Foreign Operations, and Related
15 Programs Appropriations Act, 2015 (division J of
16 Public Law 113–235) shall apply to funds appro-
17 priated by this Act that are made available for as-
18 sistance for Pakistan: *Provided*, That prior to the
19 obligation of funds for such purposes, the USAID
20 Administrator shall consult with the Committees on
21 Appropriations.

22 (5) REPORTS.—

23 (A)(i) The spend plan required by section
24 7076 of this Act for assistance for Pakistan
25 shall include achievable and sustainable goals,

1 benchmarks for measuring progress, and ex-
2 pected results regarding combating poverty and
3 furthering development in Pakistan, countering
4 terrorism and extremism, and establishing con-
5 ditions conducive to the rule of law and trans-
6 parent and accountable governance: *Provided*,
7 That not later than 6 months after submission
8 of such spend plan, and each 6 months there-
9 after until September 30, 2018, the Secretary
10 of State shall submit a report to the Commit-
11 tees on Appropriations on the status of achiev-
12 ing the goals and benchmarks in such plan.

13 (ii) The Secretary of State should suspend
14 assistance for the Government of Pakistan if
15 any report required by clause (i) indicates that
16 Pakistan is failing to make measurable progress
17 in meeting such goals or benchmarks.

18 (B) Not later than 90 days after enact-
19 ment of this Act, the Secretary of State shall
20 submit a report to the Committees on Appro-
21 priations detailing the costs and objectives asso-
22 ciated with significant infrastructure projects
23 supported by the United States in Pakistan,
24 and an assessment of the extent to which such
25 projects achieve such objectives.

1 (6) OVERSIGHT.—The Secretary of State shall
2 take all practicable steps to ensure that mechanisms
3 are in place for monitoring, oversight, and control of
4 funds made available by this subsection for assist-
5 ance for Pakistan.

6 (d) SRI LANKA.—

7 (1) BILATERAL ECONOMIC ASSISTANCE.—
8 Funds appropriated by this Act under the heading
9 “Economic Support Fund” shall be made available
10 for assistance for Sri Lanka for democracy and eco-
11 nomic development programs, particularly in areas
12 recovering from ethnic and religious conflict: *Pro-*
13 *vided*, That such funds shall be made available for
14 programs to assist in the identification and resolu-
15 tion of cases of missing persons.

16 (2) CERTIFICATION.—Funds appropriated by
17 this Act for assistance for the central Government of
18 Sri Lanka may be made available only if the Sec-
19 retary of State certifies and reports to the Commit-
20 tees on Appropriations that the Government of Sri
21 Lanka is taking steps to—

22 (A) repeal laws that do not comply with
23 international standards for arrest and deten-
24 tion, and to ensure that any successor legisla-
25 tion meets such standards;

1 (B) increase accountability and trans-
2 parency in governance;

3 (C) support a credible justice mechanism
4 in compliance with United Nations Human
5 Rights Council Resolution (A/HCR/30/L.29) of
6 October, 2015; and

7 (D) return land in former conflict zones to
8 former owners or to compensate those whose
9 land was confiscated without due process, which
10 are in addition to steps taken during the pre-
11 vious calendar year.

12 (3) INTERNATIONAL SECURITY ASSISTANCE.—
13 Funds appropriated under title IV of this Act that
14 are available for assistance for Sri Lanka shall be
15 subject to the following conditions—

16 (A) not to exceed \$500,000 under the
17 heading “Foreign Military Financing Program”
18 may only be made available for programs to
19 support humanitarian and disaster response ef-
20 forts; to redeploy out of former conflict zones;
21 and to restructure and reduce the size of the
22 Sri Lankan armed forces; and

23 (B) funds under the heading “Peace-
24 keeping Operations” may only be made avail-

1 able for training and equipment related to
2 international peacekeeping operations.

3 (e) REGIONAL PROGRAMS.—

4 (1) CROSS BORDER PROGRAMS.—Funds appro-
5 priated by this Act under the heading “Economic
6 Support Fund” for assistance for Afghanistan and
7 Pakistan may be provided, notwithstanding any
8 other provision of law that restricts assistance to
9 foreign countries, for cross border stabilization and
10 development programs between Afghanistan and
11 Pakistan, or between either country and the Central
12 Asian countries.

13 (2) SECURITY AND JUSTICE PROGRAMS.—
14 Funds appropriated by this Act under the headings
15 “Economic Support Fund”, “International Narcotics
16 Control and Law Enforcement”, and “Assistance for
17 Europe, Eurasia and Central Asia” that are avail-
18 able for assistance for countries in South and Cen-
19 tral Asia shall be made available to enhance the re-
20 cruitment, retention, and professionalism of women
21 in the judiciary, police, and other security forces.

22 LATIN AMERICA AND THE CARIBBEAN

23 SEC. 7045. (a) CENTRAL AMERICA.—

24 (1) STRATEGY REVIEW AND UPDATE.—The
25 Secretary of State, in consultation with the heads of

1 other relevant United States Government agencies,
2 shall review the United States Strategy for Engage-
3 ment in Central America (the Strategy) and submit
4 an updated Strategy to the appropriate congress-
5 sional committees not later than 90 days after en-
6 actment of this Act: *Provided*, That such Strategy
7 shall address the key factors in countries in Central
8 America that contribute to the migration of undocu-
9 mented Central Americans to the United States:
10 *Provided further*, That such Strategy should support
11 regional security and economic initiatives, including
12 the Plan of the Alliance for Prosperity in the North-
13 ern Triangle in Central America (the Plan), to the
14 extent the Secretary of State determines such initia-
15 tives are consistent with the national interest of the
16 United States.

17 (2) FUNDING.—Subject to the requirements of
18 this subsection, of the funds appropriated under ti-
19 tles III and IV of this Act, \$655,000,000 should be
20 made available for assistance for countries in Cen-
21 tral America to implement the United States Strat-
22 egy for Engagement in Central America: *Provided*
23 *further*, That such funds shall be made available to
24 the maximum extent practicable on a cost-matching
25 basis.

1 (3) PRE-OBLIGATION REQUIREMENTS.—Prior
2 to the obligation of funds made available pursuant
3 to paragraph (2) and following the submission of the
4 Strategy as required in paragraph (1), the Secretary
5 of State shall submit to the Committees on Appro-
6 priations a multi-year spend plan as described under
7 this section in the explanatory statement described
8 in section 4 (in the matter preceding division A of
9 this Consolidated Act), including a description of
10 how such funds shall prioritize addressing the key
11 factors in countries in Central America that con-
12 tribute to the migration of undocumented Central
13 Americans to the United States.

14 (4) ASSISTANCE FOR THE CENTRAL GOVERN-
15 MENTS OF EL SALVADOR, GUATEMALA, AND HON-
16 DURAS.—Of the funds made available pursuant to
17 paragraph (2) that are available for assistance for
18 each of the central governments of El Salvador,
19 Guatemala, and Honduras, the following amounts
20 shall be withheld from obligation and may only be
21 made available as follows:

22 (A) 25 percent may only be obligated after
23 the Secretary of State certifies and reports to
24 the appropriate congressional committees that
25 such government is taking effective steps, which

1 are in addition to those steps taken since the
2 certification and report submitted during the
3 prior year, if applicable, to—

4 (i) inform its citizens of the dangers
5 of the journey to the southwest border of
6 the United States;

7 (ii) combat human smuggling and
8 trafficking;

9 (iii) improve border security, including
10 to prevent illegal migration, human smug-
11 gling and trafficking, and trafficking of il-
12 licit drugs and other contraband; and

13 (iv) cooperate with United States Gov-
14 ernment agencies and other governments
15 in the region to facilitate the return, repa-
16 triation, and reintegration of illegal mi-
17 grants arriving at the southwest border of
18 the United States who do not qualify for
19 asylum, consistent with international law.

20 (B) An additional 50 percent may only be
21 obligated after the Secretary of State certifies
22 and reports to the appropriate congressional
23 committees that such government is taking ef-
24 fective steps, which are in addition to those
25 steps taken since the certification and report

1 submitted during the prior year, if applicable,
2 to—

3 (i) work cooperatively with an autono-
4 mous, publicly accountable entity to pro-
5 vide oversight of the Plan;

6 (ii) combat corruption, including in-
7 vestigating and prosecuting current and
8 former government officials credibly al-
9 leged to be corrupt;

10 (iii) implement reforms, policies, and
11 programs to improve transparency and
12 strengthen public institutions, including in-
13 creasing the capacity and independence of
14 the judiciary and the Office of the Attor-
15 ney General;

16 (iv) implement a policy to ensure that
17 local communities, civil society organiza-
18 tions (including indigenous and other
19 marginalized groups), and local govern-
20 ments are consulted in the design, and
21 participate in the implementation and eval-
22 uation of, activities of the Plan that affect
23 such communities, organizations, and gov-
24 ernments;

1 (v) counter the activities of criminal
2 gangs, drug traffickers, and organized
3 crime;

4 (vi) investigate and prosecute in the
5 civilian justice system government per-
6 sonnel, including military and police per-
7 sonnel, who are credibly alleged to have
8 violated human rights, and ensure that
9 such personnel are cooperating in such
10 cases;

11 (vii) cooperate with commissions
12 against corruption and impunity and with
13 regional human rights entities;

14 (viii) support programs to reduce pov-
15 erty, expand education and vocational
16 training for at-risk youth, create jobs, and
17 promote equitable economic growth par-
18 ticularly in areas contributing to large
19 numbers of migrants;

20 (ix) implement a plan that includes
21 goals, benchmarks and timelines to create
22 a professional, accountable civilian police
23 force and end the role of the military in in-
24 ternal policing, and make such plan avail-
25 able to the Department of State;

1 (x) protect the right of political oppo-
2 sition parties, journalists, trade unionists,
3 human rights defenders, and other civil so-
4 ciety activists to operate without inter-
5 ference;

6 (xi) increase government revenues, in-
7 cluding by implementing tax reforms and
8 strengthening customs agencies; and

9 (xii) resolve commercial disputes, in-
10 cluding the confiscation of real property,
11 between United States entities and such
12 government.

13 (5) SUSPENSION OF ASSISTANCE AND PERIODIC
14 REVIEW.—

15 (A) The Secretary of State shall periodi-
16 cally review the progress of each of the central
17 governments of El Salvador, Guatemala, and
18 Honduras in meeting the requirements of para-
19 graphs (4)(A) and (4)(B): *Provided*, That if the
20 Secretary determines that sufficient progress
21 has not been made by a central government, the
22 Secretary shall suspend, in whole or in part, as-
23 sistance for such government for programs sup-
24 porting such requirement, and shall notify the
25 appropriate congressional committees in writing

1 of such action: *Provided further*, That the Sec-
2 retary may resume funding for such programs
3 only after the Secretary certifies to such com-
4 mittees that corrective measures have been
5 taken.

6 (B) The Secretary of State shall, following
7 a change of national government in El Sal-
8 vador, Guatemala, or Honduras, determine and
9 report to the appropriate congressional commit-
10 tees that any new government has committed to
11 take the steps to meet the requirements of
12 paragraphs (4)(A) and (4)(B): *Provided*, That
13 if the Secretary is unable to make such a deter-
14 mination in a timely manner, assistance made
15 available under this subsection for such central
16 government shall be suspended, in whole or in
17 part, until such time as such determination and
18 report can be made.

19 (6) TRANSFER OF FUNDS.—The Department of
20 State and USAID may, following consultation with
21 the Committees on Appropriations, transfer funds
22 made available by this Act under the heading “De-
23 velopment Assistance” to the Inter-American Devel-
24 opment Bank and the Inter-American Foundation to
25 support the Strategy.

1 (b) COLOMBIA.—

2 (1) ASSISTANCE.—Of the funds appropriated by
3 this Act under titles III and IV, not less than
4 \$391,253,000 shall be made available for assistance
5 for Colombia, including to support the efforts of the
6 Government of Colombia to—

7 (A) conduct a unified campaign against
8 narcotics trafficking, organizations designated
9 as foreign terrorist organizations pursuant to
10 section 219 of the Immigration and Nationality
11 Act (8 U.S.C. 1189), and other criminal or ille-
12 gal armed groups: *Provided*, That aircraft sup-
13 ported by funds made available by this Act and
14 prior Acts making appropriations for the De-
15 partment of State, foreign operations, and re-
16 lated programs may be used to transport per-
17 sonnel and supplies involved in drug eradication
18 and interdiction, including security for such ac-
19 tivities, and to provide transport in support of
20 alternative development programs and inves-
21 tigations by civilian judicial authorities;

22 (B) enhance security and stability in Co-
23 lombia and the region;

1 (C) strengthen and expand governance, the
2 rule of law, and access to justice throughout
3 Colombia;

4 (D) promote economic and social develop-
5 ment, including by improving access to areas
6 impacted by conflict through demining pro-
7 grams; and

8 (E) implement a peace agreement between
9 the Government of Colombia and illegal armed
10 groups, in accordance with constitutional and
11 legal requirements in Colombia:

12 *Provided*, That such funds shall be subject to prior
13 consultation with, and the regular notification proce-
14 dures of, the Committees on Appropriations.

15 (2) LIMITATION.—None of the funds appro-
16 priated by this Act or prior Acts making appropria-
17 tions for the Department of State, foreign oper-
18 ations, and related programs that are made available
19 for assistance for Colombia may be made available
20 for payment of reparations to conflict victims or
21 compensation to demobilized combatants associated
22 with a peace agreement between the Government of
23 Colombia and illegal armed groups.

24 (3) PRE-OBLIGATION REQUIREMENTS.—Prior
25 to the initial obligation of funds made available pur-

1 suant to paragraph (1), the Secretary of State, in
2 consultation with the USAID Administrator, shall
3 submit to the Committees on Appropriations a
4 multi-year spend plan as described under section
5 7045 in the explanatory statement described in sec-
6 tion 4 (in the matter preceding division A of this
7 Consolidated Act).

8 (4) REFUGEES.—Funds made available by this
9 Act under the heading “Economic Support Fund”
10 for assistance for Colombia shall be apportioned di-
11 rectly to USAID, except that not less than
12 \$7,000,000 of such funds shall be transferred to,
13 and merged with, funds appropriated by this Act
14 under the heading “Migration and Refugee Assist-
15 ance” for assistance for Colombian refugees in
16 neighboring countries.

17 (5) COUNTERNARCOTICS.—Of the funds made
18 available by this Act under the heading “Inter-
19 national Narcotics Control and Law Enforcement”
20 for assistance for Colombia, 20 percent may be obli-
21 gated only in accordance with the conditions set
22 forth under section 7045 in the explanatory state-
23 ment described in section 4 (in the matter preceding
24 division A of this Consolidated Act).

1 (6) HUMAN RIGHTS.—Of the funds made avail-
2 able by this Act under the heading “Foreign Mili-
3 tary Financing Program” for assistance for Colom-
4 bia, 20 percent may be obligated only in accordance
5 with the conditions set forth under section 7045 in
6 the explanatory statement described in section 4 (in
7 the matter preceding division A of this Consolidated
8 Act).

9 (7) EXCEPTIONS.—The limitations of para-
10 graphs (5) and (6) shall not apply to funds made
11 available for aviation instruction and maintenance,
12 and maritime and riverine security programs.

13 (c) HAITI.—

14 (1) FUNDING.—Of the funds appropriated by
15 this Act under the headings “Development Assist-
16 ance” and “Economic Support Fund”, not more
17 than \$45,000,000 may be made available for assist-
18 ance for Haiti: *Provided*, That the funding limitation
19 of this paragraph may be exceeded for food security
20 and global health programs.

21 (2) 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 in addition to steps taken since the certification and
5 report submitted during the prior year, if applicable,
6 to—

7 (A) strengthen the rule of law in Haiti, in-
8 cluding by—

9 (i) selecting judges in a transparent
10 manner based on merit;

11 (ii) reducing pre-trial detention;

12 (iii) respecting the independence of
13 the judiciary; and

14 (iv) improving governance by imple-
15 menting reforms to increase transparency
16 and accountability, including through the
17 penal and criminal codes;

18 (B) combat corruption, including by imple-
19 menting the anti-corruption law enacted in
20 2014 and prosecuting corrupt officials;

21 (C) increase government revenues, includ-
22 ing by implementing tax reforms, and increase
23 expenditures on public services; and

1 (D) resolve commercial disputes between
2 United States entities and the Government of
3 Haiti.

4 (3) HAITIAN COAST GUARD.—The Government
5 of Haiti shall be eligible to purchase defense articles
6 and services under the Arms Export Control Act (22
7 U.S.C. 2751 et seq.) for the Coast Guard.

8 EUROPE AND EURASIA

9 SEC. 7046. (a) ASSISTANCE FOR UKRAINE.—Of the
10 funds appropriated by this Act under titles III and IV,
11 not less than \$410,465,000 shall be made available for
12 assistance for Ukraine.

13 (b) LIMITATION.—None of the funds appropriated by
14 this Act may be made available for assistance for a govern-
15 ment of an Independent State of the former Soviet Union
16 if such government directs any action in violation of the
17 territorial integrity or national sovereignty of any other
18 Independent State of the former Soviet Union, such as
19 those violations included in the Helsinki Final Act: *Pro-*
20 *vided*, That except as otherwise provided in section
21 7070(a) of this Act, funds may be made available without
22 regard to the restriction in this subsection if the President
23 determines that to do so is in the national security interest
24 of the United States: *Provided further*, That prior to exe-
25 cuting the authority contained in the previous proviso the

1 Secretary of State shall consult with the Committees on
2 Appropriations on how such assistance supports the na-
3 tional security interest of the United States.

4 (c) SECTION 907 OF THE FREEDOM SUPPORT
5 ACT.—Section 907 of the FREEDOM Support Act shall
6 not apply to—

7 (1) activities to support democracy or assist-
8 ance under title V of the FREEDOM Support Act
9 and section 1424 of the Defense Against Weapons
10 of Mass Destruction Act of 1996 (50 U.S.C. 2333)
11 or non-proliferation assistance;

12 (2) any assistance provided by the Trade and
13 Development Agency under section 661 of the For-
14 eign Assistance Act of 1961 (22 U.S.C. 2421);

15 (3) any activity carried out by a member of the
16 United States and Foreign Commercial Service while
17 acting within his or her official capacity;

18 (4) any insurance, reinsurance, guarantee, or
19 other assistance provided by the Overseas Private
20 Investment Corporation under title IV of chapter 2
21 of part I of the Foreign Assistance Act of 1961 (22
22 U.S.C. 2191 et seq.);

23 (5) any financing provided under the Export-
24 Import Bank Act of 1945; or

25 (6) humanitarian assistance.

1 WAR CRIMES TRIBUNALS

2 SEC. 7047. If the President determines that doing so
3 will contribute to a just resolution of charges regarding
4 genocide or other violations of international humanitarian
5 law, the President may direct a drawdown pursuant to sec-
6 tion 552(c) of the Foreign Assistance Act of 1961 of up
7 to \$30,000,000 of commodities and services for the United
8 Nations War Crimes Tribunal established with regard to
9 the former Yugoslavia by the United Nations Security
10 Council or such other tribunals or commissions as the
11 Council may establish or authorize to deal with such viola-
12 tions, without regard to the ceiling limitation contained
13 in paragraph (2) thereof: *Provided*, That the determina-
14 tion required under this section shall be in lieu of any de-
15 terminations otherwise required under section 552(c): *Pro-*
16 *vided further*, That funds made available pursuant to this
17 section shall be made available subject to the regular noti-
18 fication procedures of the Committees on Appropriations.

19 UNITED NATIONS

20 SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-
21 ABILITY.—

22 (1) Of the funds appropriated under title I and
23 under the heading “International Organizations and
24 Programs” in title V of this Act that are available
25 for contributions to the United Nations (including

1 the Department of Peacekeeping Operations), any
2 United Nations agency, or the Organization of
3 American States, 15 percent may not be obligated
4 for such organization, department, or agency until
5 the Secretary of State reports to the Committees on
6 Appropriations that the organization, department, or
7 agency is—

8 (A) posting on a publicly available Web
9 site, consistent with privacy regulations and due
10 process, regular financial and programmatic au-
11 dits of such organization, department, or agen-
12 cy, and providing the United States Govern-
13 ment with necessary access to such financial
14 and performance audits; and

15 (B) effectively implementing and enforcing
16 policies and procedures which reflect best prac-
17 tices for the protection of whistleblowers from
18 retaliation, including best practices for—

19 (i) protection against retaliation for
20 internal and lawful public disclosures;

21 (ii) legal burdens of proof;

22 (iii) statutes of limitation for report-
23 ing retaliation;

24 (iv) access to independent adjudicative
25 bodies, including external arbitration; and

1 (v) results that eliminate the effects of
2 proven retaliation.

3 (2) The restrictions imposed by or pursuant to
4 paragraph (1) may be waived on a case-by-case basis
5 if the Secretary of State determines and reports to
6 the Committees on Appropriations that such waiver
7 is necessary to avert or respond to a humanitarian
8 crisis.

9 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
10 TIONS AND ORGANIZATIONS.—

11 (1) None of the funds made available by this
12 Act may be used to pay expenses for any United
13 States delegation to any specialized agency, body, or
14 commission of the United Nations if such agency,
15 body, or commission is chaired or presided over by
16 a country, the government of which the Secretary of
17 State has determined, for purposes of section 6(j)(1)
18 of the Export Administration Act of 1979 as contin-
19 ued in effect pursuant to the International Emer-
20 gency Economic Powers Act (50 U.S.C. App.
21 2405(j)(1)), supports international terrorism.

22 (2) None of the funds made available by this
23 Act may be used by the Secretary of State as a con-
24 tribution to any organization, agency, commission,
25 or program within the United Nations system if

1 such organization, agency, commission, or program
2 is chaired or presided over by a country the govern-
3 ment of which the Secretary of State has deter-
4 mined, for purposes of section 620A of the Foreign
5 Assistance Act of 1961, section 40 of the Arms Ex-
6 port Control Act, section 6(j)(1) of the Export Ad-
7 ministration Act of 1979, or any other provision of
8 law, is a government that has repeatedly provided
9 support for acts of international terrorism.

10 (3) The Secretary of State may waive the re-
11 striction in this subsection if the Secretary deter-
12 mines and reports to the Committees on Appropria-
13 tions that to do so is in the national interest of the
14 United States, including a description of the na-
15 tional interest served.

16 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—
17 None of the funds appropriated by this Act may be made
18 available in support of the United Nations Human Rights
19 Council unless the Secretary of State determines and re-
20 ports to the Committees on Appropriations that partici-
21 pation in the Council is important to the national interest
22 of the United States and that the Council is taking signifi-
23 cant steps to remove Israel as a permanent agenda item:
24 *Provided*, That such report shall include a description of
25 the national interest served and the steps taken to remove

1 Israel as a permanent agenda item: *Provided further*, That
2 the Secretary of State shall report to the Committees on
3 Appropriations not later than September 30, 2017, on the
4 resolutions considered in the United Nations Human
5 Rights Council during the previous 12 months, and on
6 steps taken to remove Israel as a permanent agenda item.

7 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
8 CY.—Prior to the initial obligation of funds for the United
9 Nations Relief and Works Agency (UNRWA), and not
10 later than 45 days after enactment of this Act, the Sec-
11 retary of State shall submit a report in writing to the
12 Committees on Appropriations on whether UNRWA is—

13 (1) utilizing Operations Support Officers in the
14 West Bank, Gaza, and other fields of operation to
15 inspect UNRWA installations and reporting any in-
16 appropriate use;

17 (2) acting promptly to address any staff or ben-
18 efiary violation of its own policies (including the
19 policies on neutrality and impartiality of employees)
20 and the legal requirements under section 301(c) of
21 the Foreign Assistance Act of 1961;

22 (3) implementing procedures to maintain the
23 neutrality of its facilities, including implementing a
24 no-weapons policy, and conducting regular inspec-
25 tions of its installations, to ensure they are only

1 used for humanitarian or other appropriate pur-
2 poses;

3 (4) taking necessary and appropriate measures
4 to ensure it is operating in compliance with the con-
5 ditions of section 301(e) of the Foreign Assistance
6 Act of 1961 and continuing regular reporting to the
7 Department of State on actions it has taken to en-
8 sure conformance with such conditions;

9 (5) taking steps to ensure the content of all
10 educational materials currently taught in UNRWA-
11 administered schools and summer camps is con-
12 sistent with the values of human rights, dignity, and
13 tolerance and does not induce incitement;

14 (6) not engaging in operations with financial in-
15 stitutions or related entities in violation of relevant
16 United States law, and is taking steps to improve
17 the financial transparency of the organization; and

18 (7) in compliance with the United Nations
19 Board of Auditors' biennial audit requirements and
20 is implementing in a timely fashion the Board's rec-
21 ommendations.

22 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
23 TIONS MEMBERS.—None of the funds appropriated or
24 made available pursuant to titles III through VI of this
25 Act for carrying out the Foreign Assistance Act of 1961,

1 may be used to pay in whole or in part any assessments,
2 arrearages, or dues of any member of the United Nations
3 or, from funds appropriated by this Act to carry out chap-
4 ter 1 of part I of the Foreign Assistance Act of 1961,
5 the costs for participation of another country's delegation
6 at international conferences held under the auspices of
7 multilateral or international organizations.

8 (f) UNITED NATIONS CAPITAL PROJECTS.—None of
9 the funds made available by this Act may be used for the
10 design, renovation, or construction of the United Nations
11 Headquarters in New York: *Provided*, That any operating
12 plan submitted pursuant to this Act for funds made avail-
13 able under the heading “Contributions to International
14 Organizations” shall include information on capital
15 projects, as described under this section in the explanatory
16 statement described in section 4 (in the matter preceding
17 division A of this Consolidated Act).

18 (g) WITHHOLDING REPORT.—Not later than 45 days
19 after enactment of this Act, the Secretary of State shall
20 submit a report to the Committees on Appropriations de-
21 tailing the amount of funds available for obligation or ex-
22 penditure in fiscal year 2017 for contributions to any or-
23 ganization, department, agency, or program within the
24 United Nations system or any international program that
25 are withheld from obligation or expenditure due to any

1 provision of law: *Provided*, That the Secretary of State
2 shall update such report each time additional funds are
3 withheld by operation of any provision of law: *Provided*
4 *further*, That the reprogramming of any withheld funds
5 identified in such report, including updates thereof, shall
6 be subject to prior consultation with, and the regular noti-
7 fication procedures of, the Committees on Appropriations.

8 (h) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
9 KEEPING OPERATIONS.—

10 (1) Funds appropriated by this Act shall be
11 made available to implement section 301 of the De-
12 partment of State Authorities Act, Fiscal Year 2017
13 (Public Law 114–323): *Provided*, That the elements
14 and objectives of subsection (c) of such section shall
15 include the adoption of a United Nations policy re-
16 quiring the mandatory repatriation from a United
17 Nations peacekeeping operation of any personnel
18 credibly alleged to have engaged in sexual exploi-
19 tation or abuse, and a prohibition on the participa-
20 tion in such peacekeeping operations of personnel
21 from any country the government of which is unwill-
22 ing or unable to carry out its criminal or disciplinary
23 responsibilities with respect to personnel credibly al-
24 leged to have engaged in sexual exploitation or
25 abuse.

1 (2) The Secretary of State should withhold as-
2 sistance to any unit of the security forces of a for-
3 eign country if the Secretary has credible informa-
4 tion that such unit has engaged in sexual exploi-
5 tation or abuse, including while serving in a United
6 Nations peacekeeping operation, until the Secretary
7 determines that the government of such country is
8 taking effective steps to bring the responsible mem-
9 bers of such unit to justice and to prevent future in-
10 cidents: *Provided*, That the Secretary shall promptly
11 notify the government of each country subject to any
12 withholding of assistance pursuant to this para-
13 graph, and shall notify the appropriate congressional
14 committees of such withholding not later than 10
15 days after a determination to withhold such assist-
16 ance is made: *Provided further*, That the Secretary
17 shall, to the maximum extent practicable, assist such
18 government in bringing the responsible members of
19 such unit to justice.

20 (i) ADDITIONAL AVAILABILITY.—Funds appropriated
21 under title I of this Act which are returned or not made
22 available due to the implementation of subsection (a) or
23 the second proviso under the heading “Contributions for
24 International Peacekeeping Activities” of such title shall
25 remain available for obligation until September 30, 2018.

1 (j) REPORT ON ARREARS.—Not later than 30 days
2 after enactment of this Act, and updated every 90 days
3 thereafter until September 30, 2018, the Secretary of
4 State shall submit a report to the appropriate congress-
5 sional committees detailing—

6 (1) a description of the treaty or other obliga-
7 tion of the United States to pay assessed contribu-
8 tions at specified rates for the United Nations and
9 other international organizations by organization or
10 entity;

11 (2) a description of relevant United States laws
12 regarding such assessed rates and contributions;

13 (3) a description of, and justification for, any
14 deviation from payment of such assessed rates and
15 contributions, to include the cumulative amount of
16 arrears owed, or anticipated to be owed, by the
17 United States to any organization or entity as a re-
18 sult of such deviation;

19 (4) a specific plan for payment of such arrears;

20 (5) an analysis of when the amount of arrears
21 owed by the United States may trigger Article 19 of
22 the United Nations Charter or similar provision in
23 a treaty, convention or charter governing participa-
24 tion in an international organization, resulting in the
25 loss of a vote by the United States in the United

1 Nations General Assembly or other governing body
2 of an international organization; and

3 (6) an analysis of the impact to the national in-
4 terest of the United States in international organiza-
5 tions, including the United Nations, as a result of
6 arrears owed, if any, including with respect to the
7 loss of influence within such organizations.

8 COMMUNITY-BASED POLICE ASSISTANCE

9 SEC. 7049. (a) AUTHORITY.—Funds made available
10 by titles III and IV of this Act to carry out the provisions
11 of chapter 1 of part I and chapters 4 and 6 of part II
12 of the Foreign Assistance Act of 1961, may be used, not-
13 withstanding section 660 of that Act, to enhance the effec-
14 tiveness and accountability of civilian police authority
15 through training and technical assistance in human rights,
16 the rule of law, anti-corruption, strategic planning, and
17 through assistance to foster civilian police roles that sup-
18 port democratic governance, including assistance for pro-
19 grams to prevent conflict, respond to disasters, address
20 gender-based violence, and foster improved police relations
21 with the communities they serve.

22 (b) NOTIFICATION.—Assistance provided under sub-
23 section (a) shall be subject to the regular notification pro-
24 cedures of the Committees on Appropriations.

1 purposes of this section the term “international con-
2 ference” shall mean a conference attended by representa-
3 tives of the United States Government and of foreign gov-
4 ernments, international organizations, or nongovern-
5 mental organizations.

6 AIRCRAFT TRANSFER, COORDINATION, AND USE

7 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
8 standing any other provision of law or regulation, aircraft
9 procured with funds appropriated by this Act and prior
10 Acts making appropriations for the Department of State,
11 foreign operations, and related programs under the head-
12 ings “Diplomatic and Consular Programs”, “International
13 Narcotics Control and Law Enforcement”, “Andean
14 Counterdrug Initiative”, and “Andean Counterdrug Pro-
15 grams” may be used for any other program and in any
16 region, including for the transportation of active and
17 standby Civilian Response Corps personnel and equipment
18 during a deployment: *Provided*, That the responsibility for
19 policy decisions and justification for the use of such trans-
20 fer authority shall be the responsibility of the Secretary
21 of State and the Deputy Secretary of State and this re-
22 sponsibility shall not be delegated.

23 (b) PROPERTY DISPOSAL.—The authority provided
24 in subsection (a) shall apply only after the Secretary of
25 State determines and reports to the Committees on Appro-

1 priations that the equipment is no longer required to meet
2 programmatic purposes in the designated country or re-
3 gion: *Provided*, That any such transfer shall be subject
4 to prior consultation with, and the regular notification
5 procedures of, the Committees on Appropriations.

6 (c) AIRCRAFT COORDINATION.—

7 (1) The uses of aircraft purchased or leased by
8 the Department of State and the United States
9 Agency for International Development with funds
10 made available in this Act or prior Acts making ap-
11 propriations for the Department of State, foreign
12 operations, and related programs shall be coordi-
13 nated under the authority of the appropriate Chief
14 of Mission: *Provided*, That such aircraft may be
15 used to transport, on a reimbursable or non-reim-
16 bursable basis, Federal and non-Federal personnel
17 supporting Department of State and USAID pro-
18 grams and activities: *Provided further*, That official
19 travel for other agencies for other purposes may be
20 supported on a reimbursable basis, or without reim-
21 bursement when traveling on a space available basis:
22 *Provided further*, That funds received by the Depart-
23 ment of State for the use of aircraft owned, leased,
24 or chartered by the Department of State may be
25 credited to the Working Capital Fund of the Depart-

1 humanitarian purposes may be disposed of on a grant basis
2 in foreign countries, subject to such terms and conditions
3 as the Secretary of State may prescribe.

4 (b) CLUSTER MUNITIONS.—No military assistance
5 shall be furnished for cluster munitions, no defense export
6 license for cluster munitions may be issued, and no cluster
7 munitions or cluster munitions technology shall be sold or
8 transferred, unless—

9 (1) the submunitions of the cluster munitions,
10 after arming, do not result in more than 1 percent
11 unexploded ordnance across the range of intended
12 operational environments, and the agreement appli-
13 cable to the assistance, transfer, or sale of such clus-
14 ter munitions or cluster munitions technology speci-
15 fies that the cluster munitions will only be used
16 against clearly defined military targets and will not
17 be used where civilians are known to be present or
18 in areas normally inhabited by civilians; or

19 (2) such assistance, license, sale, or transfer is
20 for the purpose of demilitarizing or permanently dis-
21 posing of such cluster munitions.

22 PROHIBITION ON PUBLICITY OR PROPAGANDA

23 SEC. 7055. No part of any appropriation contained
24 in this Act shall be used for publicity or propaganda pur-
25 poses within the United States not authorized before the

1 date of the enactment of this Act by Congress: *Provided*,
2 That not to exceed \$25,000 may be made available to
3 carry out the provisions of section 316 of the International
4 Security and Development Cooperation Act of 1980 (Pub-
5 lic Law 96–533).

6 CONTINUOUS SUPERVISION AND GENERAL DIRECTION OF
7 ECONOMIC AND MILITARY ASSISTANCE

8 SEC. 7056. (a) Under the direction of the President,
9 the Secretary of State shall be responsible for the contin-
10 uous supervision and general direction of economic assist-
11 ance, law enforcement and justice sector assistance, mili-
12 tary assistance, and military education and training pro-
13 grams, including but not limited to determining whether
14 there shall be a military assistance (including civic action)
15 or a military education and training program for a country
16 and the value thereof, to the end that such programs are
17 effectively integrated both at home and abroad and the
18 foreign policy of the United States is best served thereby.

19 (b) Consistent with section 481(b) of the Foreign As-
20 sistance Act of 1961, the Secretary of State shall be re-
21 sponsible for coordinating all assistance provided by the
22 United States Government to support international efforts
23 to combat illicit narcotics production or trafficking: *Pro-*
24 *vided*, That the provision of assistance by the Department
25 of Defense which is comparable to assistance that may be

1 made available by this Act under the heading “Inter-
2 national Narcotics Control and Law Enforcement” shall
3 be provided in a manner consistent with the requirements
4 of section 333(b) of title 10, United States Code, as added
5 by section 1241 of the National Defense Authorization Act
6 for Fiscal Year 2017 (Public Law 114–328).

7 UNITED STATES AGENCY FOR INTERNATIONAL
8 DEVELOPMENT MANAGEMENT

9 SEC. 7057. (a) AUTHORITY.—Up to \$93,000,000 of
10 the funds made available in title III of this Act pursuant
11 to or to carry out the provisions of part I of the Foreign
12 Assistance Act of 1961, including funds appropriated
13 under the heading “Assistance for Europe, Eurasia and
14 Central Asia”, may be used by the United States Agency
15 for International Development to hire and employ individ-
16 uals in the United States and overseas on a limited ap-
17 pointment basis pursuant to the authority of sections 308
18 and 309 of the Foreign Service Act of 1980.

19 (b) RESTRICTIONS.—

20 (1) The number of individuals hired in any fis-
21 cal year pursuant to the authority contained in sub-
22 section (a) may not exceed 175.

23 (2) The authority to hire individuals contained
24 in subsection (a) shall expire on September 30,
25 2018.

1 (c) CONDITIONS.—The authority of subsection (a)
2 should only be used to the extent that an equivalent num-
3 ber of positions that are filled by personal services contrac-
4 tors or other non-direct hire employees of USAID, who
5 are compensated with funds appropriated to carry out part
6 I of the Foreign Assistance Act of 1961, including funds
7 appropriated under the heading “Assistance for Europe,
8 Eurasia and Central Asia”, are eliminated.

9 (d) PROGRAM ACCOUNT CHARGED.—The account
10 charged for the cost of an individual hired and employed
11 under the authority of this section shall be the account
12 to which the responsibilities of such individual primarily
13 relate: *Provided*, That funds made available to carry out
14 this section may be transferred to, and merged with, funds
15 appropriated by this Act in title II under the heading “Op-
16 erating Expenses”.

17 (e) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
18 viduals hired and employed by USAID, with funds made
19 available in this Act or prior Acts making appropriations
20 for the Department of State, foreign operations, and re-
21 lated programs, pursuant to the authority of section 309
22 of the Foreign Service Act of 1980, may be extended for
23 a period of up to 4 years notwithstanding the limitation
24 set forth in such section.

1 (f) DISASTER SURGE CAPACITY.—Funds appro-
2 priated under title III of this Act to carry out part I of
3 the Foreign Assistance Act of 1961, including funds ap-
4 propriated under the heading “Assistance for Europe,
5 Eurasia and Central Asia”, may be used, in addition to
6 funds otherwise available for such purposes, for the cost
7 (including the support costs) of individuals detailed to or
8 employed by USAID whose primary responsibility is to
9 carry out programs in response to natural disasters, or
10 man-made disasters subject to the regular notification
11 procedures of the Committees on Appropriations.

12 (g) PERSONAL SERVICES CONTRACTORS.—Funds ap-
13 propriated by this Act to carry out chapter 1 of part I,
14 chapter 4 of part II, and section 667 of the Foreign As-
15 sistance Act of 1961, and title II of the Food for Peace
16 Act (Public Law 83–480), may be used by USAID to em-
17 ploy up to 40 personal services contractors in the United
18 States, notwithstanding any other provision of law, for the
19 purpose of providing direct, interim support for new or
20 expanded overseas programs and activities managed by
21 the agency until permanent direct hire personnel are hired
22 and trained: *Provided*, That not more than 15 of such con-
23 tractors shall be assigned to any bureau or office: *Provided*
24 *further*, That such funds appropriated to carry out title
25 II of the Food for Peace Act (Public Law 83–480), may

1 be made available only for personal services contractors
2 assigned to the Office of Food for Peace.

3 (h) SMALL BUSINESS.—In entering into multiple
4 award indefinite-quantity contracts with funds appro-
5 priated by this Act, USAID may provide an exception to
6 the fair opportunity process for placing task orders under
7 such contracts when the order is placed with any category
8 of small or small disadvantaged business.

9 (i) SENIOR FOREIGN SERVICE LIMITED APPOINT-
10 MENTS.—Individuals hired pursuant to the authority pro-
11 vided by section 7059(o) of the Department of State, For-
12 eign Operations, and Related Programs Appropriations
13 Act, 2011 (division F of Public Law 111–117) may be
14 assigned to or support programs in Afghanistan or Paki-
15 stan with funds made available in this Act and prior Acts
16 making appropriations for the Department of State, for-
17 eign operations, and related programs.

18 GLOBAL HEALTH ACTIVITIES

19 SEC. 7058. (a) IN GENERAL.—Funds appropriated
20 by titles III and IV of this Act that are made available
21 for bilateral assistance for child survival activities or dis-
22 ease programs including activities relating to research on,
23 and the prevention, treatment and control of, HIV/AIDS
24 may be made available notwithstanding any other provi-
25 sion of law except for provisions under the heading “Glob-

1 al Health Programs” and the United States Leadership
2 Against HIV/AIDS, Tuberculosis, and Malaria Act of
3 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
4 ed: *Provided*, That of the funds appropriated under title
5 III of this Act, not less than \$575,000,000 should be made
6 available for family planning/reproductive health, includ-
7 ing in areas where population growth threatens biodiver-
8 sity or endangered species.

9 (b) GLOBAL FUND.—Of the funds appropriated by
10 this Act that are available for a contribution to the Global
11 Fund to Fight AIDS, Tuberculosis and Malaria (Global
12 Fund), 10 percent should be withheld from obligation until
13 the Secretary of State determines and reports to the Com-
14 mittees on Appropriations that the Global Fund is—

15 (1) maintaining and implementing a policy of
16 transparency, including the authority of the Global
17 Fund Office of the Inspector General (OIG) to pub-
18 lish OIG reports on a public Web site;

19 (2) providing sufficient resources to maintain
20 an independent OIG that—

21 (A) reports directly to the Board of the
22 Global Fund;

23 (B) maintains a mandate to conduct thor-
24 ough investigations and programmatic audits,
25 free from undue interference; and

1 (C) compiles regular, publicly published
2 audits and investigations of financial, pro-
3 grammatic, and reporting aspects of the Global
4 Fund, its grantees, recipients, sub-recipients,
5 and Local Fund Agents;

6 (3) effectively implementing and enforcing poli-
7 cies and procedures which reflect best practices for
8 the protection of whistleblowers from retaliation, in-
9 cluding best practices for—

10 (A) protection against retaliation for inter-
11 nal and lawful public disclosures;

12 (B) legal burdens of proof;

13 (C) statutes of limitation for reporting re-
14 taliation;

15 (D) access to independent adjudicative
16 bodies, including external arbitration; and

17 (E) results that eliminate the effects of
18 proven retaliation; and

19 (4) implementing the recommendations con-
20 tained in the Consolidated Transformation Plan ap-
21 proved by the Board of the Global Fund on Novem-
22 ber 21, 2011:

23 *Provided*, That such withholding shall not be in addition
24 to funds that are withheld from the Global Fund in fiscal

1 year 2017 pursuant to the application of any other provi-
2 sion contained in this or any other Act.

3 (c) CONTAGIOUS INFECTIOUS DISEASE OUT-
4 BREAKS.—

5 (1) EMERGENCY RESERVE FUND.—Of the
6 funds appropriated by this Act under the heading
7 “Global Health Programs”, \$70,000,000 shall be
8 made available for an Emergency Reserve Fund to
9 address emerging health threats, and shall remain
10 available until expended: *Provided*, That such funds
11 shall be in addition to funds otherwise available for
12 such purposes, and may be transferred to, and
13 merged with, funds appropriated by this Act under
14 the heading “International Disaster Assistance” for
15 the purposes of this paragraph: *Provided further*,
16 That such funds may only be made available if the
17 Secretary of State determines and reports to the
18 Committees on Appropriations that it is in the na-
19 tional interest to respond to an emerging health
20 threat that poses severe threats to human health.

21 (2) EXTRAORDINARY MEASURES.—If the Sec-
22 retary of State determines and reports to the Com-
23 mittees on Appropriations that an international in-
24 fectious disease outbreak is sustained, severe, and is
25 spreading internationally, or that it is in the na-

1 tional interest to respond to a Public Health Emer-
2 gency of International Concern, funds appropriated
3 by this Act under the headings “Global Health Pro-
4 grams”, “Development Assistance”, “International
5 Disaster Assistance”, “Complex Crises Fund”,
6 “Economic Support Fund”, “Democracy Fund”,
7 “Assistance for Europe, Eurasia and Central Asia”,
8 “Migration and Refugee Assistance”, and “Millen-
9 nium Challenge Corporation” may be made available
10 to combat such infectious disease or public health
11 emergency, and may be transferred to, and merged
12 with, funds appropriated under such headings for
13 the purposes of this paragraph.

14 (3) OVERSIGHT OF FUNDS.—Funds made avail-
15 able by this subsection shall be subject to prior con-
16 sultation with, and the regular notification proce-
17 dures of, the Committees on Appropriations.

18 GENDER EQUALITY

19 SEC. 7059. (a) GENDER EQUALITY.—Funds appro-
20 priated by this Act shall be made available to promote gen-
21 der equality in United States Government diplomatic and
22 development efforts by raising the status, increasing the
23 participation, and protecting the rights of women and girls
24 worldwide.

1 (b) WOMEN’S LEADERSHIP.—Of the funds appro-
2 priated by title III of this Act, not less than \$50,000,000
3 shall be made available to increase leadership opportuni-
4 ties for women in countries where women and girls suffer
5 discrimination due to law, policy, or practice, by strength-
6 ening protections for women’s political status, expanding
7 women’s participation in political parties and elections,
8 and increasing women’s opportunities for leadership posi-
9 tions in the public and private sectors at the local, provin-
10 cial, and national levels.

11 (c) GENDER-BASED VIOLENCE.—

12 (1)(A) Of the funds appropriated by titles III
13 and IV of this Act, not less than \$150,000,000 shall
14 be made available to implement a multi-year strat-
15 egy to prevent and respond to gender-based violence
16 in countries where it is common in conflict and non-
17 conflict settings.

18 (B) Funds appropriated by titles III and IV of
19 this Act that are available to train foreign police, ju-
20 dicial, and military personnel, including for inter-
21 national peacekeeping operations, shall address,
22 where appropriate, prevention and response to gen-
23 der-based violence and trafficking in persons, and
24 shall promote the integration of women into the po-
25 lice and other security forces.

1 (2) Department of State and United States
2 Agency for International Development gender pro-
3 grams shall incorporate coordinated efforts to com-
4 bat a variety of forms of gender-based violence, in-
5 cluding child marriage, rape, female genital cutting
6 and mutilation, and domestic violence, among other
7 forms of gender-based violence in conflict and non-
8 conflict settings.

9 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
10 priated by this Act under the headings “Development As-
11 sistance”, “Economic Support Fund”, “Assistance for Eu-
12 rope, Eurasia and Central Asia”, and “International Nar-
13 cotics Control and Law Enforcement” should be made
14 available to support a multi-year strategy to expand, and
15 improve coordination of, United States Government ef-
16 forts to empower women as equal partners in conflict pre-
17 vention, peace building, transitional processes, and recon-
18 struction efforts in countries affected by conflict or in po-
19 litical transition, and to ensure the equitable provision of
20 relief and recovery assistance to women and girls.

21 (e) WOMEN AND GIRLS AT RISK FROM EXTRE-
22 MISM.—

23 (1) ASSISTANCE.—Of the funds appropriated by
24 this Act under the heading “Economic Support
25 Fund”, not less than \$15,000,000 shall be made

1 available to support women and girls who are at risk
2 from extremism and conflict, and for activities to—

3 (A) empower women and girls to counter
4 extremism;

5 (B) address the needs of women and girls
6 adversely impacted by extremism and conflict;

7 (C) document crimes committed by extrem-
8 ists against women and girls, and support in-
9 vestigations and prosecutions of such crimes, as
10 appropriate;

11 (D) increase the participation and influ-
12 ence of women in formal and informal political
13 processes and institutions at the local level and
14 within traditional governing structures;

15 (E) support reconciliation programs be-
16 tween impacted minority, religious, and ethnic
17 groups and the broader community;

18 (F) develop and implement legal reforms
19 and protections for women and girls at the na-
20 tional and local government levels; and

21 (G) create and sustain networks for women
22 and girls to collectively safeguard their rights
23 on a regional basis.

24 (2) STRATEGY REQUIREMENT.—Not later than
25 90 days after enactment of this Act, the Secretary

1 of State, in consultation with the USAID Adminis-
2 trator, shall submit a comprehensive, inter-agency
3 strategy to support women and girls who are at risk
4 from extremism and conflict, including a description
5 of monitoring and evaluation protocols.

6 (3) CLARIFICATION AND NOTIFICATION.—

7 Funds made available pursuant to paragraph (1)—

8 (A) are in addition to amounts otherwise
9 available by this Act for such purposes; and

10 (B) shall be made available following con-
11 sultation with, and subject to the regular notifi-
12 cation procedures of, the Committees on Appro-
13 priations.

14 SECTOR ALLOCATIONS

15 SEC. 7060. (a) BASIC EDUCATION AND HIGHER
16 EDUCATION.—

17 (1) BASIC EDUCATION.—

18 (A) Of the funds appropriated under title
19 III of this Act, not less than \$800,000,000
20 shall be made available for assistance for basic
21 education, and such funds may be made avail-
22 able notwithstanding any other provision of law
23 that restricts assistance to foreign countries:
24 *Provided*, That such funds should be used to
25 implement the objectives of basic education pro-

1 grams for each Country Development Coopera-
2 tion Strategy or similar strategy regarding
3 basic education established by the United
4 States Agency for International Development:
5 *Provided further*, That such funds may also be
6 used for secondary education activities: *Pro-*
7 *vided further*, That the USAID Administrator,
8 following consultation with the Committees on
9 Appropriations, may reprogram such funds be-
10 tween countries.

11 (B) Not later than 30 days after enact-
12 ment of this Act, the USAID Administrator
13 shall report to the Committees on Appropria-
14 tions on the status of cumulative unobligated
15 balances and obligated, but unexpended, bal-
16 ances in each country where USAID provides
17 basic education assistance and such report shall
18 also include details on the types of contracts
19 and grants provided and the goals and objec-
20 tives of such assistance: *Provided*, That the
21 USAID Administrator shall update such report
22 on a quarterly basis until September 30, 2018:
23 *Provided further*, That if the USAID Adminis-
24 trator determines that any unobligated balances
25 of funds specifically designated for assistance

1 for basic education in prior Acts making appro-
2 priations for the Department of State, foreign
3 operations, and related programs are in excess
4 of the absorptive capacity of recipient countries,
5 such funds may be made available for other
6 programs authorized under chapter 1 of part I
7 of the Foreign Assistance Act of 1961, notwith-
8 standing such funding designation: *Provided*
9 *further*, That the authority of the previous pro-
10 viso shall be subject to prior consultation with,
11 and the regular notification procedures of, the
12 Committees on Appropriations.

13 (C) Of the funds appropriated under title
14 III of this Act for assistance for basic education
15 programs, not less than \$75,000,000 shall be
16 made available for a contribution to multilateral
17 partnerships that support education.

18 (2) HIGHER EDUCATION.—Of the funds appro-
19 priated by title III of this Act, not less than
20 \$235,000,000 shall be made available for assistance
21 for higher education, including not less than
22 \$35,000,000 for new and ongoing partnerships for
23 human and institutional capacity building between
24 higher education institutions in the United States
25 and developing countries: *Provided*, That such funds

1 may be made available notwithstanding any other
2 provision of law that restricts assistance to foreign
3 countries, and shall be subject to the regular notifi-
4 cation procedures of the Committees on Appropria-
5 tions.

6 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-
7 priated by this Act under the heading “Development As-
8 sistance”, not less than \$26,000,000 shall be made avail-
9 able for the American Schools and Hospitals Abroad pro-
10 gram, and not less than \$12,000,000 shall be made avail-
11 able for cooperative development programs of USAID.

12 (c) ENVIRONMENT PROGRAMS.—

13 (1) AUTHORITY AND NOTIFICATION REQUIRE-
14 MENT.—

15 (A) Funds appropriated by this Act to
16 carry out the provisions of sections 103 through
17 106, and chapter 4 of part II, of the Foreign
18 Assistance Act of 1961 may be used, notwith-
19 standing any other provision of law, except for
20 the provisions of this subsection, to support en-
21 vironment programs.

22 (B) No funds are appropriated or other-
23 wise made available by this Act for a contribu-
24 tion, grant, or other payment to the Green Cli-
25 mate Fund.

1 (C) Funds made available pursuant to this
2 subsection shall be subject to the regular notifi-
3 cation procedures of the Committees on Appro-
4 priations.

5 (2) CONSERVATION PROGRAMS AND LIMITA-
6 TIONS.—

7 (A) Of the funds appropriated under title
8 III of this Act, not less than \$265,000,000
9 shall be made available for biodiversity con-
10 servation programs.

11 (B) Not less than \$90,664,000 of the
12 funds appropriated under titles III and IV of
13 this Act shall be made available to combat the
14 transnational threat of wildlife poaching and
15 trafficking.

16 (C) None of the funds appropriated under
17 title IV of this Act may be made available for
18 training or other assistance for any military
19 unit or personnel that the Secretary of State
20 determines has been credibly alleged to have
21 participated in wildlife poaching or trafficking,
22 unless the Secretary reports to the Committees
23 on Appropriations that to do so is in the na-
24 tional security interest of the United States.

1 (D) Funds appropriated by this Act for
2 biodiversity programs shall not be used to sup-
3 port the expansion of industrial scale logging or
4 any other industrial scale extractive activity
5 into areas that were primary/intact tropical for-
6 ests as of December 30, 2013, and the Sec-
7 retary of the Treasury shall instruct the United
8 States executive directors of each international
9 financial institutions (IFI) to vote against any
10 financing of any such activity.

11 (3) LARGE DAMS.—The Secretary of the Treas-
12 ury shall instruct the United States executive direc-
13 tor of each IFI that it is the policy of the United
14 States to vote in relation to any loan, grant, strat-
15 egy, or policy of such institution to support the con-
16 struction of any large dam consistent with the cri-
17 teria set forth in Senate Report 114–79, while also
18 considering whether the project involves important
19 foreign policy objectives.

20 (4) SUSTAINABLE LANDSCAPES.—Of the funds
21 appropriated under title III of this Act, not less than
22 \$123,500,000 shall be made available for sustainable
23 landscapes programs.

24 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
25 MENT.—Of the funds appropriated by title III of this Act,

1 not less than \$1,000,600,000 should be made available for
2 food security and agricultural development programs, of
3 which not less than \$50,000,000 shall be made available
4 for the Feed the Future Innovation Labs: *Provided*, That
5 such funds may be made available for a United States con-
6 tribution to the endowment of the Global Crop Diversity
7 Trust.

8 (e) MICROENTERPRISE AND MICROFINANCE.—Of the
9 funds appropriated by this Act, not less than
10 \$265,000,000 should be made available for microenter-
11 prise and microfinance development programs for the
12 poor, especially women.

13 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-
14 SONS AND MODERN SLAVERY.—

15 (1) TRAFFICKING IN PERSONS.—Of the funds
16 appropriated by this Act under the headings “Devel-
17 opment Assistance”, “Economic Support Fund”,
18 “Assistance for Europe, Eurasia and Central Asia”,
19 and “International Narcotics Control and Law En-
20 forcement”, not less than \$64,800,000 shall be made
21 available for activities to combat trafficking in per-
22 sons internationally, of which not less than
23 \$40,000,000 shall be from funds made available
24 under the heading “International Narcotics Control
25 and Law Enforcement”: *Provided*, That funds made

1 available pursuant to this paragraph shall be made
2 available to support a multifaceted approach to com-
3 bat human trafficking in Guatemala: *Provided fur-*
4 *ther*, That not later than 120 days after enactment
5 of this Act, the Secretary of State shall submit a re-
6 port to the Committees on Appropriations on the re-
7 quirements enumerated under this section in House
8 Report 114–693.

9 (2) MODERN SLAVERY.—Funds appropriated by
10 this Act under the heading “International Narcotics
11 Control and Law Enforcement” shall be made avail-
12 able for the purposes authorized by section 1298 of
13 the National Defense Authorization Act for Fiscal
14 Year 2017 (Public Law 114–328): *Provided*, That
15 such funds are in addition to funds made available
16 pursuant to paragraph (1), and shall be made avail-
17 able on an open and competitive basis: *Provided fur-*
18 *ther*, That funds made available pursuant to this
19 paragraph shall be made available subject to the reg-
20 ular notification procedures of the Committees on
21 Appropriations.

22 (3) COORDINATION.—The Secretary of State
23 and the USAID Administrator, as appropriate, shall
24 establish and implement guidelines to ensure that
25 programs funded by paragraphs (1) and (2) to com-

1 bat trafficking in persons and modern slavery are
2 coordinated and complementary, and not duplicative.

3 (g) RECONCILIATION PROGRAMS.—Of the funds ap-
4 propriated by this Act under the headings “Economic
5 Support Fund”, “Assistance for Europe, Eurasia and
6 Central Asia”, and “Development Assistance”, not less
7 than \$26,000,000 shall be made available to support peo-
8 ple-to-people reconciliation programs which bring together
9 individuals of different ethnic, religious, and political
10 backgrounds from areas of civil strife and war: *Provided*,
11 That the USAID Administrator shall consult with the
12 Committees on Appropriations, prior to the initial obliga-
13 tion of funds, on the uses of such funds, and such funds
14 shall be subject to the regular notification procedures of
15 the Committees on Appropriations: *Provided further*, That
16 to the maximum extent practicable, such funds shall be
17 matched by sources other than the United States Govern-
18 ment.

19 (h) WATER AND SANITATION.—Of the funds appro-
20 priated by this Act, not less than \$400,000,000 shall be
21 made available for water supply and sanitation projects
22 pursuant to the Senator Paul Simon Water for the Poor
23 Act of 2005 (Public Law 109–121), of which not less than
24 \$145,000,000 shall be for programs in sub-Saharan Afri-
25 ca, and of which not less than \$14,000,000 shall be made

1 available for programs to design and build safe, public la-
2 trines in Africa and Asia.

3 OVERSEAS PRIVATE INVESTMENT CORPORATION

4 SEC. 7061. (a) TRANSFER OF FUNDS.—Whenever
5 the President determines that it is in furtherance of the
6 purposes of the Foreign Assistance Act of 1961, up to a
7 total of \$20,000,000 of the funds appropriated under title
8 III of this Act may be transferred to, and merged with,
9 funds appropriated by this Act for the Overseas Private
10 Investment Corporation Program Account, to be subject
11 to the terms and conditions of that account: *Provided*,
12 That such funds shall not be available for administrative
13 expenses of the Overseas Private Investment Corporation:
14 *Provided further*, That designated funding levels in this
15 Act shall not be transferred pursuant to this section: *Pro-*
16 *vided further*, That the exercise of such authority shall be
17 subject to the regular notification procedures of the Com-
18 mittees on Appropriations.

19 (b) AUTHORITY.—Notwithstanding section 235(a)(2)
20 of the Foreign Assistance Act of 1961, the authority of
21 subsections (a) through (c) of section 234 of such Act
22 shall remain in effect until September 30, 2017.

23 ARMS TRADE TREATY

24 SEC. 7062. None of the funds appropriated by this
25 Act may be obligated or expended to implement the Arms

1 Trade Treaty until the Senate approves a resolution of
2 ratification for the Treaty.

3 INSPECTORS GENERAL

4 SEC. 7063. (a) PROHIBITION ON USE OF FUNDS.—

5 None of the funds appropriated by this Act may be used
6 to deny an Inspector General funded under this Act timely
7 access to any records, documents, or other materials avail-
8 able to the department or agency of the United States
9 Government over which such Inspector General has re-
10 sponsibilities under the Inspector General Act of 1978 (5
11 U.S.C. App.), or to prevent or impede the access of such
12 Inspector General to such records, documents, or other
13 materials, under any provision of law, except a provision
14 of law that expressly refers to such Inspector General and
15 expressly limits the right of access of such Inspector Gen-
16 eral.

17 (b) TIMELY ACCESS.—A department or agency of the
18 United States Government covered by this section shall
19 provide its Inspector General access to all records, docu-
20 ments, and other materials in a timely manner.

21 (c) COMPLIANCE.—Each Inspector General covered
22 by this section shall ensure compliance with statutory limi-
23 tations on disclosure relevant to the information provided
24 by the department or agency over which that Inspector

1 General has responsibilities under the Inspector General
2 Act of 1978 (5 U.S.C. App.).

3 (d) REPORT REQUIREMENT.—Each Inspector Gen-
4 eral covered by this section shall report to the Committees
5 on Appropriations within 5 calendar days of any failure
6 by any department or agency of the United States Govern-
7 ment to provide its Inspector General access to all re-
8 quested records, documents, and other materials.

9 REPORTING REQUIREMENTS CONCERNING INDIVIDUALS
10 DETAINED AT NAVAL STATION, GUANTÁNAMO BAY, CUBA
11 SEC. 7064. Not later than 5 days after the conclusion
12 of an agreement with a country, including a state with
13 a compact of free association with the United States, to
14 receive by transfer or release individuals detained at
15 United States Naval Station, Guantánamo Bay, Cuba, the
16 Secretary of State shall notify the Committees on Appro-
17 priations in writing of the terms of the agreement, includ-
18 ing whether funds appropriated by this Act or prior Acts
19 making appropriations for the Department of State, for-
20 eign operations, and related programs will be made avail-
21 able for assistance for such country pursuant to such
22 agreement.

23 MULTI-YEAR PLEDGES

24 SEC. 7065. None of the funds appropriated by this
25 Act may be used to make any pledge for future year fund-

1 ing for any multilateral or bilateral program funded in ti-
2 tles III through VI of this Act unless such pledge was—

3 (1) previously justified, including the projected
4 future year costs, in a congressional budget justifica-
5 tion;

6 (2) included in an Act making appropriations
7 for the Department of State, foreign operations, and
8 related programs or previously authorized by an Act
9 of Congress;

10 (3) notified in accordance with the regular noti-
11 fication procedures of the Committees on Appropria-
12 tions, including the projected future year costs; or

13 (4) the subject of prior consultation with the
14 Committees on Appropriations and such consultation
15 was conducted at least 7 days in advance of the
16 pledge.

17 PROHIBITION ON USE OF TORTURE

18 SEC. 7066. (a) LIMITATION.—None of the funds
19 made available in this Act may be used to support or jus-
20 tify the use of torture, cruel, or inhumane treatment by
21 any official or contract employee of the United States Gov-
22 ernment.

23 (b) ASSISTANCE TO ELIMINATE TORTURE.—Funds
24 appropriated under titles III and IV of this Act shall be
25 made available, notwithstanding section 660 of the For-

1 eign Assistance Act of 1961 and following consultation
2 with the Committees on Appropriations, for assistance to
3 eliminate torture by foreign police, military or other secu-
4 rity forces in countries receiving assistance from funds ap-
5 propriated by this Act.

6 EXTRADITION

7 SEC. 7067. (a) LIMITATION.—None of the funds ap-
8 propriated in this Act may be used to provide assistance
9 (other than funds provided under the headings “Inter-
10 national Disaster Assistance”, “Complex Crises Fund”,
11 “International Narcotics Control and Law Enforcement”,
12 “Migration and Refugee Assistance”, “United States
13 Emergency Refugee and Migration Assistance Fund”, and
14 “Nonproliferation, Anti-terrorism, Demining and Related
15 Assistance”) for the central government of a country
16 which has notified the Department of State of its refusal
17 to extradite to the United States any individual indicted
18 for a criminal offense for which the maximum penalty is
19 life imprisonment without the possibility of parole or for
20 killing a law enforcement officer, as specified in a United
21 States extradition request.

22 (b) CLARIFICATION.—Subsection (a) shall only apply
23 to the central government of a country with which the
24 United States maintains diplomatic relations and with
25 which the United States has an extradition treaty and the

1 government of that country is in violation of the terms
2 and conditions of the treaty.

3 (c) WAIVER.—The Secretary of State may waive the
4 restriction in subsection (a) on a case-by-case basis if the
5 Secretary certifies to the Committees on Appropriations
6 that such waiver is important to the national interests of
7 the United States.

8 COMMERCIAL LEASING OF DEFENSE ARTICLES

9 SEC. 7068. Notwithstanding any other provision of
10 law, and subject to the regular notification procedures of
11 the Committees on Appropriations, the authority of sec-
12 tion 23(a) of the Arms Export Control Act may be used
13 to provide financing to Israel, Egypt, and the North Atlan-
14 tic Treaty Organization (NATO), and major non-NATO
15 allies for the procurement by leasing (including leasing
16 with an option to purchase) of defense articles from
17 United States commercial suppliers, not including Major
18 Defense Equipment (other than helicopters and other
19 types of aircraft having possible civilian application), if the
20 President determines that there are compelling foreign
21 policy or national security reasons for those defense arti-
22 cles being provided by commercial lease rather than by
23 government-to-government sale under such Act.

1 COUNTRY TRANSITION PLAN

2 SEC. 7069. Any bilateral country assistance strategy
3 developed after the date of enactment of this Act for the
4 provision of assistance for a foreign country in this fiscal
5 year shall include a transition plan identifying end goals
6 and options for winding down, within a targeted period
7 of years, such bilateral assistance: *Provided*, That such
8 transition plan shall be developed by the Secretary of
9 State, in consultation with the Administrator of the
10 United States Agency for International Development, the
11 heads of other relevant Federal agencies, and officials of
12 such foreign government and representatives of civil soci-
13 ety, as appropriate.

14 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

15 SEC. 7070. (a) LIMITATION.—None of the funds ap-
16 propriated by this Act may be made available for assist-
17 ance for the central Government of the Russian Federa-
18 tion.

19 (b) ANNEXATION OF CRIMEA.—

20 (1) None of the funds appropriated by this Act
21 may be made available for assistance for the central
22 government of a country that the Secretary of State
23 determines and reports to the Committees on Appro-
24 priations has taken affirmative steps intended to
25 support or be supportive of the Russian Federation

1 annexation of Crimea: *Provided*, That except as oth-
2 erwise provided in subsection (a), the Secretary may
3 waive the restriction on assistance required by this
4 paragraph if the Secretary determines and reports to
5 such Committees that to do so is in the national in-
6 terest of the United States, and includes a justifica-
7 tion for such interest.

8 (2) None of the funds appropriated by this Act
9 may be made available for—

10 (A) the implementation of any action or
11 policy that recognizes the sovereignty of the
12 Russian Federation over Crimea;

13 (B) the facilitation, financing, or guarantee
14 of United States Government investments in
15 Crimea, if such activity includes the participa-
16 tion of Russian Government officials, or other
17 Russian owned or controlled financial entities;
18 or

19 (C) assistance for Crimea, if such assist-
20 ance includes the participation of Russian Gov-
21 ernment officials, or other Russian owned or
22 controlled financial entities.

23 (3) The Secretary of the Treasury shall instruct
24 the United States executive directors of each inter-
25 national financial institution to vote against any as-

1 sistance by such institution (including any loan,
2 credit, or guarantee) for any program that violates
3 the sovereignty or territorial integrity of Ukraine.

4 (4) The requirements and limitations of this
5 subsection shall cease to be in effect if the Secretary
6 of State determines and reports to the Committees
7 on Appropriations that the Government of Ukraine
8 has reestablished sovereignty over Crimea.

9 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
10 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

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 Approp-
15 riations has recognized the independence of, or has
16 established diplomatic relations with, the Russian oc-
17 cupied Georgian territories of Abkhazia and
18 Tskhinvali Region/South Ossetia: *Provided*, That the
19 Secretary shall publish on the Department of State
20 Web site a list of any such central governments in
21 a timely manner: *Provided further*, That the Sec-
22 retary may waive the restriction on assistance re-
23 quired by this paragraph if the Secretary determines
24 and reports to the Committees on Appropriations

1 that to do so is in the national interest of the United
2 States, and includes a justification for such interest.

3 (2) None of the funds appropriated by this Act
4 may be made available to support the Russian occu-
5 pation of the Georgian territories of Abkhazia and
6 Tskhinvali Region/South Ossetia.

7 (3) The Secretary of the Treasury shall instruct
8 the United States executive directors of each inter-
9 national financial institution to vote against any as-
10 sistance by such institution (including any loan,
11 credit, or guarantee) for any program that violates
12 the sovereignty and territorial integrity of Georgia.

13 (4) Not later than 90 days after enactment of
14 this Act, the Secretary of State shall submit to the
15 appropriate congressional committees a report on ac-
16 tions taken by the Russian Federation to further
17 consolidate the occupation of the Georgian terri-
18 tories of Abkhazia and Tskhinvali Region/South
19 Ossetia, including the estimated annual costs of such
20 occupation.

21 (d) ASSISTANCE TO COUNTER INFLUENCE AND AG-
22 GRESSION.—

23 (1) Of the funds appropriated by this Act under
24 the headings “Assistance for Europe, Eurasia and
25 Central Asia”, “International Narcotics Control and

1 Law Enforcement”, and “Foreign Military Financ-
2 ing Program”, not less than \$100,000,000 shall be
3 made available for assistance to counter Russian in-
4 fluence and aggression in countries in Europe and
5 Eurasia: *Provided*, That such funds shall be referred
6 to as the Countering Russian Influence Fund (the
7 Fund), and be made available to civil society organi-
8 zations and other entities in such countries for rule
9 of law, media, cyber, and other programs that
10 strengthen democratic institutions and processes,
11 and counter Russian influence and aggression: *Pro-*
12 *vided further*, That not later than 45 days after en-
13 actment of this Act, the Secretary of State, in con-
14 sultation with the USAID Administrator, shall sub-
15 mit a spend plan to the Committees on Appropria-
16 tions detailing the proposed uses of the Fund on a
17 country-by-country basis: *Provided further*, That
18 such funds shall be in addition to amounts made
19 available for bilateral assistance for such countries.

20 (2) Funds appropriated by this Act and made
21 available for assistance for the Eastern Partnership
22 countries shall be made available to advance the im-
23 plementation of Association Agreements and trade
24 agreements with the European Union, and to reduce

1 their vulnerability to external economic and political
2 pressure from the Russian Federation.

3 (e) DEMOCRACY PROGRAMS.—Funds appropriated by
4 this Act shall be made available to support democracy pro-
5 grams in the Russian Federation, including to promote
6 Internet freedom, and shall also be made available to sup-
7 port the democracy and rule of law strategy required by
8 section 7071(d) of the Department of State, Foreign Op-
9 erations, and Related Programs Appropriations Act, 2014
10 (division K of Public Law 113–76).

11 (f) REPORTS.—Not later than 45 days after enact-
12 ment of this Act, the Secretary of State shall update the
13 reports required by section 7071(b)(2), (c), and (e) of the
14 Department of State, Foreign Operations, and Related
15 Programs Appropriations Act, 2014 (division K of Public
16 Law 113–76).

17 INTERNATIONAL MONETARY FUND

18 SEC. 7071. (a) EXTENSIONS.—The terms and condi-
19 tions of sections 7086(b) (1) and (2) and 7090(a) of the
20 Department of State, Foreign Operations, and Related
21 Programs Appropriations Act, 2010 (division F of Public
22 Law 111–117) shall apply to this Act.

23 (b) REPAYMENT.—The Secretary of the Treasury
24 shall instruct the United States Executive Director of the
25 International Monetary Fund (IMF) to seek to ensure

1 that any loan will be repaid to the IMF before other pri-
2 vate creditors.

3 SPECIAL DEFENSE ACQUISITION FUND

4 SEC. 7072. Not to exceed \$900,000,000 may be obli-
5 gated pursuant to section 51(c)(2) of the Arms Export
6 Control Act for the purposes of the Special Defense Acqui-
7 sition Fund (the Fund), to remain available for obligation
8 until September 30, 2019: *Provided*, That the provision
9 of defense articles and defense services to foreign coun-
10 tries or international organizations from the Fund shall
11 be subject to the concurrence of the Secretary of State.

12 STABILITY AND DEVELOPMENT IN REGIONS IMPACTED BY

13 EXTREMISM AND CONFLICT

14 SEC. 7073. (a) COUNTERING FOREIGN FIGHTERS
15 AND EXTREMIST ORGANIZATIONS, AND STRENGTHENING
16 THE STATE SYSTEM.—

17 (1) Not later than 30 days after enactment of
18 this Act and prior to the initial obligation of funds
19 made available by this Act for the purposes of this
20 subsection, the Secretary of State, in consultation
21 with the Administrator of the United States Agency
22 for International Development and the heads of rel-
23 evant United States Government agencies, shall sub-
24 mit to the appropriate congressional committees a
25 joint strategy to counter and defeat violent extre-

1 mism and foreign fighters abroad, which shall in-
2 clude components to—

3 (A) counter the recruitment, radicalization,
4 movement, and financing of such extremists
5 and foreign fighters;

6 (B) secure borders of countries impacted
7 by extremism;

8 (C) assist countries impacted by extremism
9 to implement and establish criminal laws and
10 policies to counter extremists and foreign fight-
11 ers; and

12 (D) promote and strengthen democratic in-
13 stitutions and practices in countries impacted
14 by extremism:

15 *Provided*, That such strategy shall include a detailed
16 description of proposed monitoring, oversight, and
17 vetting procedures.

18 (2) Funds appropriated under titles III and IV
19 of this Act shall be made available for programs and
20 activities to implement the strategy required in para-
21 graph (1) in a manner consistent with all applicable
22 laws, regulations, and policies regarding the use of
23 foreign assistance funds: *Provided*, That the Sec-
24 retary of State shall promptly inform the appro-
25 priate congressional committees of each instance in

1 which assistance provided pursuant to this sub-
2 section has been diverted or destroyed, to include the
3 type and amount of assistance, a description of the
4 incident and parties involved, and an explanation of
5 the response of the Department of State or USAID,
6 as appropriate: *Provided further*, That the Secretary
7 of State shall ensure such programs are coordinated
8 with and complement the efforts of other United
9 States Government agencies and international part-
10 ners: *Provided further*, That the Secretary shall also
11 ensure that information gained through the conduct
12 of such programs is shared in a timely manner with
13 relevant United States Government agencies and
14 other international partners, as appropriate.

15 (3) Funds made available pursuant to this sub-
16 section are subject to the regular notification proce-
17 dures of the Committees on Appropriations.

18 (b) COUNTRIES IMPACTED BY SIGNIFICANT REF-
19 UGEE POPULATIONS OR INTERNALLY DISPLACED PER-
20 SONS.—Funds appropriated by this Act under the head-
21 ings “Development Assistance” and “Economic Support
22 Fund” shall be made available for programs in countries
23 affected by significant populations of internally displaced
24 persons or refugees to—

1 dissolution, or winding up of an Enterprise Fund, in whole
2 or in part, the President shall submit to the appropriate
3 congressional committees a plan for the distribution of the
4 assets of the Enterprise Fund.

5 (c) TRANSITION OR OPERATING PLAN.—Prior to a
6 transition to and operation of any private equity fund or
7 other parallel investment fund under an existing Enter-
8 prise Fund, the President shall submit such transition or
9 operating plan to the appropriate congressional commit-
10 tees.

11 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

12 SEC. 7075. If the President makes a determination
13 not to comply with any provision of this Act on constitu-
14 tional grounds, the head of the relevant Federal agency
15 shall notify the Committees on Appropriations in writing
16 within 5 days of such determination, the basis for such
17 determination and any resulting changes to program and
18 policy.

19 BUDGET DOCUMENTS

20 SEC. 7076. (a) OPERATING AND REORGANIZATION
21 PLANS.—

22 (1) Not later than 45 days after the date of en-
23 actment of this Act, each department, agency, or or-
24 ganization funded in titles I, II, and VI of this Act,
25 and the Department of the Treasury and Inde-

1 pendent Agencies funded in title III of this Act, in-
2 cluding the Inter-American Foundation and the
3 United States African Development Foundation,
4 shall submit to the Committees on Appropriations
5 an operating plan for funds appropriated to such de-
6 partment, agency, or organization in such titles of
7 this Act, or funds otherwise available for obligation
8 in fiscal year 2017, that provides details of the uses
9 of such funds at the program, project, and activity
10 level: *Provided*, That such plans shall include, as ap-
11 plicable, a comparison between the congressional
12 budget justification funding levels, the most recent
13 congressional directives or approved funding levels,
14 and the funding levels proposed by the department
15 or agency; and a clear, concise, and informative de-
16 scription/justification: *Provided further*, That if such
17 department, agency, or organization receives an ad-
18 ditional amount under the same heading in title VIII
19 of this Act, operating plans required by this sub-
20 section shall include consolidated information on all
21 such funds: *Provided further*, That operating plans
22 that include changes in levels of funding for pro-
23 grams, projects, and activities specified in the con-
24 gressional budget justification, in this Act, or
25 amounts specifically designated in the respective ta-

1 bles included in the explanatory statement described
2 in section 4 (in the matter preceding division A of
3 this Consolidated Act), as applicable, shall be subject
4 to the notification and reprogramming requirements
5 of section 7015 of this Act.

6 (2) Concurrent with the submission of an oper-
7 ating plan pursuant to paragraph (1), each covered
8 department, agency, or organization shall submit to
9 the Committees on Appropriations a report detailing
10 any planned reorganization of such department,
11 agency, or organization, including any action
12 planned pursuant to the March 31, 2017 Executive
13 Order 13781 on a Comprehensive Plan for Reorga-
14 nizing the Executive Branch, including—

15 (A) a detailed organization chart, including
16 a brief description of each operating unit;

17 (B) the number of employees for each op-
18 erating unit;

19 (C) the current policy for supporting the
20 operations of the National Security Council
21 (NSC) through the detail of agency staff, in-
22 cluding staff projected to be detailed to the
23 NSC during fiscal year 2018, if applicable; and

24 (D) a detailed explanation of the policies
25 and procedures currently or expected to be used

1 to comply with Executive Order 13781, includ-
2 ing an assessment of how national security in-
3 terests will be served by any proposed reorga-
4 nizations.

5 (b) SPEND PLANS.—

6 (1) Prior to the initial obligation of funds, the
7 Secretary of State or Administrator of the United
8 States Agency for International Development, as ap-
9 propriate, shall submit to the Committees on Appro-
10 priations a spend plan for funds made available by
11 this Act, for—

12 (A) assistance for Afghanistan, Iraq, Leb-
13 anon, Pakistan, and the West Bank and Gaza;

14 (B) Power Africa and the regional security
15 initiatives listed under this section in House Re-
16 port 114–693: *Provided*, That the spend plan
17 for such initiatives shall include the amount of
18 assistance planned for each country by account,
19 to the maximum extent practicable; and

20 (C) democracy programs, programs to sup-
21 port section 7073(a) of this Act, and sectors
22 enumerated in subsections (a), (c)(2), (d), (e),
23 (f), (g), and (h) of section 7060 of this Act.

24 (2) Not later than 45 days after enactment of
25 this Act, the Secretary of the Treasury shall submit

1 to the Committees on Appropriations a detailed
2 spend plan for funds made available by this Act
3 under the heading “Department of the Treasury,
4 International Affairs Technical Assistance” in title
5 III.

6 (c) SPENDING REPORT.—Not later than 45 days
7 after enactment of this Act, the USAID Administrator
8 shall submit to the Committees on Appropriations a de-
9 tailed report on spending of funds made available during
10 fiscal year 2016 under the heading “Development Credit
11 Authority”.

12 (d) NOTIFICATIONS.—The spend plans referenced in
13 subsection (b) shall not be considered as meeting the noti-
14 fication requirements in this Act or under section 634A
15 of the Foreign Assistance Act of 1961.

16 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

17 (1) The congressional budget justification for
18 Department of State operations and foreign oper-
19 ations shall be provided to the Committees on Ap-
20 propriations concurrent with the date of submission
21 of the President’s budget for fiscal year 2018: *Pro-*
22 *vided*, That the appendices for such justification
23 shall be provided to the Committees on Appropria-
24 tions not later than 10 calendar days thereafter.

1 (2) The Secretary of State and the USAID Ad-
2 ministrators shall include in the congressional budget
3 justification a detailed justification for multi-year
4 availability for any funds requested under the head-
5 ings “Diplomatic and Consular Programs” and “Op-
6 erating Expenses”.

7 REPORTS AND RECORDS MANAGEMENT

8 SEC. 7077. (a) PUBLIC POSTING OF REPORTS.—

9 (1) REQUIREMENT.—Any agency receiving
10 funds made available by this Act shall, subject to
11 paragraphs (2) and (3), post on the publicly avail-
12 able Web site of such agency any report required by
13 this Act to be submitted to the Committees on Ap-
14 propriations, upon a determination by the head of
15 such agency that to do so is in the national interest.

16 (2) EXCEPTIONS.—Paragraph (1) shall not
17 apply to a report if—

18 (A) the public posting of such report would
19 compromise national security, including the
20 conduct of diplomacy; or

21 (B) the report contains proprietary, privi-
22 leged, or sensitive information.

23 (3) TIMING AND INTENTION.—The head of the
24 agency posting such report shall, unless otherwise
25 provided for in this Act, do so only after such report

1 has been made available to the Committees on Ap-
2 propriations for not less than 45 days: *Provided*,
3 That any report required by this Act to be submitted
4 to the Committees on Appropriations shall include
5 information from the submitting agency on whether
6 such report will be publicly posted.

7 (b) REQUESTS FOR DOCUMENTS.—None of the funds
8 appropriated or made available pursuant to titles III
9 through VI of this Act shall be available to a nongovern-
10 mental organization, including any contractor, which fails
11 to provide upon timely request any document, file, or
12 record necessary to the auditing requirements of the De-
13 partment of State and the United States Agency for Inter-
14 national Development.

15 (c) RECORDS MANAGEMENT.—

16 (1) LIMITATION.—None of the funds appro-
17 priated by this Act under the headings “Diplomatic
18 and Consular Programs” and “Capital Investment
19 Fund” in title I, and “Operating Expenses” and
20 “Capital Investment Fund” in title II that are made
21 available to the Department of State and USAID
22 may be made available to support the use or estab-
23 lishment of email accounts or email servers created
24 outside the .gov domain or not fitted for automated
25 records management as part of a Federal govern-

1 ment records management program in contravention
2 of the Presidential and Federal Records Act Amend-
3 ments of 2014 (Public Law 113–187).

4 (2) DIRECTIVES.—The Secretary of State and
5 USAID Administrator shall—

6 (A) update the policies, directives, and
7 oversight necessary to comply with Federal
8 statutes, regulations, and presidential executive
9 orders and memoranda concerning the preserva-
10 tion of all records made or received in the con-
11 duct of official business, including record
12 emails, instant messaging, and other online
13 tools;

14 (B) use funds appropriated by this Act
15 under the headings “Diplomatic and Consular
16 Programs” and “Capital Investment Fund” in
17 title I, and “Operating Expenses” and “Capital
18 Investment Fund” in title II, as appropriate, to
19 improve Federal records management pursuant
20 to the Federal Records Act (44 U.S.C. Chap-
21 ters 21, 29, 31, and 33) and other applicable
22 Federal records management statutes, regula-
23 tions, or policies for the Department of State
24 and USAID;

1 (C) direct departing employees that all
2 Federal records generated by such employees,
3 including senior officials, belong to the Federal
4 Government; and

5 (D) significantly improve the response time
6 for identifying and retrieving Federal records,
7 including requests made pursuant to the Free-
8 dom of Information Act.

9 (3) REPORT.—Not later than 45 days after en-
10 actment of this Act, the Secretary of State and
11 USAID Administrator shall each submit a report to
12 the Committees on Appropriations and to the Na-
13 tional Archives and Records Administration detail-
14 ing, as appropriate and where applicable—

15 (A) any updates or modifications made to
16 the policy of each agency regarding the use or
17 the establishment of email accounts or email
18 servers created outside the .gov domain or not
19 fitted for automated records management as
20 part of a Federal government records manage-
21 ment program since the submission to the Com-
22 mittees on Appropriations on January 20,
23 2016, of the report required by section
24 7077(c)(2) of the Department of State, Foreign
25 Operations, and Related Programs Appropria-

1 tions Act, 2016 (division K of Public Law 114–
2 113);

3 (B) the extent to which each agency is in
4 compliance with applicable Federal records
5 management statutes, regulations, and policies,
6 including meeting Directive goal 1.2 of the
7 Managing Government Records Directive (M–
8 12–18) by December 31, 2016; and

9 (C) any steps taken since the submission
10 of the report referenced in subparagraph (A)
11 to—

12 (i) comply with paragraph (1)(B) of
13 this subsection;

14 (ii) ensure that all employees at every
15 level have been instructed in procedures
16 and processes to ensure that the docu-
17 mentation of their official duties is cap-
18 tured, preserved, managed, protected, and
19 accessible in official Government systems
20 of the Department of State and USAID;

21 (iii) implement recommendations 1
22 and 4 made by the Office of the Inspector
23 General (OIG), Department of State, in
24 the January 2016 Evaluation of the De-
25 partment of State’s FOIA Process for Re-

1 quests Involving the Office of the Secretary
2 (ESP-16-01);

3 (iv) reduce the backlog of Freedom of
4 Information Act (FOIA) and Congressional
5 oversight requests, and measurably im-
6 prove the response time for answering such
7 requests; and

8 (v) strengthen cyber security meas-
9 ures to mitigate vulnerabilities, including
10 those resulting from the use of personal
11 email accounts or servers outside the .gov
12 domain and implement the recommenda-
13 tions of the OIG in the May 2016 Evalua-
14 tion of Email Records Management and
15 Cybersecurity Requirements (ESP-16-03).

16 (4) IMPLEMENTATION AND OPERATING PLAN.—
17 The reports required by paragraph (3) shall be sub-
18 mitted by the Secretary of State or USAID Admin-
19 istrator simultaneously with the operating plans re-
20 quired by section 7076 of this Act for funds appro-
21 priated under the headings listed in paragraph (1),
22 and shall include an operating plan and timeline, as
23 applicable, for—

1 (A) implementing the recommendations of
2 the OIG reports referenced in clauses (iii) and
3 (v); and

4 (B) measurably reducing the FOIA and
5 Congressional oversight requests backlog.

6 (5) REPORT ASSESSMENT.—Not later than 180
7 days after the submission of the reports required by
8 paragraph (3), the Comptroller General of the
9 United States, in consultation with National Ar-
10 chives and Records Administration, as appropriate,
11 shall conduct an assessment of such reports, and
12 shall consult with the Committees on Appropriations
13 on the scope and requirements of such assessment.

14 GLOBAL INTERNET FREEDOM

15 SEC. 7078. (a) FUNDING.—Of the funds available for
16 obligation during fiscal year 2017 under the headings
17 “International Broadcasting Operations”, “Economic
18 Support Fund”, “Democracy Fund”, and “Assistance for
19 Europe, Eurasia and Central Asia”, not less than
20 \$50,500,000 shall be made available for programs to pro-
21 mote Internet freedom globally: *Provided*, That such pro-
22 grams shall be prioritized for countries whose governments
23 restrict freedom of expression on the Internet, and that
24 are important to the national interests of the United
25 States: *Provided further*, That funds made available pursu-

1 ant to this section shall be matched, to the maximum ex-
2 tent practicable, by sources other than the United States
3 Government, including from the private sector.

4 (b) REQUIREMENTS.—

5 (1) Funds appropriated by this Act under the
6 headings “Economic Support Fund”, “Democracy
7 Fund”, and “Assistance for Europe, Eurasia and
8 Central Asia” that are made available pursuant to
9 subsection (a) shall be—

10 (A) coordinated with other democracy pro-
11 grams funded by this Act under such headings,
12 and shall be incorporated into country assist-
13 ance and democracy promotion strategies, as
14 appropriate;

15 (B) made available to the Bureau of De-
16 mocracy, Human Rights, and Labor, Depart-
17 ment of State, for programs to implement the
18 May 2011, International Strategy for Cyber-
19 space; the Department of State International
20 Cyberspace Policy Strategy required by section
21 402 of the Cybersecurity Act of 2015 (division
22 N of Public Law 114–113); and the comprehen-
23 sive strategy to promote Internet freedom and
24 access to information in Iran, as required by
25 section 414 of the Iran Threat Reduction and

1 Syria Human Rights Act of 2012 (22 U.S.C.
2 8754);

3 (C) made available for programs that sup-
4 port the efforts of civil society to counter the
5 development of repressive Internet-related laws
6 and regulations, including countering threats to
7 Internet freedom at international organizations;
8 to combat violence against bloggers and other
9 users; and to enhance digital security training
10 and capacity building for democracy activists;

11 (D) made available for research of key
12 threats to Internet freedom; the continued de-
13 velopment of technologies that provide or en-
14 hance access to the Internet, including cir-
15 cumvention tools that bypass Internet blocking,
16 filtering, and other censorship techniques used
17 by authoritarian governments; and maintenance
18 of the technological advantage of the United
19 States Government over such censorship tech-
20 niques: *Provided*, That the Secretary of State,
21 in consultation with the Chief Executive Officer
22 (CEO) of the Broadcasting Board of Governors
23 (BBG), shall coordinate any such research and
24 development programs with other relevant
25 United States Government departments and

1 agencies in order to share information, tech-
2 nologies, and best practices, and to assess the
3 effectiveness of such technologies; and

4 (E) the responsibility of the Assistant Sec-
5 retary for Democracy, Human Rights, and
6 Labor, Department of State.

7 (2) Funds appropriated by this Act under the
8 heading “International Broadcasting Operations”
9 that are made available pursuant to subsection (a)
10 shall be—

11 (A) made available only for tools and tech-
12 niques to securely develop and distribute BBG
13 digital content; facilitate audience access to
14 such content on Web sites that are censored;
15 coordinate the distribution of BBG digital con-
16 tent to targeted regional audiences; and to pro-
17 mote and distribute such tools and techniques,
18 including digital security techniques;

19 (B) coordinated with programs funded by
20 this Act under the heading “International
21 Broadcasting Operations”, and shall be incor-
22 porated into country broadcasting strategies, as
23 appropriate;

24 (C) coordinated by the BBG CEO to pro-
25 vide Internet circumvention tools and tech-

1 niques for audiences in countries that are stra-
2 tegic priorities for the BBG and in a manner
3 consistent with the BBG Internet freedom
4 strategy; and

5 (D) made available for the research and
6 development of new tools or techniques author-
7 ized in paragraph (A) only after the BBG CEO,
8 in consultation with the Secretary of State and
9 other relevant United States Government de-
10 partments and agencies, evaluates the risks and
11 benefits of such new tools or techniques, and
12 establishes safeguards to minimize the use of
13 such new tools or techniques for illicit purposes.

14 (c) COORDINATION AND SPEND PLANS.—After con-
15 sultation among the relevant agency heads to coordinate
16 and de-conflict planned activities, but not later than 90
17 days after enactment of this Act, the Secretary of State
18 and the BBG CEO shall submit to the Committees on Ap-
19 propriations spend plans for funds made available by this
20 Act for programs to promote Internet freedom globally,
21 which shall include a description of safeguards established
22 by relevant agencies to ensure that such programs are not
23 used for illicit purposes: *Provided*, That the Department
24 of State spend plan shall include funding for all such pro-
25 grams for all relevant Department of State and USAID

1 offices and bureaus: *Provided further*, That prior to the
2 obligation of such funds, such offices and bureaus shall
3 consult with the Assistant Secretary for Democracy,
4 Human Rights, and Labor, Department of State, to en-
5 sure that such programs support the Department of State
6 Internet freedom strategy.

7 IMPACT ON JOBS IN THE UNITED STATES

8 SEC. 7079. None of the funds appropriated or other-
9 wise made available under titles III through VI of this
10 Act may be obligated or expended to provide—

11 (1) any financial incentive to a business enter-
12 prise currently located in the United States for the
13 purpose of inducing such an enterprise to relocate
14 outside the United States if such incentive or in-
15 ducement is likely to reduce the number of employ-
16 ees of such business enterprise in the United States
17 because United States production is being replaced
18 by such enterprise outside the United States;

19 (2) assistance for any program, project, or ac-
20 tivity that contributes to the violation of internation-
21 ally recognized workers' rights, as defined in section
22 507(4) of the Trade Act of 1974, of workers in the
23 recipient country, including any designated zone or
24 area in that country: *Provided*, That the application
25 of section 507(4)(D) and (E) of such Act should be

1 commensurate with the level of development of the
2 recipient country and sector, and shall not preclude
3 assistance for the informal sector in such country,
4 micro and small-scale enterprise, and smallholder
5 agriculture;

6 (3) any assistance to an entity outside the
7 United States if such assistance is for the purpose
8 of directly relocating or transferring jobs from the
9 United States to other countries and adversely im-
10 pacts the labor force in the United States; or

11 (4) for the enforcement of any rule, regulation,
12 policy, or guidelines implemented pursuant to—

13 (A) the third proviso of subsection 7079(b)
14 of the Consolidated Appropriations Act, 2010;

15 (B) the modification proposed by the Over-
16 seas Private Investment Corporation in Novem-
17 ber 2013 to the Corporation's Environmental
18 and Social Policy Statement relating to coal; or

19 (C) the Supplemental Guidelines for High
20 Carbon Intensity Projects approved by the Ex-
21 port-Import Bank of the United States on De-
22 cember 12, 2013,

23 when enforcement of such rule, regulation, policy, or
24 guidelines would prohibit, or have the effect of pro-
25 hibiting, any coal-fired or other power-generation

1 project the purpose of which is to: (i) provide afford-
2 able electricity in International Development Asso-
3 ciation (IDA)-eligible countries and IDA-blend coun-
4 tries; and (ii) increase exports of goods and services
5 from the United States or prevent the loss of jobs
6 from the United States.

7 FRAGILE STATES AND EXTREMISM

8 SEC. 7080. (a) FUNDING.—Funds appropriated by
9 this Act under the heading “Economic Support Fund”
10 that are made available for assistance for Syria, Iraq, and
11 Somalia shall be made available to carry out the purposes
12 of this section, subject to prior consultation with, and the
13 regular notification procedures of, the Committees on Ap-
14 propriations.

15 (b) COMPREHENSIVE PLAN.—Funds made available
16 pursuant to subsection (a) shall be transferred to, and
17 merged with, funds appropriated by this Act under the
18 heading “United States Institute of Peace” for the pur-
19 poses of developing a comprehensive plan (the Plan) to
20 prevent the underlying causes of extremism in fragile
21 states in the Sahel, Horn of Africa, and the Near East:
22 *Provided*, That such funds are in addition to amounts oth-
23 erwise available to the United States Institute of Peace
24 (USIP) under title I of this Act: *Provided further*, That
25 USIP shall consult with the Committees on Appropria-

1 tions prior to developing such Plan: *Provided further*, That
2 USIP shall also consult with relevant United States Gov-
3 ernment agencies, foreign governments, and civil society,
4 as appropriate, in developing the Plan.

5 (c) DEMONSTRATION PROJECT.—Funds made avail-
6 able by subsection (a) shall be made available to imple-
7 ment the Plan required by subsection (b) through a dem-
8 onstration project, consistent with the requirements de-
9 scribed in section 7073(d)(2) of S. 3117 (as introduced
10 in the Senate on June 29, 2016): *Provided*, That such
11 funds shall be made available to the maximum extent
12 practicable on a cost-matching basis from sources other
13 than the United States Government.

14 CONSULAR AND BORDER SECURITY PROGRAMS

15 SEC. 7081. (a) SEPARATE FUND.—There is estab-
16 lished in the Treasury a separate fund to be known as
17 the “Consular and Border Security Programs” account
18 into which the following fees shall be deposited for the pur-
19 poses of the consular and border security programs.

20 (b) MACHINE-READABLE VISA FEE.—Section 103(d)
21 of Public Law 107–173 (8 U.S.C. 1713) is amended by
22 striking “credited as an offsetting collection to any appro-
23 priation for the Department of State” and inserting “de-
24 posited in the Consular and Border Security Programs ac-
25 count”.

1 (c) PASSPORT AND IMMIGRANT VISA SECURITY SUR-
2 CHARGES.—The fourth paragraph under the heading
3 “Diplomatic and Consular Programs” in title IV of divi-
4 sion B of Public Law 108–447 (8 U.S.C. 1714) is amend-
5 ed by striking “credited to this account” and inserting
6 “deposited in the Consular and Border Security Programs
7 account”.

8 (d) DIVERSITY IMMIGRANT LOTTERY FEE.—Section
9 636 of title VI, division C of Public Law 104–208 (8
10 U.S.C. 1153 note) is amended by striking “as an offset-
11 ting collection to any Department of State appropriation”
12 and inserting “in the Consular and Border Security Pro-
13 grams account”.

14 (e) AFFIDAVIT OF SUPPORT FEE.—Section 232(c) of
15 title II of division A of H.R. 3427 (106th Congress) (in-
16 corporated by reference by section 1000(a)(7) of division
17 B of Public Law 106–113, as amended (8 U.S.C. 1183a
18 note), is further amended by striking “as an offsetting col-
19 lection to any Department of State appropriation” and in-
20 serting “in the Consular and Border Security Programs
21 account”.

22 (f) WESTERN HEMISPHERE TRAVEL INITIATIVE
23 SURCHARGE.—Subsection (b)(1) of section 1 of the Pass-
24 port Act of June 4, 1920 (22 U.S.C. 214(b)(1)) is amend-
25 ed by striking “as an offsetting collection to the appro-

1 priate Department of State appropriation” and inserting
2 “in the Consular and Border Security Programs account”.

3 (g) EXPEDITED PASSPORT FEE.—The first proviso
4 under the heading “Diplomatic and Consular Programs”
5 in title V of Public Law 103–317 (22 U.S.C. 214 note)
6 is amended by inserting “or in the Consular and Border
7 Security Programs account” after “offsetting collection”.

8 (h) TRANSFER OF FUNDS.—

9 (1) The unobligated balances of amounts avail-
10 able from fees referenced under this section may be
11 transferred to the Consular and Border Security
12 Programs account.

13 (2) Funds deposited in or transferred to the
14 Consular and Border Security Programs account
15 may be transferred between funds appropriated
16 under the heading “Administration of Foreign Af-
17 fairs”.

18 (3) The transfer authorities in this section shall
19 be in addition to any other transfer authority avail-
20 able to the Department of State.

21 (i) EFFECTIVE DATE.—The amendments made by
22 this section shall take effect no later than October 1,
23 2018, and shall be implemented in a manner that ensures
24 the fees collected, transferred, and used in fiscal year 2019
25 can be readily tracked.

1 UNITED NATIONS POPULATION FUND

2 SEC. 7082. (a) CONTRIBUTION.—Of the funds made
3 available under the heading “International Organizations
4 and Programs” in this Act for fiscal year 2017,
5 \$32,500,000 shall be made available for the United Na-
6 tions Population Fund (UNFPA).

7 (b) AVAILABILITY OF FUNDS.—Funds appropriated
8 by this Act for UNFPA, that are not made available for
9 UNFPA because of the operation of any provision of law,
10 shall be transferred to the “Global Health Programs” ac-
11 count and shall be made available for family planning, ma-
12 ternal, and reproductive health activities, subject to the
13 regular notification procedures of the Committees on Ap-
14 propriations.

15 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—
16 None of the funds made available by this Act may be used
17 by UNFPA for a country program in the People’s Repub-
18 lic of China.

19 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—
20 Funds made available by this Act for UNFPA may not
21 be made available unless—

22 (1) UNFPA maintains funds made available by
23 this Act in an account separate from other accounts
24 of UNFPA and does not commingle such funds with
25 other sums; and

1 (2) UNFPA does not fund abortions.

2 (e) REPORT TO CONGRESS AND DOLLAR-FOR-DOL-
3 LAR WITHHOLDING OF FUNDS.—

4 (1) Not later than 4 months after the date of
5 enactment of this Act, the Secretary of State shall
6 submit a report to the Committees on Appropria-
7 tions indicating the amount of funds that UNFPA
8 is budgeting for the year in which the report is sub-
9 mitted for a country program in the People's Repub-
10 lic of China.

11 (2) If a report under paragraph (1) indicates
12 that UNFPA plans to spend funds for a country
13 program in the People's Republic of China in the
14 year covered by the report, then the amount of such
15 funds UNFPA plans to spend in the People's Re-
16 public of China shall be deducted from the funds
17 made available to UNFPA after March 1 for obliga-
18 tion for the remainder of the fiscal year in which the
19 report is submitted.

20 AFGHAN ALLIES

21 (INCLUDING RESCISSION OF FUNDS)

22 SEC. 7083. (a) AFGHAN ALLIES.—Section
23 602(b)(3)(F) of the Afghan Allies Protection Act, 2009
24 (division F of Public Law 111–8), as amended, is further

1 amended by substituting “11,000” for “8,500” in the
2 matter preceding clause (i).

3 (b) RESCISSION OF FUNDS.—Of the funds appro-
4 priated in prior Acts making appropriations for the De-
5 partment of State, foreign operations, and related pro-
6 grams that remain available for obligation under the head-
7 ing “Bilateral Economic Assistance, Funds Appropriated
8 to the President, Economic Support Fund”, \$6,000,000
9 are rescinded: *Provided*, That no amounts may be re-
10 scinded from amounts that were designated by the Con-
11 gress for Overseas Contingency Operations/Global War on
12 Terrorism or as an emergency requirement pursuant to
13 the Concurrent Resolution on the Budget or section
14 251(b)(2)(A) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985, as amended.

1449

1 TITLE VIII
2 OVERSEAS CONTINGENCY OPERATIONS/GLOBAL
3 WAR ON TERRORISM
4 DEPARTMENT OF STATE
5 ADMINISTRATION OF FOREIGN AFFAIRS
6 DIPLOMATIC AND CONSULAR PROGRAMS
7 (INCLUDING TRANSFER OF FUNDS)

8 For an additional amount for “Diplomatic and Con-
9 sular Programs”, \$2,410,386,000, to remain available
10 until September 30, 2018, of which \$1,815,210,000 is for
11 Worldwide Security Protection and shall remain available
12 until expended: *Provided*, That the Secretary of State may
13 transfer up to \$5,000,000 of the total funds made avail-
14 able under this heading to any other appropriation of any
15 department or agency of the United States, upon the con-
16 currence of the head of such department or agency, to sup-
17 port operations in and assistance for Afghanistan and to
18 carry out the provisions of the Foreign Assistance Act of
19 1961: *Provided further*, That any such transfer shall be
20 subject to the regular notification procedures of the Com-
21 mittees on Appropriations: *Provided further*, That funds
22 appropriated under this heading in this title may be made
23 available for Conflict Stabilization Operations and for re-
24 lated reconstruction and stabilization assistance to prevent
25 or respond to conflict or civil strife in foreign countries

1 or regions, or to enable transition from such strife: *Pro-*
2 *vided further*, That such amount is designated by the Con-
3 gress for Overseas Contingency Operations/Global War on
4 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
5 anced Budget and Emergency Deficit Control Act of 1985.

6 OFFICE OF INSPECTOR GENERAL

7 For an additional amount for “Office of Inspector
8 General”, \$54,900,000, to remain available until Sep-
9 tember 30, 2018, for the Special Inspector General for Af-
10 ghanistan Reconstruction (SIGAR) for reconstruction
11 oversight: *Provided*, That printing and reproduction costs
12 shall not exceed amounts for such costs during fiscal year
13 2016: *Provided further*, That notwithstanding any other
14 provision of law, any employee of SIGAR who completes
15 at least 12 months of continuous service after the date
16 of enactment of this Act or who is employed on the date
17 on which SIGAR terminates, whichever occurs first, shall
18 acquire competitive status for appointment to any position
19 in the competitive service for which the employee possesses
20 the required qualifications: *Provided further*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1451

1 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

2 For an additional amount for “Embassy Security,
3 Construction, and Maintenance”, \$1,238,800,000, to re-
4 main available until expended, of which \$1,228,000,000
5 shall be for Worldwide Security Upgrades, acquisition, and
6 construction as authorized: *Provided*, That such amount
7 is designated by the Congress for Overseas Contingency
8 Operations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 INTERNATIONAL ORGANIZATIONS

12 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

13 For an additional amount for “Contributions to
14 International Organizations”, \$96,240,000: *Provided*,
15 That such amount is designated by the Congress for Over-
16 seas Contingency Operations/Global War on Terrorism
17 pursuant to section 251(b)(2)(A)(ii) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985.

19 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING

20 ACTIVITIES

21 For an additional amount for “Contributions for
22 International Peacekeeping Activities”, \$1,354,660,000,
23 to remain available until September 30, 2018: *Provided*,
24 That such amount is designated by the Congress for Over-
25 seas Contingency Operations/Global War on Terrorism

1 pursuant to section 251(b)(2)(A)(ii) of the Balanced
2 Budget and Emergency Deficit Control Act of 1985.

3 RELATED AGENCY

4 BROADCASTING BOARD OF GOVERNORS

5 INTERNATIONAL BROADCASTING OPERATIONS

6 For an additional amount for “International Broad-
7 casting Operations”, \$4,800,000, to remain available until
8 September 30, 2018: *Provided*, That such amount is des-
9 ignated by the Congress for Overseas Contingency Oper-
10 ations/Global War on Terrorism pursuant to section
11 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 UNITED STATES AGENCY FOR INTERNATIONAL

14 DEVELOPMENT

15 FUNDS APPROPRIATED TO THE PRESIDENT

16 OPERATING EXPENSES

17 For an additional amount for “Operating Expenses”,
18 \$152,080,000, to remain available until September 30,
19 2018: *Provided*, That such amount is designated by the
20 Congress for Overseas Contingency Operations/Global
21 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
22 the Balanced Budget and Emergency Deficit Control Act
23 of 1985.

1 BILATERAL ECONOMIC ASSISTANCE
2 FUNDS APPROPRIATED TO THE PRESIDENT
3 INTERNATIONAL DISASTER ASSISTANCE

4 For an additional amount for “International Disaster
5 Assistance”, \$2,323,203,000, to remain available until ex-
6 pended: *Provided*, That such amount is designated by the
7 Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985.

11 For an additional amount for “International Disaster
12 Assistance”, \$990,000,000, to remain available until ex-
13 pended, for famine prevention, relief, and mitigation, in-
14 cluding for South Sudan, Somalia, Nigeria, and Yemen:
15 *Provided*, That such amount is designated by the Congress
16 for Overseas Contingency Operations/Global War on Ter-
17 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
18 anced Budget and Emergency Deficit Control Act of 1985.

19 TRANSITION INITIATIVES

20 For an additional amount for “Transition Initia-
21 tives”, \$37,000,000, to remain available until expended:
22 *Provided*, That such amount is designated by the Congress
23 for Overseas Contingency Operations/Global War on Ter-
24 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
25 anced Budget and Emergency Deficit Control Act of 1985.

1454

1 COMPLEX CRISES FUND

2 For an additional amount for “Complex Crises
3 Fund”, \$20,000,000, to remain available until expended:
4 *Provided*, That such amount is designated by the Congress
5 for Overseas Contingency Operations/Global War on Ter-
6 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
7 anced Budget and Emergency Deficit Control Act of 1985.

8 ECONOMIC SUPPORT FUND

9 For an additional amount for “Economic Support
10 Fund”, \$2,609,242,000, to remain available until Sep-
11 tember 30, 2018: *Provided*, That such amount is des-
12 ignated by the Congress for Overseas Contingency Oper-
13 ations/Global War on Terrorism pursuant to section
14 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985.

16 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

17 For an additional amount for “Assistance for Eu-
18 rope, Eurasia and Central Asia”, \$453,696,000, to remain
19 available until September 30, 2018: *Provided*, That such
20 amount is designated by the Congress for Overseas Con-
21 tingency Operations/Global War on Terrorism pursuant to
22 section 251(b)(2)(A)(ii) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985.

1455

1 DEPARTMENT OF STATE
2 MIGRATION AND REFUGEE ASSISTANCE

3 For an additional amount for “Migration and Ref-
4 ugee Assistance” to respond to refugee crises, including
5 in Africa, the Near East, South and Central Asia, and
6 Europe and Eurasia, \$2,146,198,000, to remain available
7 until expended, except that such funds shall not be made
8 available for the resettlement costs of refugees in the
9 United States: *Provided*, That such amount is designated
10 by the Congress for Overseas Contingency Operations/
11 Global War on Terrorism pursuant to section
12 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985.

14 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
15 ASSISTANCE FUND

16 For an additional amount for “United States Emer-
17 gency Refugee and Migration Assistance Fund”,
18 \$40,000,000, to remain available until expended: *Pro-*
19 *vided*, That such amount is designated by the Congress
20 for Overseas Contingency Operations/Global War on Ter-
21 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

1456

1 INTERNATIONAL SECURITY ASSISTANCE

2 DEPARTMENT OF STATE

3 INTERNATIONAL NARCOTICS CONTROL AND LAW

4 ENFORCEMENT

5 For an additional amount for “International Nar-
6 cotics Control and Law Enforcement”, \$412,260,000, to
7 remain available until September 30, 2018: *Provided*,
8 That such amount is designated by the Congress for Over-
9 seas Contingency Operations/Global War on Terrorism
10 pursuant to section 251(b)(2)(A)(ii) of the Balanced
11 Budget and Emergency Deficit Control Act of 1985.

12 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND

13 RELATED PROGRAMS

14 For an additional amount for “Nonproliferation,
15 Anti-terrorism, Demining and Related Programs”,
16 \$341,754,000, to remain available until September 30,
17 2018: *Provided*, That such amount is designated by the
18 Congress for Overseas Contingency Operations/Global
19 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
20 the Balanced Budget and Emergency Deficit Control Act
21 of 1985.

22 PEACEKEEPING OPERATIONS

23 For an additional amount for “Peacekeeping Oper-
24 ations”, \$473,973,000, to remain available until Sep-
25 tember 30, 2018: *Provided*, That such amount is des-

1 ignited by the Congress for Overseas Contingency Oper-
2 ations/Global War on Terrorism pursuant to section
3 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985: *Provided further*, That funds
5 available for obligation under this heading in this Act may
6 be used to pay assessed expenses of international peace-
7 keeping activities in Somalia, subject to the regular notifi-
8 cation procedures of the Committees on Appropriations.

9 FUNDS APPROPRIATED TO THE PRESIDENT

10 FOREIGN MILITARY FINANCING PROGRAM

11 For an additional amount for “Foreign Military Fi-
12 nancing Program”, \$1,325,808,000, to remain available
13 until September 30, 2018: *Provided*, That such amount
14 is designated by the Congress for Overseas Contingency
15 Operations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 GENERAL PROVISIONS

19 ADDITIONAL APPROPRIATIONS

20 SEC. 8001. Notwithstanding any other provision of
21 law, funds appropriated in this title are in addition to
22 amounts appropriated or otherwise made available in this
23 Act for fiscal year 2017.

1 EXTENSION OF AUTHORITIES AND CONDITIONS

2 SEC. 8002. Unless otherwise provided for in this Act,
3 the additional amounts appropriated by this title to appro-
4 priations accounts in this Act shall be available under the
5 authorities and conditions applicable to such appropria-
6 tions accounts.

7 TRANSFER OF FUNDS

8 SEC. 8003. (a)(1) Funds appropriated by this title
9 in this Act under the headings “Transition Initiatives”,
10 “Complex Crises Fund”, “Economic Support Fund”, and
11 “Assistance for Europe, Eurasia and Central Asia” may
12 be transferred to, and merged with, funds appropriated
13 by this title under such headings.

14 (2) Funds appropriated by this title in this Act under
15 the headings “International Narcotics Control and Law
16 Enforcement”, “Nonproliferation, Anti-terrorism,
17 Demining and Related Programs”, “Peacekeeping Oper-
18 ations”, and “Foreign Military Financing Program” may
19 be transferred to, and merged with, funds appropriated
20 by this title under such headings.

21 (b) Notwithstanding any other provision of this sec-
22 tion, not to exceed \$15,000,000 from funds appropriated
23 under the headings “International Narcotics Control and
24 Law Enforcement”, “Peacekeeping Operations”, and
25 “Foreign Military Financing Program” by this title in this

1 Act may be transferred to, and merged with, funds pre-
2 viously made available under the heading “Global Security
3 Contingency Fund”.

4 (c) The transfer authority provided in subsection (a)
5 may only be exercised to address contingencies.

6 (d) The transfer authority provided in subsections (a)
7 and (b) shall be subject to prior consultation with, and
8 the regular notification procedures of, the Committees on
9 Appropriations: *Provided*, That such transfer authority is
10 in addition to any transfer authority otherwise available
11 under any other provision of law, including section 610
12 of the Foreign Assistance Act of 1961 which may be exer-
13 cised by the Secretary of State for the purposes of this
14 title.

15 COUNTERING THE ISLAMIC STATE OF IRAQ AND SYRIA
16 AND COMBATING TERRORISM IN THE NEAR EAST
17 AND AFRICA

18 SEC. 8004. (a) RELIEF AND RECOVERY FUND.—
19 Funds appropriated by this Act under the headings “Eco-
20 nomic Support Fund”, “International Narcotics Control
21 and Law Enforcement”, “Peacekeeping Operations”, and
22 “Foreign Military Financing Program” that are des-
23 ignated for the Relief and Recovery Fund in the tables
24 included in the explanatory statement described in section
25 4 (in the matter preceding division A of this Consolidated

1 Act) shall be made available for assistance for areas liber-
2 ated from, or under the influence of, the Islamic State
3 of Iraq and Syria, other terrorist organizations, or violent
4 extremist organizations in and around the Near East and
5 Africa: *Provided*, That such funds are in addition to
6 amounts otherwise made available for such purposes and
7 to amounts specifically designated in this Act for assist-
8 ance for foreign countries: *Provided further*, That such
9 funds shall be made available to the maximum extent
10 practicable on a cost-matching basis from sources other
11 than the United States, except that no such funds may
12 be made available for the costs of significant infrastruc-
13 ture projects: *Provided further*, That such funds appro-
14 priated under the headings “Economic Support Fund”
15 and “International Narcotics Control and Law Enforce-
16 ment” shall be made available for programs and activities
17 included under this section in the explanatory statement
18 described in section 4 (in the matter preceding division
19 A of this Consolidated Act): *Provided further*, That the
20 Secretary of State shall include funds made available pur-
21 suant to this subsection in the update to reports required
22 by section 204 of the Security Assistance Appropriations
23 Act, 2017 (division B of Public Law 114–254).

24 (b) COUNTERTERRORISM PARTNERSHIPS FUND.—
25 Funds appropriated by this Act under the heading “Non-

1 proliferation, Anti-terrorism, Demining and Related Pro-
2 grams” shall be made available for the Counterterrorism
3 Partnerships Fund: *Provided*, That funds made available
4 pursuant to this subsection shall be made available to en-
5 hance the capacity of Kurdistan Regional Government se-
6 curity services and for security programs in the Kurdistan
7 Region of Iraq that further the security interest of the
8 United States.

9 (c) OVERSIGHT REQUIREMENT.—Prior to the obliga-
10 tion of funds made available pursuant to subsections (a)
11 and (b), the Secretary of State shall take all practicable
12 steps to ensure that mechanisms are in place for moni-
13 toring, oversight, and control of such funds: *Provided*,
14 That the Secretary shall promptly inform the appropriate
15 congressional committees of each instance in which assist-
16 ance provided pursuant to subsections (a) and (b) has
17 been diverted or destroyed, to include the type and amount
18 of assistance, a description of the incident and parties in-
19 volved, and an explanation of the response of the Depart-
20 ment of State.

21 (d) NOTIFICATION REQUIREMENT.—Funds made
22 available pursuant to this section shall be subject to the
23 regular notification procedures of the Committees on Ap-
24 propriations.

1 FAMINE PREVENTION, RELIEF, AND MITIGATION
2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 8005. (a) TRANSFER AUTHORITY AND NOTIFI-
4 CATION REQUIREMENT.—

5 (1) Of the funds appropriated by this title in
6 the second paragraph under the heading “Inter-
7 national Disaster Assistance”—

8 (A) not less than \$300,000,000 shall be
9 transferred to, and merged with, the Foreign
10 Agricultural Service, “Food for Peace Title II
11 Grants” account; and

12 (B) not less than \$1,500,000 shall be
13 transferred to, and merged with, funds appro-
14 priated by this title under the heading “Oper-
15 ating Expenses” for the United States Agency
16 for International Development.

17 (2) Funds appropriated by this title in the sec-
18 ond paragraph under the heading “International
19 Disaster Assistance” may be transferred to, and
20 merged with, funds appropriated by this title under
21 the heading “Migration and Refugee Assistance”.

22 (3) The transfer authority of this subsection is
23 in addition to any transfer authority otherwise avail-
24 able under any other provision of law, and shall be
25 for famine prevention, relief, and mitigation.

1 (b) REPORTING REQUIREMENTS.—Not later than 30
2 days after enactment of this Act and every 45 days there-
3 after until September 30, 2018, the Director of the Office
4 of Management and Budget, in consultation with the Sec-
5 retary of State and Administrator of the United States
6 Agency for International Development, shall submit to the
7 Committees on Appropriations a report on the proposed
8 use of funds appropriated under the heading “Inter-
9 national Disaster Assistance” from this Act and prior Acts
10 making appropriations for the Department of State, for-
11 eign operations, and related programs, for famine preven-
12 tion, relief, and mitigation: *Provided*, That such report
13 shall include the requirements enumerated under this sec-
14 tion in the explanatory statement described in section 4
15 (in the matter preceding division A of this Consolidated
16 Act).

17 This division may be cited as the “Department of
18 State, Foreign Operations, and Related Programs Appro-
19 priations Act, 2017”.

1 **DIVISION K—TRANSPORTATION, HOUSING**
2 **AND URBAN DEVELOPMENT, AND RE-**
3 **LATED AGENCIES APPROPRIATIONS**
4 **ACT, 2017**

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 \$114,000,000, of which not to exceed \$2,758,000 shall be
11 available for the immediate Office of the Secretary; not
12 to exceed \$1,040,000 shall be available for the immediate
13 Office of the Deputy Secretary; not to exceed \$20,772,000
14 shall be available for the Office of the General Counsel;
15 not to exceed \$10,033,000 shall be available for the Office
16 of the Under Secretary of Transportation for Policy; not
17 to exceed \$14,019,000 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 \$29,356,000 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 \$1,760,000 shall be available for the
25 Office of the Executive Secretariat; not to exceed

1 \$11,089,000 shall be available for the Office of Intel-
2 ligence, Security, and Emergency Response; and not to ex-
3 ceed \$18,485,000 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 5 percent by all such
10 transfers: *Provided further*, That notice of any change in
11 funding greater than 5 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 \$13,000,000, of which \$8,218,000 shall remain available
2 until September 30, 2019: *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, \$500,000,000, to remain available through
15 September 30, 2020: *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, or a collaboration among
19 such entities on a competitive basis for projects that will
20 have a significant impact on the Nation, a metropolitan
21 area, or a region: *Provided further*, That projects eligible
22 for funding provided under this heading shall include, but
23 not be limited to, highway or bridge projects eligible under
24 title 23, United States Code; public transportation
25 projects eligible under chapter 53 of title 49, United

1 States Code; passenger and freight rail transportation
2 projects; and port infrastructure investments (including
3 inland port infrastructure and land ports of entry): *Pro-*
4 *vided further*, That the Secretary may use up to 20 per-
5 cent of the funds made available under this heading for
6 the purpose of paying the subsidy and administrative costs
7 of projects eligible for Federal credit assistance under
8 chapter 6 of title 23, United States Code, if the Secretary
9 finds that such use of the funds would advance the pur-
10 poses of this paragraph: *Provided further*, That in distrib-
11 uting funds provided under this heading, the Secretary
12 shall take such measures so as to ensure an equitable geo-
13 graphic distribution of funds, an appropriate balance in
14 addressing the needs of urban and rural areas, and the
15 investment in a variety of transportation modes: *Provided*
16 *further*, That a grant funded under this heading shall be
17 not less than \$5,000,000 and not greater than
18 \$25,000,000: *Provided further*, That not more than 10
19 percent of the funds made available under this heading
20 may be awarded to projects in a single State: *Provided*
21 *further*, That the Federal share of the costs for which an
22 expenditure is made under this heading shall be, at the
23 option of the recipient, up to 80 percent: *Provided further*,
24 That the Secretary shall give priority to projects that re-
25 quire a contribution of Federal funds in order to complete

1 an overall financing package: *Provided further*, That not
2 less than 20 percent of the funds provided under this
3 heading shall be for projects located in rural areas: *Pro-*
4 *vided further*, That for projects located in rural areas, the
5 minimum grant size shall be \$1,000,000 and the Secretary
6 may increase the Federal share of costs above 80 percent:
7 *Provided further*, That projects conducted using funds pro-
8 vided under this heading must comply with the require-
9 ments of subchapter IV of chapter 31 of title 40, United
10 States Code: *Provided further*, That the Secretary shall
11 conduct a new competition to select the grants and credit
12 assistance awarded under this heading: *Provided further*,
13 That the Secretary may retain up to \$20,000,000 of the
14 funds provided under this heading, and may transfer por-
15 tions of those funds to the Administrators of the Federal
16 Highway Administration, the Federal Transit Administra-
17 tion, the Federal Railroad Administration and the Mari-
18 time Administration, to fund the award and oversight of
19 grants and credit assistance made under the National In-
20 frastructure Investments program.

21 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE

22 FINANCE BUREAU

23 For necessary expenses for the establishment and ad-
24 ministration of a new National Surface Transportation
25 and Innovative Finance Bureau (the Bureau) within the

1 Office of the Secretary of Transportation, \$3,000,000, to
2 remain available until expended: *Provided*, That the Sec-
3 retary of Transportation shall use such amount for the
4 necessary expenses to establish the Bureau and to fulfill
5 the responsibilities of the Bureau, as detailed in section
6 9001 of the Fixing America's Surface Transportation
7 (FAST) Act (Public Law 114-94) (49 U.S.C. 116): *Pro-*
8 *vided further*, That the Secretary is required to receive the
9 advance approval of the House and Senate Committees on
10 Appropriations prior to exercising the authorities of 49
11 U.S.C. 116(h): *Provided further*, That the program be
12 available to other Federal agencies, States, municipalities
13 and project sponsors seeking Federal transportation ex-
14 pertise in obtaining financing.

15 FINANCIAL MANAGEMENT CAPITAL

16 For necessary expenses for upgrading and enhancing
17 the Department of Transportation's financial systems and
18 re-engineering business processes, \$4,000,000, to remain
19 available through September 30, 2018.

20 CYBER SECURITY INITIATIVES

21 For necessary expenses for cyber security initiatives,
22 including necessary upgrades to wide area network and
23 information technology infrastructure, improvement of
24 network perimeter controls and identity management,
25 testing and assessment of information technology against

1470

1 business, security, and other requirements, implementa-
2 tion of Federal cyber security initiatives and information
3 infrastructure enhancements, and implementation of en-
4 hanced security controls on network devices, \$15,000,000,
5 to remain available through September 30, 2018.

6 OFFICE OF CIVIL RIGHTS

7 For necessary expenses of the Office of Civil Rights,
8 \$9,751,000.

9 TRANSPORTATION PLANNING, RESEARCH, AND
10 DEVELOPMENT

11 For necessary expenses for conducting transportation
12 planning, research, systems development, development ac-
13 tivities, and making grants, to remain available until ex-
14 pended, \$12,000,000: *Provided*, That of such amount,
15 \$3,000,000 shall be for necessary expenses of the Inter-
16 agency Infrastructure Permitting Improvement Center
17 (IIPIC): *Provided further*, That there may be transferred
18 to this appropriation, to remain available until expended,
19 amounts from other Federal agencies for expenses in-
20 curred under this heading for IIPIC activities not related
21 to transportation infrastructure: *Provided further*, That
22 the tools and analysis developed by the IIPIC shall be
23 available to other Federal agencies for the permitting and
24 review of major infrastructure projects not related to
25 transportation only to the extent that other Federal agen-

1 cies provide funding to the Department as provided for
2 under the previous proviso.

3 WORKING CAPITAL FUND

4 For necessary expenses for operating costs and cap-
5 ital outlays of the Working Capital Fund, not to exceed
6 \$190,389,000 shall be paid from appropriations made
7 available to the Department of Transportation: *Provided*,
8 That such services shall be provided on a competitive basis
9 to entities within the Department of Transportation: *Pro-*
10 *vided further*, That the above limitation on operating ex-
11 penses shall not apply to non-DOT entities: *Provided fur-*
12 *ther*, That no funds appropriated in this Act to an agency
13 of the Department shall be transferred to the Working
14 Capital Fund without majority approval of the Working
15 Capital Fund Steering Committee and approval of the
16 Secretary: *Provided further*, That no assessments may be
17 levied against any program, budget activity, subactivity or
18 project funded by this Act unless notice of such assess-
19 ments and the basis therefor are presented to the House
20 and Senate Committees on Appropriations and are ap-
21 proved by such Committees.

22 MINORITY BUSINESS RESOURCE CENTER PROGRAM

23 For the cost of guaranteed loans, \$339,000, as au-
24 thorized by 49 U.S.C. 332: *Provided*, That such costs, in-
25 cluding the cost of modifying such loans, shall be as de-

1472

1 fined in section 502 of the Congressional Budget Act of
2 1974: *Provided further*, That these funds are available to
3 subsidize total loan principal, any part of which is to be
4 guaranteed, not to exceed \$18,367,000.

5 In addition, for administrative expenses to carry out
6 the guaranteed loan program, \$602,000.

7 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
8 OUTREACH

9 For necessary expenses for small and disadvantaged
10 business utilization and outreach activities, \$4,646,000, to
11 remain available until September 30, 2018: *Provided*,
12 That notwithstanding 49 U.S.C. 332, these funds may be
13 used for business opportunities related to any mode of
14 transportation.

15 PAYMENTS TO AIR CARRIERS

16 (AIRPORT AND AIRWAY TRUST FUND)

17 In addition to funds made available from any other
18 source to carry out the essential air service program under
19 49 U.S.C. 41731 through 41742, \$150,000,000, to be de-
20 rived from the Airport and Airway Trust Fund, to remain
21 available until expended: *Provided*, That in determining
22 between or among carriers competing to provide service
23 to a community, the Secretary may consider the relative
24 subsidy requirements of the carriers: *Provided further*,
25 That basic essential air service minimum requirements

1 shall not include the 15-passenger capacity requirement
2 under subsection 41732(b)(3) of title 49, United States
3 Code: *Provided further*, That none of the funds in this Act
4 or any other Act shall be used to enter into a new contract
5 with a community located less than 40 miles from the
6 nearest small hub airport before the Secretary has nego-
7 tiated with the community over a local cost share: *Pro-*
8 *vided further*, That amounts authorized to be distributed
9 for the essential air service program under subsection
10 41742(b) of title 49, United States Code, shall be made
11 available immediately from amounts otherwise provided to
12 the Administrator of the Federal Aviation Administration:
13 *Provided further*, That the Administrator may reimburse
14 such amounts from fees credited to the account estab-
15 lished under section 45303 of title 49, United States Code.

16 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
17 SECRETARY OF TRANSPORTATION

18 SEC. 101. None of the funds made available in this
19 Act to the Department of Transportation may be obligated
20 for the Office of the Secretary of Transportation to ap-
21 prove assessments or reimbursable agreements pertaining
22 to funds appropriated to the modal administrations in this
23 Act, except for activities underway on the date of enact-
24 ment of this Act, unless such assessments or agreements

1 have completed the normal reprogramming process for
2 Congressional notification.

3 SEC. 102. In addition to authority provided by section
4 327 of title 49, United States Code, the Department's
5 Working Capital Fund is hereby authorized to provide
6 partial or full payments in advance and accept subsequent
7 reimbursements from all Federal agencies from available
8 funds for transit benefit distribution services that are nec-
9 essary to carry out the Federal transit pass transportation
10 fringe benefit program under Executive Order 13150 and
11 section 3049 of Public Law 109-59: *Provided*, That the
12 Department shall maintain a reasonable operating reserve
13 in the Working Capital Fund, to be expended in advance
14 to provide uninterrupted transit benefits to Government
15 employees: *Provided further*, That such reserve will not ex-
16 ceed one month of benefits payable and may be used only
17 for the purpose of providing for the continuation of transit
18 benefits: *Provided further*, That the Working Capital Fund
19 will be fully reimbursed by each customer agency from
20 available funds for the actual cost of the transit benefit.

21 SEC. 103. The Secretary shall post on the Web site
22 of the Department of Transportation a schedule of all
23 meetings of the Council on Credit and Finance, including
24 the agenda for each meeting, and require the Council on

1475

1 Credit and Finance to record the decisions and actions
2 of each meeting.

3 FEDERAL AVIATION ADMINISTRATION
4 OPERATIONS
5 (AIRPORT AND AIRWAY TRUST FUND)

6 For necessary expenses of the Federal Aviation Ad-
7 ministration, not otherwise provided for, including oper-
8 ations and research activities related to commercial space
9 transportation, administrative expenses for research and
10 development, establishment of air navigation facilities, the
11 operation (including leasing) and maintenance of aircraft,
12 subsidizing the cost of aeronautical charts and maps sold
13 to the public, lease or purchase of passenger motor vehi-
14 cles for replacement only, in addition to amounts made
15 available by Public Law 112-95, \$10,025,852,000, to re-
16 main available until September 30, 2018, of which
17 \$9,173,000,000 shall be derived from the Airport and Air-
18 way Trust Fund, of which not to exceed \$7,559,785,000
19 shall be available for air traffic organization activities; not
20 to exceed \$1,298,482,000 shall be available for aviation
21 safety activities; not to exceed \$19,826,000 shall be avail-
22 able for commercial space transportation activities; not to
23 exceed \$771,342,000 shall be available for finance and
24 management activities; not to exceed \$60,155,000 shall be
25 available for NextGen and operations planning activities;

1 not to exceed \$107,161,000 shall be available for security
2 and hazardous materials safety; and not to exceed
3 \$209,101,000 shall be available for staff offices: *Provided*,
4 That not to exceed 5 percent of any budget activity, except
5 for aviation safety budget activity, may be transferred to
6 any budget activity under this heading: *Provided further*,
7 That no transfer may increase or decrease any appropria-
8 tion by more than 5 percent: *Provided further*, That any
9 transfer in excess of 5 percent shall be treated as a re-
10 programming of funds under section 405 of this Act and
11 shall not be available for obligation or expenditure except
12 in compliance with the procedures set forth in that section:
13 *Provided further*, That not later than March 31 of each
14 fiscal year hereafter, the Administrator of the Federal
15 Aviation Administration shall transmit to Congress an an-
16 nual update to the report submitted to Congress in De-
17 cember 2004 pursuant to section 221 of Public Law 108-
18 176: *Provided further*, That the amount herein appro-
19 priated shall be reduced by \$100,000 for each day after
20 March 31 that such report has not been submitted to the
21 Congress: *Provided further*, That not later than March 31
22 of each fiscal year hereafter, the Administrator shall
23 transmit to Congress a companion report that describes
24 a comprehensive strategy for staffing, hiring, and training
25 flight standards and aircraft certification staff in a format

1 similar to the one utilized for the controller staffing plan,
2 including stated attrition estimates and numerical hiring
3 goals by fiscal year: *Provided further*, That the amount
4 herein appropriated shall be reduced by \$100,000 per day
5 for each day after March 31 that such report has not been
6 submitted to Congress: *Provided further*, That funds may
7 be used to enter into a grant agreement with a nonprofit
8 standard-setting organization to assist in the development
9 of aviation safety standards: *Provided further*, That none
10 of the funds in this Act shall be available for new appli-
11 cants for the second career training program: *Provided*
12 *further*, That none of the funds in this Act shall be avail-
13 able for the Federal Aviation Administration to finalize
14 or implement any regulation that would promulgate new
15 aviation user fees not specifically authorized by law after
16 the date of the enactment of this Act: *Provided further*,
17 That there may be credited to this appropriation, as off-
18 setting collections, funds received from States, counties,
19 municipalities, foreign authorities, other public authori-
20 ties, and private sources for expenses incurred in the pro-
21 vision of agency services, including receipts for the mainte-
22 nance and operation of air navigation facilities, and for
23 issuance, renewal or modification of certificates, including
24 airman, aircraft, and repair station certificates, or for
25 tests related thereto, or for processing major repair or al-

1 teration forms: *Provided further*, That of the funds appro-
2 priated under this heading, not less than \$159,000,000
3 shall be for the contract tower program, including the con-
4 tract tower cost share program: *Provided further*, That
5 none of the funds in this Act for aeronautical charting
6 and cartography are available for activities conducted by,
7 or coordinated through, the Working Capital Fund: *Pro-*
8 *vided further*, That none of the funds appropriated or oth-
9 erwise made available by this Act or any other Act may
10 be used to eliminate the Contract Weather Observers pro-
11 gram at any airport.

12 FACILITIES AND EQUIPMENT

13 (AIRPORT AND AIRWAY TRUST FUND)

14 For necessary expenses, not otherwise provided for,
15 for acquisition, establishment, technical support services,
16 improvement by contract or purchase, and hire of national
17 airspace systems and experimental facilities and equip-
18 ment, as authorized under part A of subtitle VII of title
19 49, United States Code, including initial acquisition of
20 necessary sites by lease or grant; engineering and service
21 testing, including construction of test facilities and acqui-
22 sition of necessary sites by lease or grant; construction
23 and furnishing of quarters and related accommodations
24 for officers and employees of the Federal Aviation Admin-
25 istration stationed at remote localities where such accom-

1 modations are not available; and the purchase, lease, or
2 transfer of aircraft from funds available under this head-
3 ing, including aircraft for aviation regulation and certifi-
4 cation; to be derived from the Airport and Airway Trust
5 Fund, \$2,855,000,000, of which \$486,000,000 shall re-
6 main available until September 30, 2017, and
7 \$2,369,000,000 shall remain available until September 30,
8 2019: *Provided*, That there may be credited to this appro-
9 priation funds received from States, counties, municipali-
10 ties, other public authorities, and private sources, for ex-
11 penses incurred in the establishment, improvement, and
12 modernization of national airspace systems: *Provided fur-*
13 *ther*, That no later than March 31, the Secretary of Trans-
14 portation shall transmit to the Congress an investment
15 plan for the Federal Aviation Administration which in-
16 cludes funding for each budget line item for fiscal years
17 2018 through 2022, with total funding for each year of
18 the plan constrained to the funding targets for those years
19 as estimated and approved by the Office of Management
20 and Budget.

21 RESEARCH, ENGINEERING, AND DEVELOPMENT

22 (AIRPORT AND AIRWAY TRUST FUND)

23 For necessary expenses, not otherwise provided for,
24 for research, engineering, and development, as authorized
25 under part A of subtitle VII of title 49, United States

1 Code, including construction of experimental facilities and
2 acquisition of necessary sites by lease or grant,
3 \$176,500,000, to be derived from the Airport and Airway
4 Trust Fund and to remain available until September 30,
5 2019: *Provided*, That there may be credited to this appro-
6 priation as offsetting collections, funds received from
7 States, counties, municipalities, other public authorities,
8 and private sources, which shall be available for expenses
9 incurred for research, engineering, and development.

10 GRANTS-IN-AID FOR AIRPORTS

11 (LIQUIDATION OF CONTRACT AUTHORIZATION)

12 (LIMITATION ON OBLIGATIONS)

13 (AIRPORT AND AIRWAY TRUST FUND)

14 (INCLUDING TRANSFER OF FUNDS)

15 For liquidation of obligations incurred for grants-in-
16 aid for airport planning and development, and noise com-
17 patibility planning and programs as authorized under sub-
18 chapter I of chapter 471 and subchapter I of chapter 475
19 of title 49, United States Code, and under other law au-
20 thorizing such obligations; for procurement, installation,
21 and commissioning of runway incursion prevention devices
22 and systems at airports of such title; for grants authorized
23 under section 41743 of title 49, United States Code; and
24 for inspection activities and administration of airport safe-
25 ty programs, including those related to airport operating

1 certificates under section 44706 of title 49, United States
2 Code, \$3,750,000,000, to be derived from the Airport and
3 Airway Trust Fund and to remain available until ex-
4 pended: *Provided*, That none of the funds under this head-
5 ing shall be available for the planning or execution of pro-
6 grams the obligations for which are in excess of
7 \$3,350,000,000 in fiscal year 2017, notwithstanding sec-
8 tion 47117(g) of title 49, United States Code: *Provided*
9 *further*, That none of the funds under this heading shall
10 be available for the replacement of baggage conveyor sys-
11 tems, reconfiguration of terminal baggage areas, or other
12 airport improvements that are necessary to install bulk ex-
13 plosive detection systems: *Provided further*, That notwith-
14 standing section 47109(a) of title 49, United States Code,
15 the Government's share of allowable project costs under
16 paragraph (2) for subgrants or paragraph (3) of that sec-
17 tion shall be 95 percent for a project at other than a large
18 or medium hub airport that is a successive phase of a
19 multi-phased construction project for which the project
20 sponsor received a grant in fiscal year 2011 for the con-
21 struction project: *Provided further*, That notwithstanding
22 any other provision of law, of funds limited under this
23 heading, not more than \$107,691,000 shall be available
24 for administration, not less than \$15,000,000 shall be
25 available for the Airport Cooperative Research Program,

1 not less than \$31,375,000 shall be available for Airport
2 Technology Research, and \$10,000,000, to remain avail-
3 able until expended, shall be available and transferred to
4 “Office of the Secretary, Salaries and Expenses” to carry
5 out the Small Community Air Service Development Pro-
6 gram: *Provided further*, That in addition to airports eligi-
7 ble under section 41743 of title 49, such program may
8 include the participation of an airport that serves a com-
9 munity or consortium that is not larger than a small hub
10 airport, according to FAA hub classifications effective at
11 the time the Office of the Secretary issues a request for
12 proposals.

13 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

14 ADMINISTRATION

15 SEC. 110. None of the funds in this Act may be used
16 to compensate in excess of 600 technical staff-years under
17 the federally funded research and development center con-
18 tract between the Federal Aviation Administration and the
19 Center for Advanced Aviation Systems Development dur-
20 ing fiscal year 2017.

21 SEC. 111. None of the funds in this Act shall be used
22 to pursue or adopt guidelines or regulations requiring air-
23 port sponsors to provide to the Federal Aviation Adminis-
24 tration without cost building construction, maintenance,
25 utilities and expenses, or space in airport sponsor-owned

1 buildings for services relating to air traffic control, air
2 navigation, or weather reporting: *Provided*, That the pro-
3 hibition of funds in this section does not apply to negotia-
4 tions between the agency and airport sponsors to achieve
5 agreement on “below-market” rates for these items or to
6 grant assurances that require airport sponsors to provide
7 land without cost to the FAA for air traffic control facili-
8 ties.

9 SEC. 112. The Administrator of the Federal Aviation
10 Administration may reimburse amounts made available to
11 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
12 49 U.S.C. 45303 and any amount remaining in such ac-
13 count at the close of that fiscal year may be made available
14 to satisfy section 41742(a)(1) for the subsequent fiscal
15 year.

16 SEC. 113. Amounts collected under section 40113(e)
17 of title 49, United States Code, shall be credited to the
18 appropriation current at the time of collection, to be
19 merged with and available for the same purposes of such
20 appropriation.

21 SEC. 114. None of the funds in this Act shall be avail-
22 able for paying premium pay under subsection 5546(a) of
23 title 5, United States Code, to any Federal Aviation Ad-
24 ministration employee unless such employee actually per-

1 formed work during the time corresponding to such pre-
2 mium pay.

3 SEC. 115. None of the funds in this Act may be obli-
4 gated or expended for an employee of the Federal Aviation
5 Administration to purchase a store gift card or gift certifi-
6 cate through use of a Government-issued credit card.

7 SEC. 116. None of the funds in this Act may be obli-
8 gated or expended for retention bonuses for an employee
9 of the Federal Aviation Administration without the prior
10 written approval of the Assistant Secretary for Adminis-
11 tration of the Department of Transportation.

12 SEC. 117. Notwithstanding any other provision of
13 law, none of the funds made available under this Act or
14 any prior Act may be used to implement or to continue
15 to implement any limitation on the ability of any owner
16 or operator of a private aircraft to obtain, upon a request
17 to the Administrator of the Federal Aviation Administra-
18 tion, a blocking of that owner's or operator's aircraft reg-
19 istration number from any display of the Federal Aviation
20 Administration's Aircraft Situational Display to Industry
21 data that is made available to the public, except data made
22 available to a Government agency, for the noncommercial
23 flights of that owner or operator.

24 SEC. 118. None of the funds in this Act shall be avail-
25 able for salaries and expenses of more than nine political

1 and Presidential appointees in the Federal Aviation Ad-
2 ministration.

3 SEC. 119. None of the funds made available under
4 this Act may be used to increase fees pursuant to section
5 44721 of title 49, United States Code, until the Federal
6 Aviation Administration provides to the House and Senate
7 Committees on Appropriations a report that justifies all
8 fees related to aeronautical navigation products and ex-
9 plains how such fees are consistent with Executive Order
10 13642.

11 SEC. 119A. None of the funds in this Act may be
12 used to close a regional operations center of the Federal
13 Aviation Administration or reduce its services unless the
14 Administrator notifies the House and Senate Committees
15 on Appropriations not less than 90 full business days in
16 advance.

17 SEC. 119B. None of the funds appropriated or lim-
18 ited by this Act may be used to change weight restrictions
19 or prior permission rules at Teterboro airport in
20 Teterboro, New Jersey.

21 SEC. 119C. None of the funds provided under this
22 Act may be used by the Administrator of the Federal Avia-
23 tion Administration to withhold from consideration and
24 approval any application for participation in the Contract
25 Tower Program, or for reevaluation of Cost-share Pro-

1 gram participants, pending as of January 1, 2016, as long
2 as the Federal Aviation Administration has received an
3 application from the airport, and as long as the Adminis-
4 trator determines such tower is eligible using the factors
5 set forth in the Federal Aviation Administration report,
6 Establishment and Discontinuance Criteria for Airport
7 Traffic Control Towers (FAA-APO-90-7 as of August,
8 1990).

9 SEC. 119D. For fiscal year 2017, the Secretary of
10 Transportation shall apportion to the sponsor of a primary
11 airport under section 47114(c)(1)(A) of title 49, United
12 States Code, an amount based on the number of passenger
13 boardings at the airport during calendar year 2012 if the
14 airport had—

15 (1) fewer than 10,000 passenger boardings dur-
16 ing the calendar year used to calculate the appor-
17 tionment for fiscal year 2017; and

18 (2) 10,000 or more passenger boardings during
19 calendar year 2012.

20 SEC. 119E. Section 47109(c)(2) of title 49, United
21 States Code, is amended to read as follows: “The Govern-
22 ment’s share of allowable project costs determined under
23 this subsection shall not exceed the lesser of 93.75 percent
24 or the highest percentage Government share applicable to
25 any project in any State under subsection (b), except that

1 at a primary non-hub and non-primary commercial service
2 airport located in a State as set forth in paragraph (1)
3 of this subsection that is within 15 miles of another State
4 as set forth in paragraph (1) of this subsection, the Gov-
5 ernment's share shall be an average of the Government
6 share applicable to any project in each of the States.”.

7 SEC. 119F. (a) Subchapter I of chapter 471, as
8 amended by this subtitle, is further amended by adding
9 at the end the following:

10 **“§47144. Use of funds for repairs for runway safety**
11 **repairs**

12 “(a) IN GENERAL.—The Secretary of Transportation
13 may make project grants under this subchapter to an air-
14 port described in subsection (b) from funds under section
15 47114 apportioned to that airport or funds available for
16 discretionary grants to that airport under section 47115
17 to conduct airport development to repair the runway safe-
18 ty area of the airport damaged as a result of a natural
19 disaster in order to maintain compliance with the regula-
20 tions of the Federal Aviation Administration relating to
21 runway safety areas, without regard to whether construc-
22 tion of the runway safety area damaged was carried out
23 using amounts the airport received under this subchapter.

24 “(b) AIRPORTS DESCRIBED.—An airport is described
25 in this subsection if—

1 “(1) the airport is a public-use airport;

2 “(2) the airport is listed in the National Plan
3 of Integrated Airport Systems of the Federal Avia-
4 tion Administration;

5 “(3) the runway safety area of the airport was
6 damaged as a result of a natural disaster;

7 “(4) the airport was denied funding under the
8 Robert T. Stafford Disaster Relief and Emergency
9 Assistance Act (42 U.S.C. 4121 et seq.) with respect
10 to the disaster;

11 “(5) the operator of the airport has exhausted
12 all legal remedies, including legal action against any
13 parties (or insurers thereof) whose action or inaction
14 may have contributed to the need for the repair of
15 the runway safety area;

16 “(6) there is still a demonstrated need for the
17 runway safety area to accommodate current or im-
18 minent aeronautical demand; and

19 “(7) the cost of repairing or replacing the run-
20 way safety area is reasonable in relation to the an-
21 ticipated operational benefit of repairing the runway
22 safety area, as determined by the Administrator of
23 the Federal Aviation Administration.”.

1 (b) The analysis for chapter 471, as amended by this
2 subtitle, is further amended by inserting after the item
3 relating to section 47143 the following:

“47144. Use of funds for repairs for runway safety repairs.”.

4 FEDERAL HIGHWAY ADMINISTRATION
5 LIMITATION ON ADMINISTRATIVE EXPENSES
6 (HIGHWAY TRUST FUND)
7 (INCLUDING TRANSFER OF FUNDS)

8 Not to exceed \$432,547,000, together with advances
9 and reimbursements received by the Federal Highway Ad-
10 ministration, shall be obligated for necessary expenses for
11 administration and operation of the Federal Highway Ad-
12 ministration. In addition, not to exceed \$3,248,000 shall
13 be transferred to the Appalachian Regional Commission
14 in accordance with section 104(a) of title 23, United
15 States Code.

16 FEDERAL-AID HIGHWAYS
17 (LIMITATION ON OBLIGATIONS)
18 (HIGHWAY TRUST FUND)

19 Funds available for the implementation or execution
20 of Federal-aid highway and highway safety construction
21 programs authorized under titles 23 and 49, United States
22 Code, and the provisions of the Fixing America’s Surface
23 Transportation Act shall not exceed total obligations of
24 \$43,266,100,000 for fiscal year 2017: *Provided*, That the
25 Secretary may collect and spend fees, as authorized by

1 title 23, United States Code, to cover the costs of services
2 of expert firms, including counsel, in the field of municipal
3 and project finance to assist in the underwriting and serv-
4 icing of Federal credit instruments and all or a portion
5 of the costs to the Federal Government of servicing such
6 credit instruments: *Provided further*, That such fees are
7 available until expended to pay for such costs: *Provided*
8 *further*, That such amounts are in addition to administra-
9 tive expenses that are also available for such purpose, and
10 are not subject to any obligation limitation or the limita-
11 tion on administrative expenses under section 608 of title
12 23, United States Code.

13 (LIQUIDATION OF CONTRACT AUTHORIZATION)

14 (HIGHWAY TRUST FUND)

15 For the payment of obligations incurred in carrying
16 out Federal-aid highway and highway safety construction
17 programs authorized under title 23, United States Code,
18 \$44,005,100,000 derived from the Highway Trust Fund
19 (other than the Mass Transit Account), to remain avail-
20 able until expended.

21 (RESCISSION)

22 (HIGHWAY TRUST FUND)

23 Of the unobligated balances of funds apportioned
24 among the States under chapter 1 of title 23, United
25 States Code, a total of \$857,000,000 is hereby perma-

1 nently rescinded on June 30, 2017: *Provided*, That such
2 rescission shall not apply to funds distributed in accord-
3 ance with sections 104(b)(3) and 130(f) of title 23, United
4 States Code; section 133(d)(1)(A) of such title; the first
5 sentence of section 133(d)(3)(A) of such title, as in effect
6 on the day before the date of enactment of MAP-21 (Pub-
7 lic Law 112-141); sections 133(d)(1) and 163 of such
8 title, as in effect on the day before the date of enactment
9 of SAFETEA-LU (Public Law 109-59); and section
10 104(b)(5) of such title, as in effect on the day before the
11 date of enactment of MAP-21 (Public Law 112-141):
12 *Provided further*, That such rescission shall not apply to
13 funds that are exempt from the obligation limitation or
14 subject to special no-year obligation limitation: *Provided*
15 *further*, That the amount to be rescinded from a State
16 shall be determined by multiplying the total amount of the
17 rescission by the ratio that the unobligated balances sub-
18 ject to the rescission as of May 31, 2017, for the State;
19 bears to the unobligated balances subject to the rescission
20 as of May 31, 2017, for all States: *Provided further*, That
21 the amount to be rescinded under this section from each
22 program to which the rescission applies within a State
23 shall be determined by multiplying the rescission amount
24 calculated for such State by the ratio that the unobligated
25 balance as of May 31, 2017, for such program in such

1 State; bears to the unobligated balances as of May 31,
2 2017, for all programs to which the rescission applies in
3 such State.

4 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

5 ADMINISTRATION

6 SEC. 120. (a) For fiscal year 2017, the Secretary of
7 Transportation shall—

8 (1) not distribute from the obligation limitation
9 for Federal-aid highways—

10 (A) amounts authorized for administrative
11 expenses and programs by section 104(a) of
12 title 23, United States Code; and

13 (B) amounts authorized for the Bureau of
14 Transportation Statistics;

15 (2) not distribute an amount from the obliga-
16 tion limitation for Federal-aid highways that is equal
17 to the unobligated balance of amounts—

18 (A) made available from the Highway
19 Trust Fund (other than the Mass Transit Ac-
20 count) for Federal-aid highway and highway
21 safety construction programs for previous fiscal
22 years the funds for which are allocated by the
23 Secretary (or apportioned by the Secretary
24 under sections 202 or 204 of title 23, United
25 States Code); and

1 (B) for which obligation limitation was
2 provided in a previous fiscal year;

3 (3) determine the proportion that—

4 (A) the obligation limitation for Federal-
5 aid highways, less the aggregate of amounts not
6 distributed under paragraphs (1) and (2) of
7 this subsection; bears to

8 (B) the total of the sums authorized to be
9 appropriated for the Federal-aid highway and
10 highway safety construction programs (other
11 than sums authorized to be appropriated for
12 provisions of law described in paragraphs (1)
13 through (11) of subsection (b) and sums au-
14 thorized to be appropriated for section 119 of
15 title 23, United States Code, equal to the
16 amount referred to in subsection (b)(12) for
17 such fiscal year), less the aggregate of the
18 amounts not distributed under paragraphs (1)
19 and (2) of this subsection;

20 (4) distribute the obligation limitation for Fed-
21 eral-aid highways, less the aggregate amounts not
22 distributed under paragraphs (1) and (2), for each
23 of the programs (other than programs to which
24 paragraph (1) applies) that are allocated by the Sec-
25 retary under the Fixing America's Surface Trans-

1 portation Act and title 23, United States Code, or
2 apportioned by the Secretary under sections 202 or
3 204 of that title, by multiplying—

4 (A) the proportion determined under para-
5 graph (3); by

6 (B) the amounts authorized to be appro-
7 priated for each such program for such fiscal
8 year; and

9 (5) distribute the obligation limitation for Fed-
10 eral-aid highways, less the aggregate amounts not
11 distributed under paragraphs (1) and (2) and the
12 amounts distributed under paragraph (4), for Fed-
13 eral-aid highway and highway safety construction
14 programs that are apportioned by the Secretary
15 under title 23, United States Code (other than the
16 amounts apportioned for the National Highway Per-
17 formance Program in section 119 of title 23, United
18 States Code, that are exempt from the limitation
19 under subsection (b)(12) and the amounts appor-
20 tioned under sections 202 and 204 of that title) in
21 the proportion that—

22 (A) amounts authorized to be appropriated
23 for the programs that are apportioned under
24 title 23, United States Code, to each State for
25 such fiscal year; bears to

1 (B) the total of the amounts authorized to
2 be appropriated for the programs that are ap-
3 portioned under title 23, United States Code, to
4 all States for such fiscal year.

5 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

6 The obligation limitation for Federal-aid highways shall
7 not apply to obligations under or for—

8 (1) section 125 of title 23, United States Code;

9 (2) section 147 of the Surface Transportation
10 Assistance Act of 1978 (23 U.S.C. 144 note; 92
11 Stat. 2714);

12 (3) section 9 of the Federal-Aid Highway Act
13 of 1981 (95 Stat. 1701);

14 (4) subsections (b) and (j) of section 131 of the
15 Surface Transportation Assistance Act of 1982 (96
16 Stat. 2119);

17 (5) subsections (b) and (c) of section 149 of the
18 Surface Transportation and Uniform Relocation As-
19 sistance Act of 1987 (101 Stat. 198);

20 (6) sections 1103 through 1108 of the Inter-
21 modal Surface Transportation Efficiency Act of
22 1991 (105 Stat. 2027);

23 (7) section 157 of title 23, United States Code
24 (as in effect on June 8, 1998);

1 (8) section 105 of title 23, United States Code
2 (as in effect for fiscal years 1998 through 2004, but
3 only in an amount equal to \$639,000,000 for each
4 of those fiscal years);

5 (9) Federal-aid highway programs for which ob-
6 ligation authority was made available under the
7 Transportation Equity Act for the 21st Century
8 (112 Stat. 107) or subsequent Acts for multiple
9 years or to remain available until expended, but only
10 to the extent that the obligation authority has not
11 lapsed or been used;

12 (10) section 105 of title 23, United States Code
13 (as in effect for fiscal years 2005 through 2012, but
14 only in an amount equal to \$639,000,000 for each
15 of those fiscal years);

16 (11) section 1603 of SAFETEA-LU (23
17 U.S.C. 118 note; 119 Stat. 1248), to the extent that
18 funds obligated in accordance with that section were
19 not subject to a limitation on obligations at the time
20 at which the funds were initially made available for
21 obligation; and

22 (12) section 119 of title 23, United States Code
23 (but, for each of fiscal years 2013 through 2017,
24 only in an amount equal to \$639,000,000).

1 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
2 THORITY.—Notwithstanding subsection (a), the Secretary
3 shall, after August 1 of such fiscal year—

4 (1) revise a distribution of the obligation limita-
5 tion made available under subsection (a) if an
6 amount distributed cannot be obligated during that
7 fiscal year; and

8 (2) redistribute sufficient amounts to those
9 States able to obligate amounts in addition to those
10 previously distributed during that fiscal year, giving
11 priority to those States having large unobligated bal-
12 ances of funds apportioned under sections 144 (as in
13 effect on the day before the date of enactment of
14 Public Law 112–141) and 104 of title 23, United
15 States Code.

16 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO
17 TRANSPORTATION RESEARCH PROGRAMS.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), the obligation limitation for Federal-aid
20 highways shall apply to contract authority for trans-
21 portation research programs carried out under—

22 (A) chapter 5 of title 23, United States
23 Code; and

24 (B) title VI of the Fixing America’s Sur-
25 face Transportation Act.

1 (2) EXCEPTION.—Obligation authority made
2 available under paragraph (1) shall—

3 (A) remain available for a period of 4 fis-
4 cal years; and

5 (B) be in addition to the amount of any
6 limitation imposed on obligations for Federal-
7 aid highway and highway safety construction
8 programs for future fiscal years.

9 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
10 FUNDS.—

11 (1) IN GENERAL.—Not later than 30 days after
12 the date of distribution of obligation limitation
13 under subsection (a), the Secretary shall distribute
14 to the States any funds (excluding funds authorized
15 for the program under section 202 of title 23,
16 United States Code) that—

17 (A) are authorized to be appropriated for
18 such fiscal year for Federal-aid highway pro-
19 grams; and

20 (B) the Secretary determines will not be
21 allocated to the States (or will not be appor-
22 tioned to the States under section 204 of title
23 23, United States Code), and will not be avail-
24 able for obligation, for such fiscal year because

1 of the imposition of any obligation limitation for
2 such fiscal year.

3 (2) **RATIO.**—Funds shall be distributed under
4 paragraph (1) in the same proportion as the dis-
5 tribution of obligation authority under subsection
6 (a)(5).

7 (3) **AVAILABILITY.**—Funds distributed to each
8 State under paragraph (1) shall be available for any
9 purpose described in section 133(b) of title 23,
10 United States Code.

11 **SEC. 121.** Notwithstanding 31 U.S.C. 3302, funds re-
12 ceived by the Bureau of Transportation Statistics from the
13 sale of data products, for necessary expenses incurred pur-
14 suant to chapter 63 of title 49, United States Code, may
15 be credited to the Federal-aid highways account for the
16 purpose of reimbursing the Bureau for such expenses:
17 *Provided*, That such funds shall be subject to the obliga-
18 tion limitation for Federal-aid highway and highway safety
19 construction programs.

20 **SEC. 122. (a) TRANSFER OF AMOUNTS.**—

21 (1) **STATE OF VIRGINIA.**—

22 (A) **IN GENERAL.**—Of the total amount
23 apportioned to the State of Virginia under sec-
24 tion 104 of title 23, United States Code, for fis-
25 cal year 2017, the Secretary of Transportation

1 shall, by the later of November 30, 2016, or 30
2 days after the enactment of this Act, transfer
3 to the National Park Service—

4 (i) an amount equal to—

5 (I) \$30,000,000; multiplied by

6 (II) the ratio that—

7 (aa) the amount apportioned
8 to the State of Virginia under
9 such section 104; bears to

10 (bb) the combined amount
11 apportioned to the State of Vir-
12 ginia and the District of Colum-
13 bia under such section 104; and

14 (ii) an amount of obligation limitation
15 equal to the amount calculated under
16 clause (i).

17 (B) SOURCE AND AMOUNT.—For purpose
18 of the transfer under subparagraph (A), the
19 State of Virginia shall select at the discretion of
20 the State—

21 (i) the programs (among those for
22 which funding is apportioned as described
23 in that subparagraph) from which to trans-
24 fer the amount specified in that subpara-
25 graph; and

1 (ii) the amount to transfer from each
2 of those programs (equal in aggregate to
3 the amount calculated under subparagraph
4 (A)(i)).

5 (2) DISTRICT OF COLUMBIA.—

6 (A) IN GENERAL.—Of the total amount
7 apportioned to the District of Columbia under
8 section 104 of title 23, United States Code, for
9 fiscal year 2017, the Secretary of Transpor-
10 tation shall, by the later of November 30, 2016,
11 or 30 days after the enactment of this Act,
12 transfer to the National Park Service—

13 (i) an amount equal to—

14 (I) \$30,000,000; multiplied by

15 (II) the ratio that—

16 (aa) the amount apportioned
17 to the District of Columbia under
18 such section 104; bears to

19 (bb) the combined amount
20 apportioned to the State of Vir-
21 ginia and the District of Colum-
22 bia under such section 104; and

23 (ii) an amount of obligation limitation
24 equal to the amount calculated under
25 clause (i).

1 (B) SOURCE AND AMOUNT.—For purpose
2 of the transfer under subparagraph (A), the
3 District of Columbia shall select at the discre-
4 tion of the District—

5 (i) the programs (among those for
6 which funding is apportioned as described
7 in that subparagraph) from which to trans-
8 fer the amount specified in that subpara-
9 graph; and

10 (ii) the amount to transfer from each
11 of those programs (equal in aggregate to
12 the amount calculated under subparagraph
13 (A)(i)).

14 (3) FEDERAL LANDS TRANSPORTATION PRO-
15 GRAM.—Of the amounts otherwise made available to
16 the National Park Service under section 203 of title
17 23, United States Code, not less than 10 percent
18 shall be set aside for purposes of this section.

19 (b) ELIGIBILITY AND FEDERAL SHARE.—The
20 amounts under subsection (a) shall be—

21 (1) available to the National Park Service only
22 for projects that—

23 (A) are eligible under section 203 of title
24 23, United States Code; and

1 (B) are located on bridges on the National
2 Highway System that were originally con-
3 structed before 1945 and are in poor condition;
4 and

5 (2) subject to the Federal share described in
6 section 201(b)(7)(A) of title 23, United States Code.

7 (c) OTHER FUNDS AND OBLIGATION LIMITATION.—
8 Any funds and obligation limitation transferred under
9 subsection (a) shall be in addition to funds or obligation
10 limitation otherwise made available to the National Park
11 Service under sections 203 and 204 of title 23, United
12 States Code.

13 SEC. 123. Not less than 15 days prior to waiving,
14 under his or her statutory authority, any Buy America re-
15 quirement for Federal-aid highways projects, the Sec-
16 retary of Transportation shall make an informal public no-
17 tice and comment opportunity on the intent to issue such
18 waiver and the reasons therefor: *Provided*, That the Sec-
19 retary shall provide an annual report to the House and
20 Senate Committees on Appropriations on any waivers
21 granted under the Buy America requirements.

22 SEC. 124. None of the funds in this Act to the De-
23 partment of Transportation may be used to provide credit
24 assistance unless not less than 3 days before any applica-
25 tion approval to provide credit assistance under sections

1 603 and 604 of title 23, United States Code, the Secretary
2 of Transportation provides notification in writing to the
3 following committees: the House and Senate Committees
4 on Appropriations; the Committee on Environment and
5 Public Works and the Committee on Banking, Housing
6 and Urban Affairs of the Senate; and the Committee on
7 Transportation and Infrastructure of the House of Rep-
8 resentatives: *Provided*, That such notification shall in-
9 clude, but not be limited to, the name of the project spon-
10 sor; a description of the project; whether credit assistance
11 will be provided as a direct loan, loan guarantee, or line
12 of credit; and the amount of credit assistance.

13 SEC. 125. None of the funds in this Act may be used
14 to make a grant for a project under section 117 of title
15 23, United States Code, unless the Secretary, at least 60
16 days before making a grant under that section, provides
17 written notification to the House and Senate Committees
18 on Appropriations of the proposed grant, including an
19 evaluation and justification for the project and the amount
20 of the proposed grant award.

1 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

2 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

3 (LIQUIDATION OF CONTRACT AUTHORIZATION)

4 (LIMITATION ON OBLIGATIONS)

5 (HIGHWAY TRUST FUND)

6 For payment of obligations incurred in the implemen-
7 tation, execution and administration of motor carrier safe-
8 ty operations and programs pursuant to section 31110 of
9 title 49, United States Code, as amended by the Fixing
10 America's Surface Transportation Act, \$277,200,000, to
11 be derived from the Highway Trust Fund (other than the
12 Mass Transit Account), together with advances and reim-
13 bursements received by the Federal Motor Carrier Safety
14 Administration, the sum of which shall remain available
15 until expended: *Provided*, That funds available for imple-
16 mentation, execution or administration of motor carrier
17 safety operations and programs authorized under title 49,
18 United States Code, shall not exceed total obligations of
19 \$277,200,000 for "Motor Carrier Safety Operations and
20 Programs" for fiscal year 2017, of which \$9,180,000, to
21 remain available for obligation until September 30, 2019,
22 is for the research and technology program.

1506

1 MOTOR CARRIER 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 sections 31102, 31103, 31104, and 31313 of title 49,
7 United States Code, as amended by the Fixing America's
8 Surface Transportation Act, \$367,000,000, to be derived
9 from the Highway Trust Fund (other than the Mass Tran-
10 sit Account) and to remain available until expended: *Pro-*
11 *vided*, That funds available for the implementation or exe-
12 cution of motor carrier safety programs shall not exceed
13 total obligations of \$367,000,000 in fiscal year 2017 for
14 "Motor Carrier Safety Grants"; of which \$292,600,000
15 shall be available for the motor carrier safety assistance
16 program, \$31,200,000 shall be available for the commer-
17 cial driver's license program implementation program,
18 \$42,200,000 shall be available for the high priority activi-
19 ties program, and \$1,000,000 shall be available for the
20 commercial motor vehicle operators grant program.

21 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR
22 CARRIER SAFETY ADMINISTRATION

23 SEC. 130. Funds appropriated or limited in this Act
24 shall be subject to the terms and conditions stipulated in

1 section 350 of Public Law 107–87 and section 6901 of
2 Public Law 110–28.

3 SEC. 131. The Federal Motor Carrier Safety Admin-
4 istration shall send notice of 49 CFR section 385.308 vio-
5 lations by certified mail, registered mail, or another man-
6 ner of delivery, which records the receipt of the notice by
7 the persons responsible for the violations.

8 SEC. 132. None of the funds made available by this
9 Act or previous appropriations Acts under the heading
10 “Motor Carrier Safety Operations and Programs” shall be
11 used to pay for costs associated with design, development,
12 testing, or implementation of a wireless roadside inspec-
13 tion program until 180 days after the Secretary of Trans-
14 portation certifies to the House and Senate Committees
15 on Appropriations that such program does not conflict
16 with existing non-Federal electronic screening systems,
17 create capabilities already available, or require additional
18 statutory authority to incorporate generated inspection
19 data into safety determinations or databases, and has re-
20 strictions to specifically address privacy concerns of af-
21 fected motor carriers and operators.

22 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
23 OPERATIONS AND RESEARCH

24 For expenses necessary to discharge the functions of
25 the Secretary, with respect to traffic and highway safety

1 authorized under chapter 301 and part C of subtitle VI
2 of title 49, United States Code, \$180,075,000, of which
3 \$20,000,000 shall remain available through September
4 30, 2018.

5 OPERATIONS AND RESEARCH
6 (LIQUIDATION OF CONTRACT AUTHORIZATION)
7 (LIMITATION ON OBLIGATIONS)
8 (HIGHWAY TRUST FUND)

9 For payment of obligations incurred in carrying out
10 the provisions of 23 U.S.C. 403, and chapter 303 of title
11 49, United States Code, \$145,900,000, to be derived from
12 the Highway Trust Fund (other than the Mass Transit
13 Account) and to remain available until expended: *Pro-*
14 *vided*, That none of the funds in this Act shall be available
15 for the planning or execution of programs the total obliga-
16 tions for which, in fiscal year 2017, are in excess of
17 \$145,900,000, of which \$140,700,000 shall be for pro-
18 grams authorized under 23 U.S.C. 403 and \$5,200,000
19 shall be for the National Driver Register authorized under
20 chapter 303 of title 49, United States Code: *Provided fur-*
21 *ther*, That within the \$145,900,000 obligation limitation
22 for operations and research, \$20,000,000 shall remain
23 available until September 30, 2018, and shall be in addi-
24 tion to the amount of any limitation imposed on obliga-
25 tions for future years.

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 \$585,372,000, 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 2017, are in excess of
14 \$585,372,000 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 \$252,300,000 shall be for “Highway Safety Programs”
18 under 23 U.S.C. 402; \$277,500,000 shall be for “National
19 Priority Safety Programs” under 23 U.S.C. 405;
20 \$29,500,000 shall be for “High Visibility Enforcement
21 Program” under 23 U.S.C. 404; \$26,072,000 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-

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 obligate or award funds for the Na-
9 tional Highway Traffic Safety Administration's National
10 Roadside Survey.

11 SEC. 143. None of the funds made available by this
12 Act may be used to mandate global positioning system
13 (GPS) tracking in private passenger motor vehicles with-
14 out providing full and appropriate consideration of privacy
15 concerns under 5 U.S.C. chapter 5, subchapter II.

16 FEDERAL RAILROAD ADMINISTRATION
17 SAFETY AND OPERATIONS

18 For necessary expenses of the Federal Railroad Ad-
19 ministration, not otherwise provided for, \$218,298,000, of
20 which \$15,900,000 shall remain available until expended.

21 RAILROAD RESEARCH AND DEVELOPMENT

22 For necessary expenses for railroad research and de-
23 velopment, \$40,100,000, to remain available until ex-
24 pended.

1 RAILROAD REHABILITATION AND IMPROVEMENT

2 FINANCING PROGRAM

3 The Secretary of Transportation is authorized to
4 issue direct loans and loan guarantees pursuant to sec-
5 tions 501 through 504 of the Railroad Revitalization and
6 Regulatory Reform Act of 1976 (Public Law 94–210), as
7 amended, such authority shall exist as long as any such
8 direct loan or loan guarantee is outstanding: *Provided*,
9 That pursuant to section 502 of such Act, as amended,
10 no new direct loans or loan guarantee commitments shall
11 be made using Federal funds for the credit risk premium
12 during fiscal year 2017, except for Federal funds awarded
13 in accordance with section 3028(c) of Public Law 114–
14 94.

15 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD

16 REPAIR GRANTS

17 For necessary expenses related to Federal-State
18 Partnership for State of Good Repair Grants as author-
19 ized by section 24911 of title 49, United States Code,
20 \$25,000,000, to remain available until expended: *Pro-*
21 *vided*, That the Secretary may withhold up to one percent
22 of the amount provided under this heading for the costs
23 of project management oversight of grants carried out
24 under section 24911 of title 49, United States Code.

1 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
2 IMPROVEMENTS GRANTS

3 For necessary expenses related to Consolidated Rail
4 Infrastructure and Safety Improvements Grants as au-
5 thorized by section 24407 of title 49, United States Code,
6 \$68,000,000, to remain available until expended, for
7 projects eligible under sections 24407(c)(1) through
8 24407(c)(10) of title 49, United States Code, of which
9 \$10,000,000 shall be available for eligible projects under
10 section 24407(c)(2) of title 49, United States Code, that
11 contribute to the initiation or restoration of intercity pas-
12 senger rail service: *Provided*, That the Secretary may
13 withhold up to one percent of the amount provided under
14 this heading for the costs of project management oversight
15 of grants carried out under section 24407 of title 49,
16 United States Code.

17 RESTORATION AND ENHANCEMENT GRANTS

18 For necessary expenses related to Restoration and
19 Enhancement Grants, as authorized by section 24408 of
20 title 49, United States Code, \$5,000,000, to remain avail-
21 able until expended: *Provided*, That the Secretary may
22 withhold up to one percent of the funds provided under
23 this heading to fund the costs of project management and
24 oversight.

1 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
2 RAILROAD PASSENGER CORPORATION

3 To enable the Secretary of Transportation to make
4 grants to the National Railroad Passenger Corporation for
5 activities associated with the Northeast Corridor as au-
6 thorized by section 11101(a) of the Fixing America's Sur-
7 face Transportation Act (division A of Public Law 114-
8 94), \$328,000,000, to remain available until expended:
9 *Provided*, That the Secretary may retain up to one-half
10 of 1 percent of the funds provided under both this heading
11 and the National Network Grants to the National Rail-
12 road Passenger Corporation heading to fund the costs of
13 project management and oversight of activities authorized
14 by section 11101(c) of division A of Public Law 114-94:
15 *Provided further*, That in addition to the project manage-
16 ment oversight funds authorized under section 11101(c)
17 of division A of Public Law 114-94, the Secretary may
18 retain up to an additional \$5,000,000 of the funds pro-
19 vided under this heading to fund expenses associated with
20 the Northeast Corridor Commission established under sec-
21 tion 24905 of title 49, United States Code: *Provided fur-*
22 *ther*, That of the amounts made available under this head-
23 ing and the National Network Grants to the National
24 Railroad Passenger Corporation heading, not less than
25 \$50,000,000 shall be made available to bring Amtrak-

1 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 \$1,167,000,000, to remain available until expended: *Pro-*
11 *vided*, That the Secretary may retain up to an additional
12 \$2,000,000 of the funds provided under this heading to
13 fund expenses associated with the State-Supported Route
14 Committee established under 24712 of title 49, United
15 States Code.

16 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD
17 ADMINISTRATION

18 SEC. 150. None of the funds provided to the National
19 Railroad Passenger Corporation may be used to fund any
20 overtime costs in excess of \$35,000 for any individual em-
21 ployee: *Provided*, That the President of Amtrak may waive
22 the cap set in the previous proviso for specific employees
23 when the President of Amtrak determines such a cap
24 poses a risk to the safety and operational efficiency of the
25 system: *Provided further*, That the President of Amtrak

1 shall report to the House and Senate Committees on Ap-
2 propriations each quarter within 30 days of such quarter
3 of the calendar year on waivers granted to employees and
4 amounts paid above the cap for each month within such
5 quarter and delineate the reasons each waiver was grant-
6 ed: *Provided further*, That the President of Amtrak shall
7 report to the House and Senate Committees on Appropria-
8 tions by March 1, 2017, a summary of all overtime pay-
9 ments incurred by the Corporation for 2016 and the three
10 prior calendar years: *Provided further*, That such sum-
11 mary shall include the total number of employees that re-
12 ceived waivers and the total overtime payments the Cor-
13 poration paid to those employees receiving waivers for
14 each month for 2016 and for the three prior calendar
15 years.

16 FEDERAL TRANSIT ADMINISTRATION

17 ADMINISTRATIVE EXPENSES

18 For necessary administrative expenses of the Federal
19 Transit Administration's programs authorized by chapter
20 53 of title 49, United States Code, \$113,165,000: *Pro-*
21 *vided*, That none of the funds provided or limited in this
22 Act may be used to create a permanent office of transit
23 security under this heading: *Provided further*, That upon
24 submission to the Congress of the fiscal year 2018 Presi-
25 dent's budget, the Secretary of Transportation shall trans-

1 mit to Congress the annual report on New Starts, includ-
2 ing proposed allocations for fiscal year 2018.

3 TRANSIT FORMULA GRANTS
4 (LIQUIDATION OF CONTRACT AUTHORIZATION)
5 (LIMITATION ON OBLIGATIONS)
6 (HIGHWAY TRUST FUND)

7 For payment of obligations incurred in the Federal
8 Public Transportation Assistance Program in this ac-
9 count, and for payment of obligations incurred in carrying
10 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
11 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
12 5340, as amended by the Fixing America's Surface Trans-
13 portation Act, and section 20005(b) of Public Law 112-
14 141, and sections 3006(b) and 3028 of the Fixing Amer-
15 ica's Surface Transportation Act, \$10,800,000,000, to be
16 derived from the Mass Transit Account of the Highway
17 Trust Fund and to remain available until expended: *Pro-*
18 *vided*, That funds available for the implementation or exe-
19 cution of programs authorized under 49 U.S.C. 5305,
20 5307, 5310, 5311, 5312, 5314, 5318, 5329(e)(6), 5335,
21 5337, 5339, and 5340, as amended by the Fixing Amer-
22 ica's Surface Transportation Act, and section 20005(b) of
23 Public Law 112-141, and sections 3006(b) and 3028 of
24 the Fixing America's Surface Transportation Act, shall
25 not exceed total obligations of \$9,733,706,043 in fiscal

1 year 2017: *Provided further*, That the Federal share of
2 the cost of activities carried out under section 5312 shall
3 not exceed 80 percent, except that if there is substantial
4 public interest or benefit, the Secretary may approve a
5 greater Federal share.

6 TECHNICAL ASSISTANCE AND TRAINING

7 For necessary expenses to carry out 49 U.S.C. 5314,
8 \$5,000,000.

9 CAPITAL INVESTMENT GRANTS

10 For necessary expenses to carry out 49 U.S.C. 5309
11 and section 3005(b) of the FAST Act, \$2,412,631,000,
12 to remain available until expended.

13 GRANTS TO THE WASHINGTON METROPOLITAN AREA

14 TRANSIT AUTHORITY

15 For grants to the Washington Metropolitan Area
16 Transit Authority as authorized under section 601 of divi-
17 sion B of Public Law 110–432, \$150,000,000, to remain
18 available until expended: *Provided*, That the Secretary of
19 Transportation shall approve grants for capital and pre-
20 ventive maintenance expenditures for the Washington
21 Metropolitan Area Transit Authority only after receiving
22 and reviewing a request for each specific project: *Provided*
23 *further*, That prior to approving such grants, the Secretary
24 shall certify that the Washington Metropolitan Area Tran-
25 sit Authority is making progress to improve its safety

1 management system in response to the Federal Transit
2 Administration's 2015 safety management inspection:
3 *Provided further*, That prior to approving such grants, the
4 Secretary shall certify that the Washington Metropolitan
5 Area Transit Authority is making progress toward full im-
6 plementation of the corrective actions identified in the
7 2014 Financial Management Oversight Review Report:
8 *Provided further*, That the Secretary shall determine that
9 the Washington Metropolitan Area Transit Authority has
10 placed the highest priority on those investments that will
11 improve the safety of the system before approving such
12 grants: *Provided further*, That the Secretary, in order to
13 ensure safety throughout the rail system, may waive the
14 requirements of section 601(e)(1) of division B of Public
15 Law 110–432 (112 Stat. 4968).

16 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

17 ADMINISTRATION

18 (INCLUDING RESCISSION)

19 SEC. 160. The limitations on obligations for the pro-
20 grams of the Federal Transit Administration shall not
21 apply to any authority under 49 U.S.C. 5338, previously
22 made available for obligation, or to any other authority
23 previously made available for obligation.

24 SEC. 161. Notwithstanding any other provision of
25 law, funds appropriated or limited by this Act under the

1 heading “Fixed Guideway Capital Investment” of the Fed-
2 eral Transit Administration for projects specified in this
3 Act or identified in reports accompanying this Act not ob-
4 ligated by September 30, 2021, and other recoveries, shall
5 be directed to projects eligible to use the funds for the
6 purposes for which they were originally provided.

7 SEC. 162. Notwithstanding any other provision of
8 law, any funds appropriated before October 1, 2016, under
9 any section of chapter 53 of title 49, United States Code,
10 that remain available for expenditure, may be transferred
11 to and administered under the most recent appropriation
12 heading for any such section.

13 SEC. 163. (a) Except as provided in subsection (b),
14 none of the funds in this or any other Act may be available
15 to advance in any way a new light or heavy rail project
16 towards a full funding grant agreement as defined by 49
17 U.S.C. 5309 for the Metropolitan Transit Authority of
18 Harris County, Texas if the proposed capital project is
19 constructed on or planned to be constructed on Richmond
20 Avenue west of South Shepherd Drive or on Post Oak
21 Boulevard north of Richmond Avenue in Houston, Texas.

22 (b) The Metropolitan Transit Authority of Harris
23 County, Texas, may attempt to construct or construct a
24 new fixed guideway capital project, including light rail, in
25 the locations referred to in subsection (a) if—

1 (1) voters in the jurisdiction that includes such
2 locations approve a ballot proposition that specifies
3 routes on Richmond Avenue west of South Shepherd
4 Drive or on Post Oak Boulevard north of Richmond
5 Avenue in Houston, Texas; and

6 (2) the proposed construction of such routes is
7 part of a comprehensive, multi-modal, service-area
8 wide transportation plan that includes multiple addi-
9 tional segments of fixed guideway capital projects,
10 including light rail for the jurisdiction set forth in
11 the ballot proposition. The ballot language shall in-
12 clude reasonable cost estimates, sources of revenue
13 to be used and the total amount of bonded indebted-
14 ness to be incurred as well as a description of each
15 route and the beginning and end point of each pro-
16 posed transit project.

17 SEC. 164. Any unobligated amounts made available
18 for fiscal year 2012 or prior fiscal years to carry out the
19 discretionary job access and reverse commute program
20 under section 3037 of the transportation equity act for
21 the 21st century are hereby rescinded: *Provided*, That
22 such amounts are made available for projects eligible
23 under 49 U.S.C. 5309(q).

1 SEC. 165. Section 5307(a) of title 49, United States
2 Code, is amended by striking paragraphs (2) and (3) and
3 inserting the following:

4 “(2) The Secretary may make grants under this
5 section to finance the operating cost of equipment
6 and facilities for use in public transportation, ex-
7 cluding rail fixed guideway, in an urbanized area
8 with a population of not fewer than 200,000 individ-
9 uals, as determined by the Bureau of the Census—

10 “(A) for public transportation systems
11 that—

12 “(i) operate 75 or fewer buses in fixed
13 route service or demand response service,
14 excluding ADA complementary paratransit
15 service, during peak service hours, in an
16 amount not to exceed 75 percent of the
17 share of the apportionment which is attrib-
18 utable to such systems within the urban-
19 ized area, as measured by vehicle revenue
20 hours; or

21 “(ii) operate a minimum of 76 buses
22 and a maximum of 100 buses in fixed
23 route service or demand response service,
24 excluding ADA complementary paratransit
25 service, during peak service hours, in an

1 amount not to exceed 50 percent of the
2 share of the apportionment which is attrib-
3 utable to such systems within the urban-
4 ized area, as measured by vehicle revenue
5 hours; or

6 “(B) subject to paragraph (3), for public
7 transportation systems that—

8 “(i) operate 75 or fewer buses in fixed
9 route service or demand response service,
10 excluding ADA complementary paratransit
11 service, during peak service hours, in an
12 amount not to exceed 75 percent of the
13 share of the apportionment allocated to
14 such systems within the urbanized area, as
15 determined by the local planning process
16 and included in the designated recipient’s
17 final program of projects prepared under
18 subsection (b); or

19 “(ii) operate a minimum of 76 buses
20 and a maximum of 100 buses in fixed
21 route service or demand response service,
22 excluding ADA complementary paratransit
23 service during peak service hours, in an
24 amount not to exceed 50 percent of the
25 share of the apportionment allocated to

1 such systems within the urbanized area, as
2 determined by the local planning process
3 and included in the designated recipient's
4 final program of projects prepared under
5 subsection (b).

6 “(3) The amount available to a public transpor-
7 tation system under subparagraph (B) of paragraph
8 (2) shall be not more than 10 percent greater than
9 the amount that would otherwise be available to the
10 system under subparagraph (A) of that paragraph.”.

11 SAINT LAWRENCE SEAWAY DEVELOPMENT
12 CORPORATION

13 The Saint Lawrence Seaway Development Corpora-
14 tion is hereby authorized to make such expenditures, with-
15 in the limits of funds and borrowing authority available
16 to the Corporation, and in accord with law, and to make
17 such contracts and commitments without regard to fiscal
18 year limitations as provided by section 104 of the Govern-
19 ment Corporation Control Act, as amended, as may be
20 necessary in carrying out the programs set forth in the
21 Corporation's budget for the current fiscal year.

22 OPERATIONS AND MAINTENANCE
23 (HARBOR MAINTENANCE TRUST FUND)

24 For necessary expenses to conduct the operations,
25 maintenance, and capital asset renewal activities of those

1 portions of the St. Lawrence Seaway owned, operated, and
2 maintained by the Saint Lawrence Seaway Development
3 Corporation, \$36,028,000, to be derived from the Harbor
4 Maintenance Trust Fund, pursuant to Public Law 99–
5 662.

6 MARITIME ADMINISTRATION

7 MARITIME SECURITY PROGRAM

8 For necessary expenses to maintain and preserve a
9 U.S.-flag merchant fleet to serve the national security
10 needs of the United States, \$300,000,000, to remain avail-
11 able until expended.

12 OPERATIONS AND TRAINING

13 For necessary expenses of operations and training ac-
14 tivities authorized by law, \$175,560,000, of which
15 \$22,000,000 shall remain available until expended for
16 maintenance and repair of training ships at State Mari-
17 time Academies, and of which \$6,000,000 shall remain
18 available until expended for National Security Multi-Mis-
19 sion Vessel Program for State Maritime Academies and
20 National Security, and of which \$2,400,000 shall remain
21 available through September 30, 2018, for the Student In-
22 centive Program at State Maritime Academies, and of
23 which \$1,800,000 shall remain available until expended
24 for training ship fuel assistance payments, and of which
25 \$14,218,000 shall remain available until expended for fa-

1 cilities maintenance and repair, equipment, and capital
2 improvements at the United States Merchant Marine
3 Academy, and of which \$3,000,000 shall remain available
4 through September 30, 2018, for Maritime Environment
5 and Technology Assistance program authorized under sec-
6 tion 50307 of title 46, United States Code, and of which
7 \$5,000,000 shall remain available until expended for the
8 Short Sea Transportation Program (America’s Marine
9 Highways) to make grants for the purposes authorized
10 under sections 55601(b)(1) and (3) of title 46, United
11 States Code: *Provided*, That not later than January 12,
12 2018, the Administrator of the Maritime Administration
13 shall transmit to the House and Senate Committees on
14 Appropriations the annual report on sexual assault and
15 sexual harassment at the United States Merchant Marine
16 Academy as required pursuant to section 3507 of Public
17 Law 110–417.

18 ASSISTANCE TO SMALL SHIPYARDS

19 To make grants to qualified shipyards as authorized
20 under section 54101 of title 46, United States Code, as
21 amended by Public Law 113–281, \$10,000,000 to remain
22 available until expended: *Provided*, That the Secretary
23 shall issue the Notice of Funding Availability no later than
24 15 days after enactment of this Act: *Provided further*,
25 That from applications submitted under the previous pro-

1 viso, the Secretary of Transportation shall make grants
2 no later than 120 days after enactment of this Act in such
3 amounts as the Secretary determines: *Provided further*,
4 That not to exceed 2 percent of the funds appropriated
5 under this heading shall be available for necessary costs
6 of grant administration.

7 SHIP DISPOSAL

8 For necessary expenses related to the disposal of ob-
9 solete vessels in the National Defense Reserve Fleet of the
10 Maritime Administration, \$34,000,000, to remain avail-
11 able until expended, of which \$24,000,000 shall be for the
12 decommissioning of the Nuclear Ship *Savannah*.

13 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

14 ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 For administrative expenses to carry out the guaran-
17 teed loan program, \$3,000,000, which shall be transferred
18 to and merged with the appropriations for “Operations
19 and Training”, Maritime Administration.

20 ADMINISTRATIVE PROVISIONS—MARITIME

21 ADMINISTRATION

22 SEC. 170. Notwithstanding any other provision of
23 this Act, in addition to any existing authority, the Mari-
24 time Administration is authorized to furnish utilities and
25 services and make necessary repairs in connection with

1 any lease, contract, or occupancy involving Government
2 property under control of the Maritime Administration:
3 *Provided*, That payments received therefor shall be cred-
4 ited to the appropriation charged with the cost thereof and
5 shall remain available until expended: *Provided further*,
6 That rental payments under any such lease, contract, or
7 occupancy for items other than such utilities, services, or
8 repairs shall be covered into the Treasury as miscellaneous
9 receipts.

10 SEC. 171. None of the funds available or appro-
11 priated in this Act shall be used by the United States De-
12 partment of Transportation or the United States Maritime
13 Administration to negotiate or otherwise execute, enter
14 into, facilitate or perform fee-for-service contracts for ves-
15 sel disposal, scrapping or recycling, unless there is no
16 qualified domestic ship recycler that will pay any sum of
17 money to purchase and scrap or recycle a vessel owned,
18 operated or managed by the Maritime Administration or
19 that is part of the National Defense Reserve Fleet: *Pro-*
20 *vided*, That such sales offers must be consistent with the
21 solicitation and provide that the work will be performed
22 in a timely manner at a facility qualified within the mean-
23 ing of section 3502 of Public Law 106–398: *Provided fur-*
24 *ther*, That nothing contained herein shall affect the Mari-
25 time Administration’s authority to award contracts at

1 least cost to the Federal Government and consistent with
2 the requirements of 54 U.S.C. 308704, section 3502, or
3 otherwise authorized under the Federal Acquisition Regu-
4 lation.

5 PIPELINE AND HAZARDOUS MATERIALS SAFETY

6 ADMINISTRATION

7 OPERATIONAL EXPENSES

8 For necessary operational expenses of the Pipeline
9 and Hazardous Materials Safety Administration,
10 \$22,500,000: *Provided*, That the Secretary of Transpor-
11 tation shall issue a final rule to expand the applicability
12 of comprehensive oil spill response plans no later than Au-
13 gust 1, 2017: *Provided further*, That \$1,500,000 shall be
14 for “Pipeline Safety Information Grants to Communities”
15 as authorized under section 60130 of title 49, United
16 States Code.

17 HAZARDOUS MATERIALS SAFETY

18 For expenses necessary to discharge the hazardous
19 materials safety functions of the Pipeline and Hazardous
20 Materials Safety Administration, \$57,000,000, of which
21 \$7,570,000 shall remain available until September 30,
22 2019: *Provided*, That up to \$800,000 in fees collected
23 under 49 U.S.C. 5108(g) shall be deposited in the general
24 fund of the Treasury as offsetting receipts: *Provided fur-*
25 *ther*, That there may be credited to this appropriation, to

1 be available until expended, funds received from States,
2 counties, municipalities, other public authorities, and pri-
3 vate sources for expenses incurred for training, for reports
4 publication and dissemination, and for travel expenses in-
5 curred in performance of hazardous materials exemptions
6 and approvals functions.

7 PIPELINE SAFETY

8 (PIPELINE SAFETY FUND)

9 (OIL SPILL LIABILITY TRUST FUND)

10 For expenses necessary to conduct the functions of
11 the pipeline safety program, for grants-in-aid to carry out
12 a pipeline safety program, as authorized by 49 U.S.C.
13 60107, and to discharge the pipeline program responsibil-
14 ities of the Oil Pollution Act of 1990, \$156,288,000, of
15 which \$20,288,000 shall be derived from the Oil Spill Li-
16 ability Trust Fund and shall remain available until Sep-
17 tember 30, 2019; and of which \$128,000,000 shall be de-
18 rived from the Pipeline Safety Fund, of which
19 \$63,335,000 shall remain available until September 30,
20 2019; and of which \$8,000,000 shall be derived from the
21 Pipeline Safety Fund as provided in 49 U.S.C. 60302
22 (section 12 of the PIPES Act of 2016 (Public Law 114–
23 183)) from the Underground Natural Gas Storage Facility
24 Safety Account for the purpose of carrying out 49 U.S.C.
25 60141 of such Act (section 12 of the PIPES Act of 2016

1 (Public Law 114–183)), of which \$6,000,000 shall remain
2 available until September 30, 2019: *Provided*, That not
3 less than \$1,058,000 of the funds provided under this
4 heading shall be for the One-Call State grant program.

5 EMERGENCY PREPAREDNESS GRANTS

6 (EMERGENCY PREPAREDNESS FUND)

7 Notwithstanding the fiscal year limitation specified in
8 49 U.S.C. 5116, not more than \$28,318,000 shall be made
9 available for obligation in fiscal year 2017 from amounts
10 made available by 49 U.S.C. 5116(h), and 5128(b) and
11 (c): *Provided*, That notwithstanding 49 U.S.C.
12 5116(h)(4), not more than 4 percent of the amounts made
13 available from this account shall be available to pay ad-
14 ministrative costs: *Provided further*, That none of the
15 funds made available by 49 U.S.C. 5116(h), 5128(b), or
16 5128(c) shall be made available for obligation by individ-
17 uals other than the Secretary of Transportation, or his
18 or her designee: *Provided further*, That notwithstanding
19 49 U.S.C. 5128(b) and (c) and the current year obligation
20 limitation, prior year recoveries recognized in the current
21 year shall be available to develop a hazardous materials
22 response training curriculum for emergency responders,
23 including response activities for the transportation of
24 crude oil, ethanol and other flammable liquids by rail, con-
25 sistent with National Fire Protection Association stand-

1 ards, and to make such training available through an elec-
2 tronic format: *Provided further*, That the prior year recov-
3 eries made available under this heading shall also be avail-
4 able to carry out 49 U.S.C. 5116(a)(1)(C) and 5116(i).

5 OFFICE OF INSPECTOR GENERAL

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of the Inspector
8 General to carry out the provisions of the Inspector Gen-
9 eral Act of 1978, as amended, \$90,152,000: *Provided*,
10 That the Inspector General shall have all necessary au-
11 thority, in carrying out the duties specified in the Inspec-
12 tor General Act, as amended (5 U.S.C. App. 3), to inves-
13 tigate allegations of fraud, including false statements to
14 the government (18 U.S.C. 1001), by any person or entity
15 that is subject to regulation by the Department of Trans-
16 portation: *Provided further*, That the funds made available
17 under this heading may be used to investigate, pursuant
18 to section 41712 of title 49, United States Code: (1) un-
19 fair or deceptive practices and unfair methods of competi-
20 tion by domestic and foreign air carriers and ticket agents;
21 and (2) the compliance of domestic and foreign air carriers
22 with respect to item (1) of this proviso.

1 SEC. 182. None of the funds in this Act shall be avail-
2 able for salaries and expenses of more than 110 political
3 and Presidential appointees in the Department of Trans-
4 portation: *Provided*, That none of the personnel covered
5 by this provision may be assigned on temporary detail out-
6 side the Department of Transportation.

7 SEC. 183. (a) No recipient of funds made available
8 in this Act shall disseminate personal information (as de-
9 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
10 ment of motor vehicles in connection with a motor vehicle
11 record as defined in 18 U.S.C. 2725(1), except as provided
12 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
13 2721.

14 (b) Notwithstanding subsection (a), the Secretary
15 shall not withhold funds provided in this Act for any
16 grantee if a State is in noncompliance with this provision.

17 SEC. 184. Funds received by the Federal Highway
18 Administration and Federal Railroad Administration from
19 States, counties, municipalities, other public authorities,
20 and private sources for expenses incurred for training may
21 be credited respectively to the Federal Highway Adminis-
22 tration's "Federal-Aid Highways" account and to the Fed-
23 eral Railroad Administration's "Safety and Operations"
24 account, except for State rail safety inspectors partici-
25 pating in training pursuant to 49 U.S.C. 20105.

1 SEC. 185. (a) None of the funds provided in this Act
2 to the Department of Transportation may be used to make
3 a loan, loan guarantee, line of credit, or discretionary
4 grant totaling \$500,000 or more unless the Secretary of
5 Transportation notifies the House and Senate Committees
6 on Appropriations not less than 3 full business days before
7 any project competitively selected to receive any discre-
8 tionary grant award, letter of intent, loan commitment,
9 loan guarantee commitment, line of credit commitment, or
10 full funding grant agreement is announced by the Depart-
11 ment or its modal administrations: *Provided*, That the
12 Secretary gives concurrent notification to the House and
13 Senate Committees on Appropriations for any “quick re-
14 lease” of funds from the emergency relief program: *Pro-*
15 *vided further*, That no notification shall involve funds that
16 are not available for obligation.

17 (b) In addition to the notification required in sub-
18 section (a), none of the funds made available in this Act
19 to the Department of Transportation may be used to make
20 a loan, loan guarantee, line of credit, or discretionary
21 grant unless the Secretary of Transportation provides the
22 House and Senate Committees on Appropriations a com-
23 prehensive list of all such loans, loan guarantees, lines of
24 credit, or discretionary grants that will be announced not
25 less the 3 full business days before such announcement:

1 *Provided*, That the requirement to provide a list in this
2 subsection does not apply to any “quick release” of funds
3 from the emergency relief program: *Provided further*, That
4 no list shall involve funds that are not available for obliga-
5 tion.

6 SEC. 186. Rebates, refunds, incentive payments,
7 minor fees and other funds received by the Department
8 of Transportation from travel management centers,
9 charge card programs, the subleasing of building space,
10 and miscellaneous sources are to be credited to appropria-
11 tions of the Department of Transportation and allocated
12 to elements of the Department of Transportation using
13 fair and equitable criteria and such funds shall be avail-
14 able until expended.

15 SEC. 187. Amounts made available in this or any
16 other Act that the Secretary determines represent im-
17 proper payments by the Department of Transportation to
18 a third-party contractor under a financial assistance
19 award, which are recovered pursuant to law, shall be avail-
20 able—

21 (1) to reimburse the actual expenses incurred
22 by the Department of Transportation in recovering
23 improper payments; and

24 (2) to pay contractors for services provided in
25 recovering improper payments or contractor support

1 in the implementation of the Improper Payments In-
2 formation Act of 2002: *Provided*, That amounts in
3 excess of that required for paragraphs (1) and (2)—

4 (A) shall be credited to and merged with
5 the appropriation from which the improper pay-
6 ments were made, and shall be available for the
7 purposes and period for which such appropria-
8 tions are available: *Provided further*, That
9 where specific project or accounting information
10 associated with the improper payment or pay-
11 ments is not readily available, the Secretary
12 may credit an appropriate account, which shall
13 be available for the purposes and period associ-
14 ated with the account so credited; or

15 (B) if no such appropriation remains avail-
16 able, shall be deposited in the Treasury as mis-
17 cellaneous receipts: *Provided further*, That prior
18 to the transfer of any such recovery to an ap-
19 propriations account, the Secretary shall notify
20 the House and Senate Committees on Appro-
21 priations of the amount and reasons for such
22 transfer: *Provided further*, That for purposes of
23 this section, the term “improper payments” has
24 the same meaning as that provided in section
25 2(d)(2) of Public Law 107–300.

1 SEC. 188. Notwithstanding any other provision of
2 law, if any funds provided in or limited by this Act are
3 subject to a reprogramming action that requires notice to
4 be provided to the House and Senate Committees on Ap-
5 propriations, transmission of said reprogramming notice
6 shall be provided solely to the House and Senate Commit-
7 tees on Appropriations, and said reprogramming action
8 shall be approved or denied solely by the House and Sen-
9 ate Committees on Appropriations: *Provided*, That the
10 Secretary of Transportation may provide notice to other
11 congressional committees of the action of the House and
12 Senate Committees on Appropriations on such reprogram-
13 ming but not sooner than 30 days following the date on
14 which the reprogramming action has been approved or de-
15 nied by the House and Senate Committees on Appropria-
16 tions.

17 SEC. 189. Funds appropriated in this Act to the
18 modal administrations may be obligated for the Office of
19 the Secretary for the costs related to assessments or reim-
20 bursable agreements only when such amounts are for the
21 costs of goods and services that are purchased to provide
22 a direct benefit to the applicable modal administration or
23 administrations.

24 SEC. 190. The Secretary of Transportation is author-
25 ized to carry out a program that establishes uniform

1 standards for developing and supporting agency transit
2 pass and transit benefits authorized under section 7905
3 of title 5, United States Code, including distribution of
4 transit benefits by various paper and electronic media.

5 SEC. 191. The Department of Transportation may
6 use funds provided by this Act, or any other Act, to assist
7 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
8 geographic, economic, or any other hiring preference not
9 otherwise authorized by law, or to amend a rule, regula-
10 tion, policy or other measure that forbids a recipient of
11 a Federal Highway Administration or Federal Transit Ad-
12 ministration grant from imposing such hiring preference
13 on a contract or construction project with which the De-
14 partment of Transportation is assisting, only if the grant
15 recipient certifies the following:

16 (1) that except with respect to apprentices or
17 trainees, a pool of readily available but unemployed
18 individuals possessing the knowledge, skill, and abil-
19 ity to perform the work that the contract requires
20 resides in the jurisdiction;

21 (2) that the grant recipient will include appro-
22 priate provisions in its bid document ensuring that
23 the contractor does not displace any of its existing
24 employees in order to satisfy such hiring preference;
25 and

1 (3) that any increase in the cost of labor, train-
2 ing, or delays resulting from the use of such hiring
3 preference does not delay or displace any transpor-
4 tation project in the applicable Statewide Transpor-
5 tation Improvement Program or Transportation Im-
6 provement Program.

7 SEC. 192. Section 5303(r)(2)(C) of title 49, United
8 States Code, is amended—

9 (1) by inserting “and 25 square miles of land
10 area” after “145,000”; and

11 (2) by inserting “and 12 square miles of land
12 area” after “65,000”.

13 This title may be cited as the “Department of Trans-
14 portation Appropriations Act, 2017”.

1541

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 \$14,000,000: *Provided*, That not to exceed \$25,000 of the
13 amount made available under this heading shall be avail-
14 able to the Secretary for official reception and representa-
15 tion expenses as the Secretary may determine.

16 ADMINISTRATIVE SUPPORT OFFICES

17 For necessary salaries and expenses for Administra-
18 tive Support Offices, \$517,647,000, of which \$53,000,000
19 shall be available for the Office of the Chief Financial Offi-
20 cer; \$95,250,000 shall be available for the Office of the
21 General Counsel; \$206,500,000 shall be available for the
22 Office of Administration, and of which, no less than
23 \$4,500,000 shall be available for the cost of consolidation
24 and reconfiguration of space in the Weaver Building in
25 accordance with the space consolidation plan which would

1 bring employees back into such Building and reduce the
2 amount of leased space for such employees outside of such
3 Building; \$40,250,000 shall be available for the Office of
4 the Chief Human Capital Officer; \$51,000,000 shall be
5 available for the Office of Field Policy and Management;
6 \$18,067,000 shall be available for the Office of the Chief
7 Procurement Officer; \$3,830,000 shall be available for the
8 Office of Departmental Equal Employment Opportunity;
9 \$4,500,000 shall be available for the Office of Strategic
10 Planning and Management; and \$45,250,000 shall be
11 available for the Office of the Chief Information Officer:
12 *Provided*, That funds provided under this heading may be
13 used for necessary administrative and non-administrative
14 expenses of the Department of Housing and Urban Devel-
15 opment, not otherwise provided for, including purchase of
16 uniforms, or allowances therefor, as authorized by 5
17 U.S.C. 5901–5902; hire of passenger motor vehicles; and
18 services as authorized by 5 U.S.C. 3109: *Provided further*,
19 That notwithstanding any other provision of law, funds
20 appropriated under this heading may be used for adver-
21 tising and promotional activities that directly support pro-
22 gram activities funded in this title: *Provided further*, That
23 the Secretary shall provide the House and Senate Commit-
24 tees on Appropriations quarterly written notification re-
25 garding the status of pending congressional reports: *Pro-*

1 *vided further*, That the Secretary shall provide in elec-
2 tronic form all signed reports required by Congress.

3 PROGRAM OFFICE SALARIES AND EXPENSES

4 PUBLIC AND INDIAN HOUSING

5 For necessary salaries and expenses of the Office of
6 Public and Indian Housing, \$216,000,000.

7 COMMUNITY PLANNING AND DEVELOPMENT

8 For necessary salaries and expenses of the Office of
9 Community Planning and Development, \$110,000,000.

10 HOUSING

11 For necessary salaries and expenses of the Office of
12 Housing, \$392,000,000.

13 POLICY DEVELOPMENT AND RESEARCH

14 For necessary salaries and expenses of the Office of
15 Policy Development and Research, \$24,000,000.

16 FAIR HOUSING AND EQUAL OPPORTUNITY

17 For necessary salaries and expenses of the Office of
18 Fair Housing and Equal Opportunity, \$72,000,000.

19 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

20 HOMES

21 For necessary salaries and expenses of the Office of
22 Lead Hazard Control and Healthy Homes, \$9,353,000.

1 WORKING CAPITAL FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For the working capital fund for the Department of
4 Housing and Urban Development (referred to in this para-
5 graph as the “Fund”), pursuant, in part, to section 7(f)
6 of the Department of Housing and Urban Development
7 Act (42 U.S.C. 3535(f)), amounts transferred to the Fund
8 under this heading shall be available for Federal shared
9 services used by offices and agencies of the Department,
10 and for such portion of any office or agency’s printing,
11 records management, space renovation, furniture, or sup-
12 ply services as the Secretary determines shall be derived
13 from centralized sources made available by the Depart-
14 ment to all offices and agencies and funded through the
15 Fund: *Provided*, That of the amounts made available in
16 this title for salaries and expenses under the headings
17 “Executive Offices”, “Administrative Support Offices”,
18 “Program Office Salaries and Expenses”, and “Govern-
19 ment National Mortgage Association”, the Secretary shall
20 transfer to the Fund such amounts, to remain available
21 until expended, as are necessary to fund services, specified
22 in the first proviso, for which the appropriation would oth-
23 erwise have been available, and may transfer not to exceed
24 an additional \$10,000,000, in aggregate, from all such ap-
25 propriations, to be merged with the Fund and to remain

1 available until expended for use for any office or agency:
2 *Provided further*, That amounts in the Fund shall be the
3 only amounts available to each office or agency of the De-
4 partment for the services, or portion of services, specified
5 in the first proviso: *Provided further*, That with respect
6 to the Fund, the authorities and conditions under this
7 heading shall supplement the authorities and conditions
8 provided under section 7(f).

9 PUBLIC AND INDIAN HOUSING

10 TENANT-BASED RENTAL ASSISTANCE

11 For activities and assistance for the provision of ten-
12 ant-based rental assistance authorized under the United
13 States Housing Act of 1937, as amended (42 U.S.C. 1437
14 et seq.) (“the Act” herein), not otherwise provided for,
15 \$16,292,000,000, to remain available until expended, shall
16 be available on October 1, 2016 (in addition to the
17 \$4,000,000,000 previously appropriated under this head-
18 ing that shall be available on October 1, 2016), and
19 \$4,000,000,000, to remain available until expended, shall
20 be available on October 1, 2017: *Provided*, That the
21 amounts made available under this heading are provided
22 as follows:

23 (1) \$18,355,000,000 shall be available for re-
24 newals of expiring section 8 tenant-based annual
25 contributions contracts (including renewals of en-

1 hanced vouchers under any provision of law author-
2 izing such assistance under section 8(t) of the Act)
3 and including renewal of other special purpose incre-
4 mental vouchers: *Provided*, That notwithstanding
5 any other provision of law, from amounts provided
6 under this paragraph and any carryover, the Sec-
7 retary for the calendar year 2017 funding cycle shall
8 provide renewal funding for each public housing
9 agency based on validated voucher management sys-
10 tem (VMS) leasing and cost data for the prior cal-
11 endar year and by applying an inflation factor as es-
12 tablished by the Secretary, by notice published in
13 the Federal Register, and by making any necessary
14 adjustments for the costs associated with the first-
15 time renewal of vouchers under this paragraph in-
16 cluding tenant protection, HOPE VI, and Choice
17 Neighborhoods vouchers: *Provided further*, That
18 none of the funds provided under this paragraph
19 may be used to fund a total number of unit months
20 under lease which exceeds a public housing agency's
21 authorized level of units under contract, except for
22 public housing agencies participating in the MTW
23 demonstration, which are instead governed by the
24 terms and conditions of their MTW agreements:
25 *Provided further*, That the Secretary shall, to the ex-

1 tent necessary to stay within the amount specified
2 under this paragraph (except as otherwise modified
3 under this paragraph), prorate each public housing
4 agency's allocation otherwise established pursuant to
5 this paragraph: *Provided further*, That except as
6 provided in the following provisos, the entire amount
7 specified under this paragraph (except as otherwise
8 modified under this paragraph) shall be obligated to
9 the public housing agencies based on the allocation
10 and pro rata method described above, and the Sec-
11 retary shall notify public housing agencies of their
12 annual budget by the latter of 60 days after enact-
13 ment of this Act or March 1, 2017: *Provided further*,
14 That the Secretary may extend the notification pe-
15 riod with the prior written approval of the House
16 and Senate Committees on Appropriations: *Provided*
17 *further*, That public housing agencies participating
18 in the MTW demonstration shall be funded pursuant
19 to their MTW agreements and shall be subject to
20 the same pro rata adjustments under the previous
21 provisos: *Provided further*, That the Secretary may
22 offset public housing agencies' calendar year 2017
23 allocations based on the excess amounts of public
24 housing agencies' net restricted assets accounts, in-
25 cluding HUD held programmatic reserves (in ac-

1 cordance with VMS data in calendar year 2016 that
2 is verifiable and complete), as determined by the
3 Secretary: *Provided further*, That public housing
4 agencies participating in the MTW demonstration
5 shall also be subject to the offset, as determined by
6 the Secretary, excluding amounts subject to the sin-
7 gle fund budget authority provisions of their MTW
8 agreements, from the agencies' calendar year 2017
9 MTW funding allocation: *Provided further*, That the
10 Secretary shall use any offset referred to in the pre-
11 vious two provisos throughout the calendar year to
12 prevent the termination of rental assistance for fam-
13 ilies as the result of insufficient funding, as deter-
14 mined by the Secretary, and to avoid or reduce the
15 proration of renewal funding allocations: *Provided*
16 *further*, That up to \$75,000,000 shall be available
17 only: (1) for adjustments in the allocations for public
18 housing agencies, after application for an adjust-
19 ment by a public housing agency that experienced a
20 significant increase, as determined by the Secretary,
21 in renewal costs of vouchers resulting from unfore-
22 seen circumstances or from portability under section
23 8(r) of the Act; (2) for vouchers that were not in use
24 during the previous 12-month period in order to be
25 available to meet a commitment pursuant to section

1 8(o)(13) of the Act; (3) for adjustments for costs as-
2 sociated with HUD-Veterans Affairs Supportive
3 Housing (HUD-VASH) vouchers; and (4) for public
4 housing agencies that despite taking reasonable cost
5 savings measures, as determined by the Secretary,
6 would otherwise be required to terminate rental as-
7 sistance for families as a result of insufficient fund-
8 ing: *Provided further*, That the Secretary shall allo-
9 cate amounts under the previous proviso based on
10 need, as determined by the Secretary;

11 (2) \$110,000,000 shall be for section 8 rental
12 assistance for relocation and replacement of housing
13 units that are demolished or disposed of pursuant to
14 section 18 of the Act, conversion of section 23
15 projects to assistance under section 8, the family
16 unification program under section 8(x) of the Act,
17 relocation of witnesses in connection with efforts to
18 combat crime in public and assisted housing pursu-
19 ant to a request from a law enforcement or prosecu-
20 tion agency, enhanced vouchers under any provision
21 of law authorizing such assistance under section 8(t)
22 of the Act, HOPE VI and Choice Neighborhood
23 vouchers, mandatory and voluntary conversions, and
24 tenant protection assistance including replacement
25 and relocation assistance or for project-based assist-

1 ance to prevent the displacement of unassisted elder-
2 ly tenants currently residing in section 202 prop-
3 erties financed between 1959 and 1974 that are refi-
4 nanced pursuant to Public Law 106–569, as amend-
5 ed, or under the authority as provided under this
6 Act: *Provided*, That when a public housing develop-
7 ment is submitted for demolition or disposition
8 under section 18 of the Act, the Secretary may pro-
9 vide section 8 rental assistance when the units pose
10 an imminent health and safety risk to residents:
11 *Provided further*, That the Secretary may only pro-
12 vide replacement vouchers for units that were occu-
13 pied within the previous 24 months that cease to be
14 available as assisted housing, subject only to the
15 availability of funds: *Provided further*, That of the
16 amounts made available under this paragraph,
17 \$5,000,000 may be available to provide tenant pro-
18 tection assistance, not otherwise provided under this
19 paragraph, to residents residing in low vacancy
20 areas and who may have to pay rents greater than
21 30 percent of household income, as the result of: (A)
22 the maturity of a HUD-insured, HUD-held or sec-
23 tion 202 loan that requires the permission of the
24 Secretary prior to loan prepayment; (B) the expira-
25 tion of a rental assistance contract for which the

1 tenants are not eligible for enhanced voucher or ten-
2 ant protection assistance under existing law; or (C)
3 the expiration of affordability restrictions accom-
4 panying a mortgage or preservation program admin-
5 istered by the Secretary: *Provided further*, That such
6 tenant protection assistance made available under
7 the previous proviso may be provided under the au-
8 thority of section 8(t) or section 8(o)(13) of the
9 United States Housing Act of 1937 (42 U.S.C.
10 1437f(t)): *Provided further*, That any tenant protec-
11 tion voucher made available from amounts under
12 this paragraph shall not be reissued by any public
13 housing agency, except the replacement vouchers as
14 defined by the Secretary by notice, when the initial
15 family that received any such voucher no longer re-
16 ceives such voucher, and the authority for any public
17 housing agency to issue any such voucher shall cease
18 to exist: *Provided further*, That the Secretary may
19 provide section 8 rental assistance from amounts
20 made available under this paragraph for units as-
21 sisted under a project-based subsidy contract funded
22 under the “Project-Based Rental Assistance” head-
23 ing under this title where the owner has received a
24 Notice of Default and the units pose an imminent
25 health and safety risk to residents: *Provided further*,

1 That to the extent that the Secretary determines
2 that such units are not feasible for continued rental
3 assistance payments or transfer of the subsidy con-
4 tract associated with such units to another project
5 or projects and owner or owners, any remaining
6 amounts associated with such units under such con-
7 tract shall be recaptured and used to reimburse
8 amounts used under this paragraph for rental assist-
9 ance under the preceding proviso;

10 (3) \$1,650,000,000 shall be for administrative
11 and other expenses of public housing agencies in ad-
12 ministering the section 8 tenant-based rental assist-
13 ance program, of which up to \$10,000,000 shall be
14 available to the Secretary to allocate to public hous-
15 ing agencies that need additional funds to admin-
16 ister their section 8 programs, including fees associ-
17 ated with section 8 tenant protection rental assist-
18 ance, the administration of disaster related vouchers,
19 Veterans Affairs Supportive Housing vouchers, and
20 other special purpose incremental vouchers: *Pro-*
21 *vided*, That no less than \$1,640,000,000 of the
22 amount provided in this paragraph shall be allocated
23 to public housing agencies for the calendar year
24 2017 funding cycle based on section 8(q) of the Act
25 (and related Appropriation Act provisions) as in ef-

1 fect immediately before the enactment of the Quality
2 Housing and Work Responsibility Act of 1998 (Pub-
3 lic Law 105–276): *Provided further*, That if the
4 amounts made available under this paragraph are
5 insufficient to pay the amounts determined under
6 the previous proviso, the Secretary may decrease the
7 amounts allocated to agencies by a uniform percent-
8 age applicable to all agencies receiving funding
9 under this paragraph or may, to the extent nec-
10 essary to provide full payment of amounts deter-
11 mined under the previous proviso, utilize unobligated
12 balances, including recaptures and carryovers, re-
13 maining from funds appropriated to the Department
14 of Housing and Urban Development under this
15 heading from prior fiscal years, excluding special
16 purpose vouchers, notwithstanding the purposes for
17 which such amounts were appropriated: *Provided*
18 *further*, That all public housing agencies partici-
19 pating in the MTW demonstration shall be funded
20 pursuant to their MTW agreements, and shall be
21 subject to the same uniform percentage decrease as
22 under the previous proviso: *Provided further*, That
23 amounts provided under this paragraph shall be only
24 for activities related to the provision of tenant-based

1 rental assistance authorized under section 8, includ-
2 ing related development activities;

3 (4) \$120,000,000 for the renewal of tenant-
4 based assistance contracts under section 811 of the
5 Cranston-Gonzalez National Affordable Housing Act
6 (42 U.S.C. 8013), including necessary administra-
7 tive expenses: *Provided*, That administrative and
8 other expenses of public housing agencies in admin-
9 istering the special purpose vouchers in this para-
10 graph shall be funded under the same terms and be
11 subject to the same pro rata reduction as the per-
12 cent decrease for administrative and other expenses
13 to public housing agencies under paragraph (3) of
14 this heading: *Provided further*, That any amounts
15 provided under this paragraph in this Act or prior
16 Acts, remaining available after funding renewals and
17 administrative expenses under this paragraph, shall
18 be available for incremental tenant-based assistance
19 contracts under such section 811, including nec-
20 essary administrative expenses;

21 (5) \$7,000,000 shall be for rental assistance
22 and associated administrative fees for Tribal HUD-
23 VA Supportive Housing to serve Native American
24 veterans that are homeless or at-risk of homeless-
25 ness living on or near a reservation or other Indian

1 areas: *Provided*, That such amount shall be made
2 available for renewal grants to the recipients that re-
3 ceived assistance under the rental assistance and
4 supportive housing demonstration program for Na-
5 tive American veterans authorized under the heading
6 “Tenant-Based Rental Assistance” in title II of divi-
7 sion K of the Consolidated and Further Continuing
8 Appropriations Act, 2015 (Public Law 113–235,
9 128 Stat. 2733): *Provided further*, That the Sec-
10 retary shall be authorized to specify criteria for re-
11 newal grants, including data on the utilization of as-
12 sistance reported by grant recipients under the dem-
13 onstration program: *Provided further*, That any
14 amounts remaining after such renewal assistance is
15 awarded may be available for new grants to recipi-
16 ents eligible to receive block grants under the Native
17 American Housing Assistance and Self-Determina-
18 tion Act of 1996 (25 U.S.C. section 4101 et seq.)
19 for rental assistance and associated administrative
20 fees for Tribal HUD–VA Supportive Housing to
21 serve Native American veterans that are homeless or
22 at-risk of homelessness living on or near a reserva-
23 tion or other Indian areas: *Provided further*, That
24 funds shall be awarded based on need, and adminis-
25 trative capacity established by the Secretary in a

1 Notice published in the Federal Register after co-
2 ordination with the Secretary of the Department of
3 Veterans Affairs: *Provided further*, That renewal
4 grants and new grants under this paragraph shall be
5 administered by block grant recipients in accordance
6 with program requirements under the Native Amer-
7 ican Housing Assistance and Self-Determination Act
8 of 1996: *Provided further*, That assistance under
9 this paragraph shall be modeled after, with nec-
10 essary and appropriate adjustments for Native
11 American grant recipients and veterans, the rental
12 assistance and supportive housing program known
13 as HUD-VASH program, including administration
14 in conjunction with the Department of Veterans Af-
15 fairs and overall implementation of section 8(o)(19)
16 of the United States Housing Act of 1937: *Provided*
17 *further*, That the Secretary of Housing and Urban
18 Development may waive, or specify alternative re-
19 quirements for any provision of any statute or regu-
20 lation that the Secretary of Housing and Urban De-
21 velopment administers in connection with the use of
22 funds made available under this paragraph (except
23 for requirements related to fair housing, non-
24 discrimination, labor standards, and the environ-
25 ment), upon a finding by the Secretary that any

1 such waivers or alternative requirements are nec-
2 essary for the effective delivery and administration
3 of such assistance: *Provided further*, That grant re-
4 cipients shall report to the Secretary on utilization
5 of such rental assistance and other program data, as
6 prescribed by the Secretary;

7 (6) \$40,000,000 for incremental rental voucher
8 assistance for use through a supported housing pro-
9 gram administered in conjunction with the Depart-
10 ment of Veterans Affairs as authorized under section
11 8(o)(19) of the United States Housing Act of 1937:
12 *Provided*, That the Secretary of Housing and Urban
13 Development shall make such funding available, not-
14 withstanding section 204 (competition provision) of
15 this title, to public housing agencies that partner
16 with eligible VA Medical Centers or other entities as
17 designated by the Secretary of the Department of
18 Veterans Affairs, based on geographical need for
19 such assistance as identified by the Secretary of the
20 Department of Veterans Affairs, public housing
21 agency administrative performance, and other fac-
22 tors as specified by the Secretary of Housing and
23 Urban Development in consultation with the Sec-
24 retary of the Department of Veterans Affairs: *Pro-*
25 *vided further*, That the Secretary of Housing and

1 Urban Development may waive, or specify alter-
2 native requirements for (in consultation with the
3 Secretary of the Department of Veterans Affairs),
4 any provision of any statute or regulation that the
5 Secretary of Housing and Urban Development ad-
6 ministers in connection with the use of funds made
7 available under this paragraph (except for require-
8 ments related to fair housing, nondiscrimination,
9 labor standards, and the environment), upon a find-
10 ing by the Secretary that any such waivers or alter-
11 native requirements are necessary for the effective
12 delivery and administration of such voucher assist-
13 ance: *Provided further*, That assistance made avail-
14 able under this paragraph shall continue to remain
15 available for homeless veterans upon turn-over;

16 (7) \$10,000,000 shall be made available for
17 new incremental voucher assistance through the
18 family unification program as authorized by section
19 8(x) of the Act: *Provided*, That the assistance made
20 available under this paragraph shall continue to re-
21 main available for family unification upon turnover:
22 *Provided further*, That for any public housing agency
23 administering voucher assistance appropriated in a
24 prior Act under the family unification program that
25 determines that it no longer has an identified need

1 for such assistance upon turnover, such agency shall
2 notify the Secretary, and the Secretary shall recapture
3 such assistance from the agency and reallocate
4 it to any other public housing agency or agencies
5 based on need for voucher assistance in connection
6 with such program; and

7 (8) the Secretary shall separately track all special
8 purpose vouchers funded under this heading.

9 HOUSING CERTIFICATE FUND

10 (INCLUDING RESCISSIONS)

11 Unobligated balances, including recaptures and carryover,
12 remaining from funds appropriated to the Department of
13 Housing and Urban Development under this heading, the heading
14 “Annual Contributions for Assisted Housing” and the heading
15 “Project-Based Rental Assistance”, for fiscal year 2017 and prior
16 years may be used for renewal of or amendments to section 8
17 project-based contracts and for performance-based contract
18 administrators, notwithstanding the purposes for which such
19 funds were appropriated: *Provided*, That any obligated balances
20 of contract authority from fiscal year 1974 and prior that
21 have been terminated shall be rescinded: *Provided further*,
22 That amounts heretofore recaptured, or recaptured during
23 the current fiscal year, from section 8 project-based contracts
24 from source years fiscal year 1975 through fiscal
25

1 year 1987 are hereby rescinded, and an amount of addi-
2 tional new budget authority, equivalent to the amount re-
3 scinded is hereby appropriated, to remain available until
4 expended, for the purposes set forth under this heading,
5 in addition to amounts otherwise available.

6 PUBLIC HOUSING CAPITAL FUND

7 For the Public Housing Capital Fund Program to
8 carry out capital and management activities for public
9 housing agencies, as authorized under section 9 of the
10 United States Housing Act of 1937 (42 U.S.C. 1437g)
11 (the “Act”) \$1,941,500,000, to remain available until
12 September 30, 2020: *Provided*, That notwithstanding any
13 other provision of law or regulation, during fiscal year
14 2017, the Secretary of Housing and Urban Development
15 may not delegate to any Department official other than
16 the Deputy Secretary and the Assistant Secretary for
17 Public and Indian Housing any authority under paragraph
18 (2) of section 9(j) regarding the extension of the time peri-
19 ods under such section: *Provided further*, That for pur-
20 poses of such section 9(j), the term “obligate” means, with
21 respect to amounts, that the amounts are subject to a
22 binding agreement that will result in outlays, immediately
23 or in the future: *Provided further*, That up to \$10,000,000
24 shall be to support ongoing public housing financial and
25 physical assessment activities: *Provided further*, That up

1 to \$1,000,000 shall be to support the costs of administra-
2 tive and judicial receiverships: *Provided further*, That of
3 the total amount provided under this heading, not to ex-
4 ceed \$21,500,000 shall be available for the Secretary to
5 make grants, notwithstanding section 204 of this Act, to
6 public housing agencies for emergency capital needs in-
7 cluding safety and security measures necessary to address
8 crime and drug-related activity as well as needs resulting
9 from unforeseen or unpreventable emergencies and nat-
10 ural disasters excluding Presidentially declared emer-
11 gencies and natural disasters under the Robert T. Stafford
12 Disaster Relief and Emergency Act (42 U.S.C. 5121 et
13 seq.) occurring in fiscal year 2017: *Provided further*, That
14 of the amount made available under the previous proviso,
15 not less than \$5,000,000 shall be for safety and security
16 measures: *Provided further*, That in addition to the
17 amount in the previous proviso for such safety and secu-
18 rity measures, any amounts that remain available, after
19 all applications received on or before September 30, 2018,
20 for emergency capital needs have been processed, shall be
21 allocated to public housing agencies for such safety and
22 security measures: *Provided further*, That of the total
23 amount provided under this heading \$35,000,000 shall be
24 for supportive services, service coordinator and congregate
25 services as authorized by section 34 of the Act (42 U.S.C.

1 1437z-6) and the Native American Housing Assistance
2 and Self-Determination Act of 1996 (25 U.S.C. 4101 et
3 seq.): *Provided further*, That of the total amount made
4 available under this heading, \$15,000,000 shall be for a
5 Jobs-Plus initiative modeled after the Jobs-Plus dem-
6 onstration: *Provided further*, That the funding provided
7 under the previous proviso shall provide competitive grants
8 to partnerships between public housing authorities, local
9 workforce investment boards established under section
10 117 of the Workforce Investment Act of 1998, and other
11 agencies and organizations that provide support to help
12 public housing residents obtain employment and increase
13 earnings: *Provided further*, That applicants must dem-
14 onstrate the ability to provide services to residents, part-
15 ner with workforce investment boards, and leverage service
16 dollars: *Provided further*, That the Secretary may allow
17 public housing agencies to request exemptions from rent
18 and income limitation requirements under sections 3 and
19 6 of the United States Housing Act of 1937 as necessary
20 to implement the Jobs-Plus program, on such terms and
21 conditions as the Secretary may approve upon a finding
22 by the Secretary that any such waivers or alternative re-
23 quirements are necessary for the effective implementation
24 of the Jobs-Plus initiative as a voluntary program for resi-
25 dents: *Provided further*, That the Secretary shall publish

1 by notice in the Federal Register any waivers or alter-
2 native requirements pursuant to the preceding proviso no
3 later than 10 days before the effective date of such notice:
4 *Provided further*, That for funds provided under this head-
5 ing, the limitation in section 9(g)(1) of the Act shall be
6 25 percent: *Provided further*, That the Secretary may
7 waive the limitation in the previous proviso to allow public
8 housing agencies to fund activities authorized under sec-
9 tion 9(e)(1)(C) of the Act: *Provided further*, That the Sec-
10 retary shall notify public housing agencies requesting
11 waivers under the previous proviso if the request is ap-
12 proved or denied within 14 days of submitting the request:
13 *Provided further*, That from the funds made available
14 under this heading, the Secretary shall provide bonus
15 awards in fiscal year 2017 to public housing agencies that
16 are designated high performers: *Provided further*, That the
17 Department shall notify public housing agencies of their
18 formula allocation within 60 days of enactment of this Act:
19 *Provided further*, That of the total amount provided under
20 this heading, \$25,000,000 shall be available for competi-
21 tive grants to public housing agencies to evaluate and re-
22 duce lead-based paint hazards in public housing by car-
23 rying out the activities of risk assessments, abatement,
24 and interim controls (as those terms are defined in section
25 1004 of the Residential Lead-Based Paint Hazard Reduc-

1 tion Act of 1992 (42 U.S.C. 4851b)): *Provided further,*
2 That for purposes of environmental review, a grant under
3 the previous proviso shall be considered funds for projects
4 or activities under title I of the United States Housing
5 Act of 1937 (42 U.S.C. 1437 et seq.) for purposes of sec-
6 tion 26 of such Act (42 U.S.C. 1437x) and shall be subject
7 to the regulations implementing such section.

8 PUBLIC HOUSING OPERATING FUND

9 For 2017 payments to public housing agencies for the
10 operation and management of public housing, as author-
11 ized by section 9(e) of the United States Housing Act of
12 1937 (42 U.S.C. 1437g(e)), \$4,400,000,000, to remain
13 available until September 30, 2018.

14 CHOICE NEIGHBORHOODS INITIATIVE

15 For competitive grants under the Choice Neighbor-
16 hoods Initiative (subject to section 24 of the United States
17 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise
18 specified under this heading), for transformation, rehabili-
19 tation, and replacement housing needs of both public and
20 HUD-assisted housing and to transform neighborhoods of
21 poverty into functioning, sustainable mixed income neigh-
22 borhoods with appropriate services, schools, public assets,
23 transportation and access to jobs, \$137,500,000, to re-
24 main available until September 30, 2019: *Provided, That*
25 grant funds may be used for resident and community serv-

1 ices, community development, and affordable housing
2 needs in the community, and for conversion of vacant or
3 foreclosed properties to affordable housing: *Provided fur-*
4 *ther*, That the use of funds made available under this
5 heading shall not be deemed to be public housing notwith-
6 standing section 3(b)(1) of such Act: *Provided further*,
7 That grantees shall commit to an additional period of af-
8 fordability determined by the Secretary of not fewer than
9 20 years: *Provided further*, That grantees shall provide a
10 match in State, local, other Federal or private funds: *Pro-*
11 *vided further*, That grantees may include local govern-
12 ments, tribal entities, public housing authorities, and non-
13 profits: *Provided further*, That for-profit developers may
14 apply jointly with a public entity: *Provided further*, That
15 for purposes of environmental review, a grantee shall be
16 treated as a public housing agency under section 26 of
17 the United States Housing Act of 1937 (42 U.S.C.
18 1437x), and grants under this heading shall be subject
19 to the regulations issued by the Secretary to implement
20 such section: *Provided further*, That of the amount pro-
21 vided, not less than \$50,000,000 shall be awarded to pub-
22 lic housing agencies: *Provided further*, That such grantees
23 shall create partnerships with other local organizations in-
24 cluding assisted housing owners, service agencies, and
25 resident organizations: *Provided further*, That the Sec-

1 retary shall consult with the Secretaries of Education,
2 Labor, Transportation, Health and Human Services, Agri-
3 culture, and Commerce, the Attorney General, and the Ad-
4 ministrator of the Environmental Protection Agency to co-
5 ordinate and leverage other appropriate Federal resources:
6 *Provided further*, That no more than \$5,000,000 of funds
7 made available under this heading may be provided as
8 grants to undertake comprehensive local planning with
9 input from residents and the community: *Provided further*,
10 That unobligated balances, including recaptures, remain-
11 ing from funds appropriated under the heading “Revital-
12 ization of Severely Distressed Public Housing (HOPE
13 VI)” in fiscal year 2011 and prior fiscal years may be used
14 for purposes under this heading, notwithstanding the pur-
15 poses for which such amounts were appropriated.

16 FAMILY SELF-SUFFICIENCY

17 For the Family Self-Sufficiency program to support
18 family self-sufficiency coordinators under section 23 of the
19 United States Housing Act of 1937, to promote the devel-
20 opment of local strategies to coordinate the use of assist-
21 ance under sections 8(o) and 9 of such Act with public
22 and private resources, and enable eligible families to
23 achieve economic independence and self-sufficiency,
24 \$75,000,000, to remain available until September 30,
25 2018: *Provided*, That the Secretary may, by Federal Reg-

1 ister notice, waive or specify alternative requirements
2 under sections b(3), b(4), b(5), or c(1) of section 23 of
3 such Act in order to facilitate the operation of a unified
4 self-sufficiency program for individuals receiving assist-
5 ance under different provisions of the Act, as determined
6 by the Secretary: *Provided further*, That owners of a pri-
7 vately owned multifamily property with a section 8 con-
8 tract may voluntarily make a Family Self-Sufficiency pro-
9 gram available to the assisted tenants of such property
10 in accordance with procedures established by the Sec-
11 retary: *Provided further*, That such procedures established
12 pursuant to the previous proviso shall permit participating
13 tenants to accrue escrow funds in accordance with section
14 23(d)(2) and shall allow owners to use funding from resid-
15 ual receipt accounts to hire coordinators for their own
16 Family Self-Sufficiency program.

17 NATIVE AMERICAN HOUSING BLOCK GRANTS

18 For the Native American Housing Block Grants pro-
19 gram, as authorized under title I of the Native American
20 Housing Assistance and Self-Determination Act of 1996
21 (NAHASDA) (25 U.S.C. 4111 et seq.), \$654,000,000, to
22 remain available until September 30, 2021: *Provided*,
23 That, notwithstanding the Native American Housing As-
24 sistance and Self-Determination Act of 1996, to determine
25 the amount of the allocation under title I of such Act for

1 each Indian tribe, the Secretary shall apply the formula
2 under section 302 of such Act with the need component
3 based on single-race census data and with the need compo-
4 nent based on multi-race census data, and the amount of
5 the allocation for each Indian tribe shall be the greater
6 of the two resulting allocation amounts: *Provided further,*
7 That of the amounts made available under this heading,
8 \$3,500,000 shall be contracted for assistance for national
9 or regional organizations representing Native American
10 housing interests for providing training and technical as-
11 sistance to Indian housing authorities and tribally des-
12 igned housing entities as authorized under NAHASDA:
13 *Provided further,* That of the funds made available under
14 the previous proviso, not less than \$2,000,000 shall be
15 made available for a national organization as authorized
16 under section 703 of NAHASDA (25 U.S.C. 4212): *Pro-*
17 *vided further,* That of the amounts made available under
18 this heading, \$3,500,000 shall be to support the inspection
19 of Indian housing units, contract expertise, training, and
20 technical assistance related to funding provided under this
21 heading and other headings under this Act for the needs
22 of Native American families and Indian country: *Provided*
23 *further,* That of the amount provided under this heading,
24 \$2,000,000 shall be made available for the cost of guaran-
25 teed notes and other obligations, as authorized by title VI

1 of NAHASDA: *Provided further*, That such costs, includ-
2 ing the costs of modifying such notes and other obliga-
3 tions, shall be as defined in section 502 of the Congres-
4 sional Budget Act of 1974, as amended: *Provided further*,
5 That these funds are available to subsidize the total prin-
6 cipal amount of any notes and other obligations, any part
7 of which is to be guaranteed, not to exceed \$17,857,142:
8 *Provided further*, That the Department will notify grantees
9 of their formula allocation within 60 days of the date of
10 enactment of this Act: *Provided further*, That notwith-
11 standing section 302(d) of NAHASDA, if on the date of
12 enactment of this Act, a recipient's total amount of
13 undisbursed block grant funds in the Department's line
14 of credit control system is greater than the sum of its prior
15 3 years' initial formula allocation calculations, the Sec-
16 retary shall adjust that recipient's formula allocation that
17 it would otherwise receive down by the difference between
18 its total amount of undisbursed block grant funds in the
19 Department's line of credit control system on the date of
20 enactment of this Act, and the sum of its prior 3 years'
21 initial formula allocation calculations: *Provided further*,
22 That grant amounts not allocated to a recipient pursuant
23 to the previous proviso shall be allocated under the need
24 component of the formula proportionately among all other
25 Indian tribes not subject to an adjustment under such pro-

1 viso: *Provided further*, That the second proviso shall not
2 apply to any Indian tribe that would otherwise receive a
3 formula allocation of less than \$5,000,000: *Provided fur-*
4 *ther*, That to take effect, the three previous provisos do
5 not require issuance or amendment of any regulation, shall
6 not be subject to a formula challenge by an Indian tribe,
7 and shall not be construed to confer hearing rights under
8 any section of NAHASDA or its implementing regula-
9 tions.

10 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

11 ACCOUNT

12 For the cost of guaranteed loans, as authorized by
13 section 184 of the Housing and Community Development
14 Act of 1992 (12 U.S.C. 1715z-13a), \$5,500,000, to re-
15 main available until expended: *Provided*, That such costs,
16 including the costs of modifying such loans, shall be as
17 defined in section 502 of the Congressional Budget Act
18 of 1974: *Provided further*, That these funds are available
19 to subsidize total loan principal, any part of which is to
20 be guaranteed, up to \$1,341,463,415, to remain available
21 until expended: *Provided further*, That up to \$750,000 of
22 this amount may be for administrative contract expenses
23 including management processes and systems to carry out
24 the loan guarantee program: *Provided further*, That an ad-
25 ditional \$1,727,000 shall be available until expended for

1 such costs of guaranteed loans authorized under such sec-
2 tion 184 issued to tribes and Indian housing authorities
3 for the construction of rental housing for law enforcement,
4 healthcare, educational, technical and other skilled work-
5 ers: *Provided further*, That the funds specified in the pre-
6 vious proviso are available to subsidize total loan principal,
7 any part of which is to be guaranteed, up to \$421,219,512
8 to remain available until expended: *Provided further*, That
9 the Secretary may specify any additional program require-
10 ments with respect to the previous two provisos through
11 publication of a Mortgagee Letter or Notice.

12 NATIVE HAWAIIAN HOUSING BLOCK GRANT

13 For the Native Hawaiian Housing Block Grant pro-
14 gram, as authorized under title VIII of the Native Amer-
15 ican Housing Assistance and Self-Determination Act of
16 1996 (25 U.S.C. 4111 et seq.), \$2,000,000, to remain
17 available until September 30, 2021.

18 COMMUNITY PLANNING AND DEVELOPMENT

19 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

20 For carrying out the Housing Opportunities for Per-
21 sons with AIDS program, as authorized by the AIDS
22 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
23 \$356,000,000, to remain available until September 30,
24 2018, except that amounts allocated pursuant to section
25 854(c)(5) of such Act shall remain available until Sep-

1 tember 30, 2019: *Provided*, That the Secretary shall renew
2 all expiring contracts for permanent supportive housing
3 that initially were funded under section 854(c)(5) of such
4 Act from funds made available under this heading in fiscal
5 year 2010 and prior fiscal years that meet all program
6 requirements before awarding funds for new contracts
7 under such section: *Provided further*, That the Depart-
8 ment shall notify grantees of their formula allocation with-
9 in 60 days of enactment of this Act.

10 COMMUNITY DEVELOPMENT FUND

11 For assistance to units of State and local govern-
12 ment, and to other entities, for economic and community
13 development activities, and for other purposes,
14 \$3,060,000,000, to remain available until September 30,
15 2019, unless otherwise specified: *Provided*, That of the
16 total amount provided, \$3,000,000,000 is for carrying out
17 the community development block grant program under
18 title I of the Housing and Community Development Act
19 of 1974, as amended (“the Act” herein) (42 U.S.C. 5301
20 et seq.): *Provided further*, That unless explicitly provided
21 for under this heading, not to exceed 20 percent of any
22 grant made with funds appropriated under this heading
23 shall be expended for planning and management develop-
24 ment and administration: *Provided further*, That a metro-
25 politan city, urban county, unit of general local govern-

1 ment, or Indian tribe, or insular area that directly or indi-
2 rectly receives funds under this heading may not sell,
3 trade, or otherwise transfer all or any portion of such
4 funds to another such entity in exchange for any other
5 funds, credits or non-Federal considerations, but must use
6 such funds for activities eligible under title I of the Act:
7 *Provided further*, That notwithstanding section 105(e)(1)
8 of the Act, no funds provided under this heading may be
9 provided to a for-profit entity for an economic develop-
10 ment project under section 105(a)(17) unless such project
11 has been evaluated and selected in accordance with guide-
12 lines required under subparagraph (e)(2): *Provided fur-*
13 *ther*, That the Department shall notify grantees of their
14 formula allocation within 60 days of enactment of this Act:
15 *Provided further*, That of the total amount provided under
16 this heading \$60,000,000 shall be for grants to Indian
17 tribes notwithstanding section 106(a)(1) of such Act, of
18 which, notwithstanding any other provision of law (includ-
19 ing section 204 of this Act), up to \$4,000,000 may be
20 used for emergencies that constitute imminent threats to
21 health and safety.

22 COMMUNITY DEVELOPMENT LOAN GUARANTEES

23 PROGRAM ACCOUNT

24 Subject to section 502 of the Congressional Budget
25 Act of 1974, during fiscal year 2017, commitments to

1 guarantee loans under section 108 of the Housing and
2 Community Development Act of 1974 (42 U.S.C. 5308),
3 any part of which is guaranteed, shall not exceed a total
4 principal amount of \$300,000,000, notwithstanding any
5 aggregate limitation on outstanding obligations guaran-
6 teed in subsection (k) of such section 108: *Provided*, That
7 the Secretary shall collect fees from borrowers, notwith-
8 standing subsection (m) of such section 108, to result in
9 a credit subsidy cost of zero for guaranteeing such loans,
10 and any such fees shall be collected in accordance with
11 section 502(7) of the Congressional Budget Act of 1974.

12 HOME INVESTMENT PARTNERSHIPS PROGRAM

13 For the HOME Investment Partnerships program, as
14 authorized under title II of the Cranston-Gonzalez Na-
15 tional Affordable Housing Act, as amended,
16 \$950,000,000, to remain available until September 30,
17 2020: *Provided*, That notwithstanding the amount made
18 available under this heading, the threshold reduction re-
19 quirements in sections 216(10) and 217(b)(4) of such Act
20 shall not apply to allocations of such amount: *Provided*
21 *further*, That the requirements under provisos 2 through
22 6 under this heading for fiscal year 2012 and such re-
23 quirements applicable pursuant to the “Full-Year Con-
24 tinuing Appropriations Act, 2013”, shall not apply to any
25 project to which funds were committed on or after August

1 23, 2013, but such projects shall instead be governed by
2 the Final Rule titled “Home Investment Partnerships
3 Program; Improving Performance and Accountability; Up-
4 dating Property Standards” which became effective on
5 such date: *Provided further*, That the Department shall
6 notify grantees of their formula allocation within 60 days
7 of enactment of this Act.

8 SELF-HELP AND ASSISTED HOMEOWNERSHIP

9 OPPORTUNITY PROGRAM

10 For the Self-Help and Assisted Homeownership Op-
11 portunity Program, as authorized under section 11 of the
12 Housing Opportunity Program Extension Act of 1996, as
13 amended, \$50,000,000, to remain available until Sep-
14 tember 30, 2019: *Provided*, That of the total amount pro-
15 vided under this heading, \$10,000,000 shall be made
16 available to the Self-Help and Assisted Homeownership
17 Opportunity Program as authorized under section 11 of
18 the Housing Opportunity Program Extension Act of 1996,
19 as amended: *Provided further*, That of the total amount
20 provided under this heading, \$35,000,000 shall be made
21 available for the second, third, and fourth capacity build-
22 ing activities authorized under section 4(a) of the HUD
23 Demonstration Act of 1993 (42 U.S.C. 9816 note), of
24 which not less than \$5,000,000 shall be made available
25 for rural capacity building activities: *Provided further*,

1 That of the total amount provided under this heading,
2 \$5,000,000 shall be made available for capacity building
3 by national rural housing organizations with experience
4 assessing national rural conditions and providing financ-
5 ing, training, technical assistance, information, and re-
6 search to local nonprofits, local governments and Indian
7 Tribes serving high need rural communities: *Provided fur-*
8 *ther*, That an additional \$4,000,000, to remain available
9 until expended, shall be for a program to rehabilitate and
10 modify homes of disabled or low-income veterans as au-
11 thorized under section 1079 of Public Law 113–291.

12 HOMELESS ASSISTANCE GRANTS

13 For the Emergency Solutions Grants program as au-
14 thorized under subtitle B of title IV of the McKinney-
15 Vento Homeless Assistance Act, as amended; the Con-
16 tinuum of Care program as authorized under subtitle C
17 of title IV of such Act; and the Rural Housing Stability
18 Assistance program as authorized under subtitle D of title
19 IV of such Act, \$2,383,000,000, to remain available until
20 September 30, 2019: *Provided*, That any rental assistance
21 amounts that are recaptured under such Continuum of
22 Care program shall remain available until expended: *Pro-*
23 *vided further*, That not less than \$310,000,000 of the
24 funds appropriated under this heading shall be available
25 for such Emergency Solutions Grants program, of which,

1 \$40,000,000 shall be made available, as determined by the
2 Secretary, for grants for rapid re-housing or other critical
3 activities in order to assist communities that lost signifi-
4 cant capacity after January 1, 2016 to serve persons expe-
5 riencing homelessness: *Provided further*, That not less
6 than \$2,018,000,000 of the funds appropriated under this
7 heading shall be available for such Continuum of Care and
8 Rural Housing Stability Assistance programs: *Provided*
9 *further*, That up to \$12,000,000 of the funds appropriated
10 under this heading shall be available for the national
11 homeless data analysis project: *Provided further*, That all
12 funds awarded for supportive services under the Con-
13 tinuum of Care program and the Rural Housing Stability
14 Assistance program shall be matched by not less than 25
15 percent in cash or in kind by each grantee: *Provided fur-*
16 *ther*, That for all match requirements applicable to funds
17 made available under this heading for this fiscal year and
18 prior years, a grantee may use (or could have used) as
19 a source of match funds other funds administered by the
20 Secretary and other Federal agencies unless there is (or
21 was) a specific statutory prohibition on any such use of
22 any such funds: *Provided further*, That the Secretary shall
23 collect system performance measures for each continuum
24 of care, and that relative to fiscal year 2015, under the
25 Continuum of Care competition with respect to funds

1 made available under this heading, the Secretary shall
2 base an increasing share of the score on performance cri-
3 teria: *Provided further*, That none of the funds provided
4 under this heading shall be available to provide funding
5 for new projects, except for projects created through re-
6 allocation, unless the Secretary determines that the con-
7 tinuum of care has demonstrated that projects are evalu-
8 ated and ranked based on the degree to which they im-
9 prove the continuum of care's system performance: *Pro-*
10 *vided further*, That the Secretary shall prioritize funding
11 under the Continuum of Care program to continuums of
12 care that have demonstrated a capacity to reallocate fund-
13 ing from lower performing projects to higher performing
14 projects: *Provided further*, That all awards of assistance
15 under this heading shall be required to coordinate and in-
16 tegrate homeless programs with other mainstream health,
17 social services, and employment programs for which home-
18 less populations may be eligible: *Provided further*, That
19 any unobligated amounts remaining from funds appro-
20 priated under this heading in fiscal year 2012 and prior
21 years for project-based rental assistance for rehabilitation
22 projects with 10-year grant terms may be used for pur-
23 poses under this heading, notwithstanding the purposes
24 for which such funds were appropriated: *Provided further*,
25 That all balances for Shelter Plus Care renewals pre-

1 viously funded from the Shelter Plus Care Renewal ac-
2 count and transferred to this account shall be available,
3 if recaptured, for Continuum of Care renewals in fiscal
4 year 2017: *Provided further*, That the Department shall
5 notify grantees of their formula allocation from amounts
6 allocated (which may represent initial or final amounts al-
7 located) for the Emergency Solutions Grant program with-
8 in 60 days of enactment of this Act: *Provided further*, That
9 up to \$43,000,000 of the funds appropriated under this
10 heading shall be to implement projects to demonstrate how
11 a comprehensive approach to serving homeless youth, age
12 24 and under, in up to 11 communities, including at least
13 five rural communities, can dramatically reduce youth
14 homelessness: *Provided further*, That such projects shall
15 be eligible for renewal under the continuum of care pro-
16 gram subject to the same terms and conditions as other
17 renewal applicants: *Provided further*, That youth aged 24
18 and under seeking assistance under this heading shall not
19 be required to provide third party documentation to estab-
20 lish their eligibility under 42 U.S.C. 11302(a) or (b) to
21 receive services: *Provided further*, That unaccompanied
22 youth aged 24 and under or families headed by youth aged
23 24 and under who are living in unsafe situations may be
24 served by youth-serving providers funded under this head-
25 ing.

1 HOUSING PROGRAMS

2 PROJECT-BASED RENTAL ASSISTANCE

3 For activities and assistance for the provision of
4 project-based subsidy contracts under the United States
5 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the
6 Act”), not otherwise provided for, \$10,416,000,000, to re-
7 main available until expended, shall be available on Octo-
8 ber 1, 2016 (in addition to the \$400,000,000 previously
9 appropriated under this heading that became available Oc-
10 tober 1, 2016), and \$400,000,000, to remain available
11 until expended, shall be available on October 1, 2017: *Pro-*
12 *vided*, That the amounts made available under this head-
13 ing shall be available for expiring or terminating section
14 8 project-based subsidy contracts (including section 8
15 moderate rehabilitation contracts), for amendments to sec-
16 tion 8 project-based subsidy contracts (including section
17 8 moderate rehabilitation contracts), for contracts entered
18 into pursuant to section 441 of the McKinney-Vento
19 Homeless Assistance Act (42 U.S.C. 11401), for renewal
20 of section 8 contracts for units in projects that are subject
21 to approved plans of action under the Emergency Low In-
22 come Housing Preservation Act of 1987 or the Low-In-
23 come Housing Preservation and Resident Homeownership
24 Act of 1990, and for administrative and other expenses
25 associated with project-based activities and assistance

1 funded under this paragraph: *Provided further*, That of
2 the total amounts provided under this heading, not to ex-
3 ceed \$235,000,000 shall be available for performance-
4 based contract administrators for section 8 project-based
5 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*
6 *further*, That the Secretary of Housing and Urban Devel-
7 opment may also use such amounts in the previous proviso
8 for performance-based contract administrators for the ad-
9 ministration of: interest reduction payments pursuant to
10 section 236(a) of the National Housing Act (12 U.S.C.
11 1715z-1(a)); rent supplement payments pursuant to sec-
12 tion 101 of the Housing and Urban Development Act of
13 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assist-
14 ance payments (12 U.S.C. 1715z-1(f)(2)); project rental
15 assistance contracts for the elderly under section
16 202(c)(2) of the Housing Act of 1959 (12 U.S.C. 1701q);
17 project rental assistance contracts for supportive housing
18 for persons with disabilities under section 811(d)(2) of the
19 Cranston-Gonzalez National Affordable Housing Act (42
20 U.S.C. 8013(d)(2)); project assistance contracts pursuant
21 to section 202(h) of the Housing Act of 1959 (Public Law
22 86-372; 73 Stat. 667); and loans under section 202 of
23 the Housing Act of 1959 (Public Law 86-372; 73 Stat.
24 667): *Provided further*, That amounts recaptured under
25 this heading, the heading “Annual Contributions for As-

1 sisted Housing”, or the heading “Housing Certificate
2 Fund”, may be used for renewals of or amendments to
3 section 8 project-based contracts or for performance-based
4 contract administrators, notwithstanding the purposes for
5 which such amounts were appropriated: *Provided further*,
6 That, notwithstanding any other provision of law, upon
7 the request of the Secretary of Housing and Urban Devel-
8 opment, project funds that are held in residual receipts
9 accounts for any project subject to a section 8 project-
10 based Housing Assistance Payments contract that author-
11 izes HUD or a Housing Finance Agency to require that
12 surplus project funds be deposited in an interest-bearing
13 residual receipts account and that are in excess of an
14 amount to be determined by the Secretary, shall be remit-
15 ted to the Department and deposited in this account, to
16 be available until expended: *Provided further*, That
17 amounts deposited pursuant to the previous proviso shall
18 be available in addition to the amount otherwise provided
19 by this heading for uses authorized under this heading.

20 HOUSING FOR THE ELDERLY

21 For capital advances, including amendments to cap-
22 ital advance contracts, for housing for the elderly, as au-
23 thorized by section 202 of the Housing Act of 1959, as
24 amended, and for project rental assistance for the elderly
25 under section 202(c)(2) of such Act, including amend-

1 ments to contracts for such assistance and renewal of ex-
2 piring contracts for such assistance for up to a 1-year
3 term, and for senior preservation rental assistance con-
4 tracts, including renewals, as authorized by section 811(e)
5 of the American Housing and Economic Opportunity Act
6 of 2000, as amended, and for supportive services associ-
7 ated with the housing, \$502,400,000 to remain available
8 until September 30, 2020, of which \$10,000,000 shall be
9 for capital advance and project-based rental assistance
10 awards or for incremental senior preservation rental as-
11 sistance contracts: *Provided*, That amounts for project
12 rental assistance contracts are to remain available for the
13 liquidation of valid obligations for 10 years following the
14 date of such obligation: *Provided further*, That of the
15 amount provided under this heading, up to \$75,000,000
16 shall be for service coordinators and the continuation of
17 existing congregate service grants for residents of assisted
18 housing projects: *Provided further*, That amounts under
19 this heading shall be available for Real Estate Assessment
20 Center inspections and inspection-related activities associ-
21 ated with section 202 projects: *Provided further*, That the
22 Secretary may waive the provisions of section 202 gov-
23 erning the terms and conditions of project rental assist-
24 ance, except that the initial contract term for such assist-
25 ance shall not exceed 5 years in duration: *Provided further*,

1 That upon request of the Secretary of Housing and Urban
2 Development, project funds that are held in residual re-
3 ceipts accounts for any project subject to a section 202
4 project rental assistance contract, and that upon termi-
5 nation of such contract are in excess of an amount to be
6 determined by the Secretary, shall be remitted to the De-
7 partment and deposited in this account, to be available
8 until September 30, 2020: *Provided further*, That amounts
9 deposited in this account pursuant to the previous proviso
10 shall be available, in addition to the amounts otherwise
11 provided by this heading, for amendments and renewals:
12 *Provided further*, That unobligated balances, including re-
13 captures and carryover, remaining from funds transferred
14 to or appropriated under this heading shall be available
15 for amendments and renewals notwithstanding the pur-
16 poses for which such funds originally were appropriated.

17 HOUSING FOR PERSONS WITH DISABILITIES

18 For amendments to capital advance contracts for
19 supportive housing for persons with disabilities, as author-
20 ized by section 811 of the Cranston-Gonzalez National Af-
21 fordable Housing Act (42 U.S.C. 8013), for project rental
22 assistance for supportive housing for persons with disabil-
23 ities under section 811(d)(2) of such Act and for project
24 assistance contracts pursuant to section 202(h) of the
25 Housing Act of 1959 (Public Law 86-372; 73 Stat. 667),

1 including amendments to contracts for such assistance
2 and renewal of expiring contracts for such assistance for
3 up to a 1-year term, for project rental assistance to State
4 housing finance agencies and other appropriate entities as
5 authorized under section 811(b)(3) of the Cranston-Gon-
6 zalez National Housing Act, and for supportive services
7 associated with the housing for persons with disabilities
8 as authorized by section 811(b)(1) of such Act,
9 \$146,200,000, to remain available until September 30,
10 2020: *Provided*, That amounts made available under this
11 heading shall be available for Real Estate Assessment
12 Center inspections and inspection-related activities associ-
13 ated with section 811 projects: *Provided further*, That, in
14 this fiscal year, upon the request of the Secretary of Hous-
15 ing and Urban Development, project funds that are held
16 in residual receipts accounts for any project subject to a
17 section 811 project rental assistance contract and that
18 upon termination of such contract are in excess of an
19 amount to be determined by the Secretary shall be remit-
20 ted to the Department and deposited in this account, to
21 be available until September 30, 2020: *Provided further*,
22 That amounts deposited in this account pursuant to the
23 previous proviso shall be available in addition to the
24 amounts otherwise provided by this heading for amend-
25 ments and renewals: *Provided further*, That unobligated

1 balances, including recaptures and carryover, remaining
2 from funds transferred to or appropriated under this
3 heading shall be used for amendments and renewals not-
4 withstanding the purposes for which such funds originally
5 were appropriated.

6 HOUSING COUNSELING ASSISTANCE

7 For contracts, grants, and other assistance excluding
8 loans, as authorized under section 106 of the Housing and
9 Urban Development Act of 1968, as amended,
10 \$55,000,000, to remain available until September 30,
11 2018, including up to \$4,500,000 for administrative con-
12 tract services: *Provided*, That grants made available from
13 amounts provided under this heading shall be awarded
14 within 180 days of enactment of this Act: *Provided further*,
15 That funds shall be used for providing counseling and ad-
16 vice to tenants and homeowners, both current and pro-
17 spective, with respect to property maintenance, financial
18 management/literacy, and such other matters as may be
19 appropriate to assist them in improving their housing con-
20 ditions, meeting their financial needs, and fulfilling the re-
21 sponsibilities of tenancy or homeownership; for program
22 administration; and for housing counselor training: *Pro-*
23 *vided further*, That for purposes of providing such grants
24 from amounts provided under this heading, the Secretary

1 may enter into multiyear agreements as appropriate, sub-
2 ject to the availability of annual appropriations.

3 RENTAL HOUSING ASSISTANCE

4 For amendments to contracts under section 101 of
5 the Housing and Urban Development Act of 1965 (12
6 U.S.C. 1701s) and section 236(f)(2) of the National
7 Housing Act (12 U.S.C. 1715z-1) in State-aided, non-
8 insured rental housing projects, \$20,000,000, to remain
9 available until expended: *Provided*, That such amount, to-
10 gether with unobligated balances from recaptured
11 amounts appropriated prior to fiscal year 2006 from ter-
12 minated contracts under such sections of law, and any un-
13 obligated balances, including recaptures and carryover, re-
14 maining from funds appropriated under this heading after
15 fiscal year 2005, shall also be available for extensions of
16 up to one year for expiring contracts under such sections
17 of law.

18 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

19 FUND

20 For necessary expenses as authorized by the National
21 Manufactured Housing Construction and Safety Stand-
22 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
23 \$10,500,000, to remain available until expended, of which
24 \$10,500,000 is to be derived from the Manufactured
25 Housing Fees Trust Fund: *Provided*, That not to exceed

1 the total amount appropriated under this heading shall be
2 available from the general fund of the Treasury to the ex-
3 tent necessary to incur obligations and make expenditures
4 pending the receipt of collections to the Fund pursuant
5 to section 620 of such Act: *Provided further*, That the
6 amount made available under this heading from the gen-
7 eral fund shall be reduced as such collections are received
8 during fiscal year 2017 so as to result in a final fiscal
9 year 2017 appropriation from the general fund estimated
10 at zero, and fees pursuant to such section 620 shall be
11 modified as necessary to ensure such a final fiscal year
12 2017 appropriation: *Provided further*, That for the dispute
13 resolution and installation programs, the Secretary of
14 Housing and Urban Development may assess and collect
15 fees from any program participant: *Provided further*, That
16 such collections shall be deposited into the Fund, and the
17 Secretary, as provided herein, may use such collections,
18 as well as fees collected under section 620, for necessary
19 expenses of such Act: *Provided further*, That, notwith-
20 standing the requirements of section 620 of such Act, the
21 Secretary may carry out responsibilities of the Secretary
22 under such Act through the use of approved service pro-
23 viders that are paid directly by the recipients of their serv-
24 ices.

1 FEDERAL HOUSING ADMINISTRATION

2 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

3 New commitments to guarantee single family loans
4 insured under the Mutual Mortgage Insurance Fund shall
5 not exceed \$400,000,000,000, to remain available until
6 September 30, 2018: *Provided*, That during fiscal year
7 2017, obligations to make direct loans to carry out the
8 purposes of section 204(g) of the National Housing Act,
9 as amended, shall not exceed \$5,000,000: *Provided fur-*
10 *ther*, That the foregoing amount in the previous proviso
11 shall be for loans to nonprofit and governmental entities
12 in connection with sales of single family real properties
13 owned by the Secretary and formerly insured under the
14 Mutual Mortgage Insurance Fund: *Provided further*, That
15 for administrative contract expenses of the Federal Hous-
16 ing Administration, \$130,000,000, to remain available
17 until September 30, 2018: *Provided further*, That to the
18 extent guaranteed loan commitments exceed
19 \$200,000,000,000 on or before April 1, 2017, an addi-
20 tional \$1,400 for administrative contract expenses shall be
21 available for each \$1,000,000 in additional guaranteed
22 loan commitments (including a pro rata amount for any
23 amount below \$1,000,000), but in no case shall funds
24 made available by this proviso exceed \$30,000,000.

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, 2018: *Provided*, That during fiscal year 2017, 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 \$5,000,000,
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 \$500,000,000,000, to remain available until September
23 30, 2018: *Provided*, That \$23,000,000 shall be available
24 for necessary salaries and expenses of the Office of Gov-
25 ernment National Mortgage Association: *Provided further*,

1 That to the extent that guaranteed loan commitments ex-
2 ceed \$155,000,000,000 on or before April 1, 2017, an ad-
3 ditional \$100 for necessary salaries and expenses shall be
4 available until expended for each \$1,000,000 in additional
5 guaranteed loan commitments (including a pro rata
6 amount for any amount below \$1,000,000), but in no case
7 shall funds made available by this proviso exceed
8 \$3,000,000: *Provided further*, That receipts from Commit-
9 ment and Multiclass fees collected pursuant to title III of
10 the National Housing Act, as amended, shall be credited
11 as offsetting collections to this account.

12 POLICY DEVELOPMENT AND RESEARCH

13 RESEARCH AND TECHNOLOGY

14 For contracts, grants, and necessary expenses of pro-
15 grams of research and studies relating to housing and
16 urban problems, not otherwise provided for, as authorized
17 by title V of the Housing and Urban Development Act
18 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
19 out the functions of the Secretary of Housing and Urban
20 Development under section 1(a)(1)(i) of Reorganization
21 Plan No. 2 of 1968, and for technical assistance,
22 \$89,000,000, to remain available until September 30,
23 2018: *Provided*, That with respect to amounts made avail-
24 able under this heading, notwithstanding section 204 of
25 this title, the Secretary may enter into cooperative agree-

1 ments funded with philanthropic entities, other Federal
2 agencies, or State or local governments and their agencies
3 for research projects: *Provided further*, That with respect
4 to the previous proviso, such partners to the cooperative
5 agreements must contribute at least a 50 percent match
6 toward the cost of the project: *Provided further*, That for
7 non-competitive agreements entered into in accordance
8 with the previous two provisos, the Secretary of Housing
9 and Urban Development shall comply with section 2(b) of
10 the Federal Funding Accountability and Transparency
11 Act of 2006 (Public Law 109–282, 31 U.S.C. note) in lieu
12 of compliance with section 102(a)(4)(C) with respect to
13 documentation of award decisions: *Provided further*, That
14 prior to obligation of technical assistance funding, the Sec-
15 retary shall submit a plan, for approval, to the House and
16 Senate Committees on Appropriations on how it will allo-
17 cate funding for this activity.

18 FAIR HOUSING AND EQUAL OPPORTUNITY

19 FAIR HOUSING ACTIVITIES

20 For contracts, grants, and other assistance, not oth-
21 erwise provided for, as authorized by title VIII of the Civil
22 Rights Act of 1968, as amended by the Fair Housing
23 Amendments Act of 1988, and section 561 of the Housing
24 and Community Development Act of 1987, as amended,
25 \$65,300,000, to remain available until September 30,

1 2018: *Provided*, That notwithstanding 31 U.S.C. 3302,
2 the Secretary may assess and collect fees to cover the costs
3 of the Fair Housing Training Academy, and may use such
4 funds to provide such training: *Provided further*, That no
5 funds made available under this heading shall be used to
6 lobby the executive or legislative branches of the Federal
7 Government in connection with a specific contract, grant,
8 or loan: *Provided further*, That of the funds made available
9 under this heading, \$300,000 shall be available to the Sec-
10 retary of Housing and Urban Development for the cre-
11 ation and promotion of translated materials and other pro-
12 grams that support the assistance of persons with limited
13 English proficiency in utilizing the services provided by
14 the Department of Housing and Urban Development.

15 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
16 HOMES
17 LEAD HAZARD REDUCTION

18 For the Lead Hazard Reduction Program, as author-
19 ized by section 1011 of the Residential Lead-Based Paint
20 Hazard Reduction Act of 1992, \$145,000,000, to remain
21 available until September 30, 2018, of which \$30,000,000
22 shall be for the Healthy Homes Initiative, pursuant to sec-
23 tions 501 and 502 of the Housing and Urban Develop-
24 ment Act of 1970, that shall include research, studies,
25 testing, and demonstration efforts, including education

1 and outreach concerning lead-based paint poisoning and
2 other housing-related diseases and hazards: *Provided*,
3 That for purposes of environmental review, pursuant to
4 the National Environmental Policy Act of 1969 (42 U.S.C.
5 4321 et seq.) and other provisions of the law that further
6 the purposes of such Act, a grant under the Healthy
7 Homes Initiative, or the Lead Technical Studies program
8 under this heading or under prior appropriations Acts for
9 such purposes under this heading, shall be considered to
10 be funds for a special project for purposes of section
11 305(c) of the Multifamily Housing Property Disposition
12 Reform Act of 1994: *Provided further*, That of the total
13 amount made available under this heading, \$55,000,000
14 shall be made available on a competitive basis for areas
15 with the highest lead-based paint abatement needs: *Pro-*
16 *vided further*, That each recipient of funds provided under
17 the previous proviso shall contribute an amount not less
18 than 25 percent of the total: *Provided further*, That each
19 applicant shall certify adequate capacity that is acceptable
20 to the Secretary to carry out the proposed use of funds
21 pursuant to a notice of funding availability: *Provided fur-*
22 *ther*, That amounts made available under this heading in
23 this or prior appropriations Acts, and that still remain
24 available, may be used for any purpose under this heading
25 notwithstanding the purpose for which such amounts were

1 appropriated if a program competition is undersubscribed
2 and there are other program competitions under this head-
3 ing that are oversubscribed.

4 INFORMATION TECHNOLOGY FUND

5 For the development of, modifications to, and infra-
6 structure for Department-wide and program-specific infor-
7 mation technology systems, for the continuing operation
8 and maintenance of both Department-wide and program-
9 specific information systems, and for program-related
10 maintenance activities, \$257,000,000, of which
11 \$250,000,000 shall remain available until September 30,
12 2018, and of which \$7,000,000 shall remain available
13 until September 30, 2019: *Provided*, That any amounts
14 transferred to this Fund under this Act shall remain avail-
15 able until expended: *Provided further*, That any amounts
16 transferred to this Fund from amounts appropriated by
17 previously enacted appropriations Acts may be used for
18 the purposes specified under this Fund, in addition to any
19 other information technology purposes for which such
20 amounts were appropriated: *Provided further*, That not
21 more than 10 percent of the funds made available under
22 this heading for development, modernization and enhance-
23 ment may be obligated until the Secretary submits to the
24 House and Senate Committees on Appropriations, for ap-
25 proval, a plan for expenditure that—(A) identifies for each

1 modernization project: (i) the functional and performance
2 capabilities to be delivered and the mission benefits to be
3 realized, (ii) the estimated life-cycle cost, and (iii) key
4 milestones to be met; and (B) demonstrates that each
5 modernization project is: (i) compliant with the depart-
6 ment's enterprise architecture, (ii) being managed in ac-
7 cordance with applicable life-cycle management policies
8 and guidance, (iii) subject to the department's capital
9 planning and investment control requirements, and (iv)
10 supported by an adequately staffed project office.

11 OFFICE OF INSPECTOR GENERAL

12 For necessary salaries and expenses of the Office of
13 Inspector General in carrying out the Inspector General
14 Act of 1978, as amended, \$128,082,000: *Provided*, That
15 the Inspector General shall have independent authority
16 over all personnel issues within this office.

17 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND

18 URBAN DEVELOPMENT

19 (INCLUDING TRANSFER OF FUNDS)

20 (INCLUDING RESCISSION)

21 SEC. 201. Fifty percent of the amounts of budget au-
22 thority, or in lieu thereof 50 percent of the cash amounts
23 associated with such budget authority, that are recaptured
24 from projects described in section 1012(a) of the Stewart
25 B. McKinney Homeless Assistance Amendments Act of

1 1988 (42 U.S.C. 1437f note) shall be rescinded or in the
2 case of cash, shall be remitted to the Treasury, and such
3 amounts of budget authority or cash recaptured and not
4 rescinded or remitted to the Treasury shall be used by
5 State housing finance agencies or local governments or
6 local housing agencies with projects approved by the Sec-
7 retary of Housing and Urban Development for which set-
8 tlement occurred after January 1, 1992, in accordance
9 with such section. Notwithstanding the previous sentence,
10 the Secretary may award up to 15 percent of the budget
11 authority or cash recaptured and not rescinded or remitted
12 to the Treasury to provide project owners with incentives
13 to refinance their project at a lower interest rate.

14 SEC. 202. None of the amounts made available under
15 this Act may be used during fiscal year 2017 to investigate
16 or prosecute under the Fair Housing Act any otherwise
17 lawful activity engaged in by one or more persons, includ-
18 ing the filing or maintaining of a nonfrivolous legal action,
19 that is engaged in solely for the purpose of achieving or
20 preventing action by a Government official or entity, or
21 a court of competent jurisdiction.

22 SEC. 203. Subsection (c) of section 854 of the AIDS
23 Housing Opportunity Act (42 U.S.C. 12903(c)) is amend-
24 ed—

1 (1) in subclause (I) of paragraph (2)(A), by re-
2 designating the subclause as clause “(i)”; and

3 (2) in subparagraph (D) of paragraph (2), to
4 read as follows:

5 “(D) ADJUSTMENT TO GRANTS.—For each
6 of fiscal years 2017, 2018, 2019, 2020, and
7 2021, with respect to a grantee that received an
8 allocation in the prior fiscal year, the Secretary
9 shall ensure that the grantee’s share of total
10 formula funds available for allocation does not
11 decrease more than 5 percent nor gain more
12 than 10 percent of the share of the total avail-
13 able formula funds that the grantee received in
14 the preceding fiscal year.”.

15 SEC. 204. Except as explicitly provided in law, any
16 grant, cooperative agreement or other assistance made
17 pursuant to title II of this Act shall be made on a competi-
18 tive basis and in accordance with section 102 of the De-
19 partment of Housing and Urban Development Reform Act
20 of 1989 (42 U.S.C. 3545).

21 SEC. 205. Funds of the Department of Housing and
22 Urban Development subject to the Government Corpora-
23 tion Control Act or section 402 of the Housing Act of
24 1950 shall be available, without regard to the limitations
25 on administrative expenses, for legal services on a contract

1 or fee basis, and for utilizing and making payment for
2 services and facilities of the Federal National Mortgage
3 Association, Government National Mortgage Association,
4 Federal Home Loan Mortgage Corporation, Federal Fi-
5 nancing Bank, Federal Reserve banks or any member
6 thereof, Federal Home Loan banks, and any insured bank
7 within the meaning of the Federal Deposit Insurance Cor-
8 poration Act, as amended (12 U.S.C. 1811–1).

9 SEC. 206. Unless otherwise provided for in this Act
10 or through a reprogramming of funds, no part of any ap-
11 propriation for the Department of Housing and Urban
12 Development shall be available for any program, project
13 or activity in excess of amounts set forth in the budget
14 estimates submitted to Congress.

15 SEC. 207. Corporations and agencies of the Depart-
16 ment of Housing and Urban Development which are sub-
17 ject to the Government Corporation Control Act are here-
18 by authorized to make such expenditures, within the limits
19 of funds and borrowing authority available to each such
20 corporation or agency and in accordance with law, and to
21 make such contracts and commitments without regard to
22 fiscal year limitations as provided by section 104 of such
23 Act as may be necessary in carrying out the programs set
24 forth in the budget for 2017 for such corporation or agen-
25 cy except as hereinafter provided: *Provided*, That collec-

1 tions of these corporations and agencies may be used for
2 new loan or mortgage purchase commitments only to the
3 extent expressly provided for in this Act (unless such loans
4 are in support of other forms of assistance provided for
5 in this or prior appropriations Acts), except that this pro-
6 viso shall not apply to the mortgage insurance or guaranty
7 operations of these corporations, or where loans or mort-
8 gage purchases are necessary to protect the financial in-
9 terest of the United States Government.

10 SEC. 208. The Secretary of Housing and Urban De-
11 velopment shall provide quarterly reports to the House
12 and Senate Committees on Appropriations regarding all
13 uncommitted, unobligated, recaptured and excess funds in
14 each program and activity within the jurisdiction of the
15 Department and shall submit additional, updated budget
16 information to these Committees upon request.

17 SEC. 209. The President's formal budget request for
18 fiscal year 2018, as well as the Department of Housing
19 and Urban Development's congressional budget justifica-
20 tions to be submitted to the Committees on Appropriations
21 of the House of Representatives and the Senate, shall use
22 the identical account and sub-account structure provided
23 under this Act.

24 SEC. 210. No funds provided under this title may be
25 used for an audit of the Government National Mortgage

1 Association that makes applicable requirements under the
2 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

3 SEC. 211. (a) Notwithstanding any other provision
4 of law, subject to the conditions listed under this section,
5 for fiscal years 2017 and 2018, the Secretary of Housing
6 and Urban Development may authorize the transfer of
7 some or all project-based assistance, debt held or insured
8 by the Secretary and statutorily required low-income and
9 very low-income use restrictions if any, associated with one
10 or more multifamily housing project or projects to another
11 multifamily housing project or projects.

12 (b) PHASED TRANSFERS.—Transfers of project-
13 based assistance under this section may be done in phases
14 to accommodate the financing and other requirements re-
15 lated to rehabilitating or constructing the project or
16 projects to which the assistance is transferred, to ensure
17 that such project or projects meet the standards under
18 subsection (c).

19 (c) The transfer authorized in subsection (a) is sub-
20 ject to the following conditions:

21 (1) NUMBER AND BEDROOM SIZE OF UNITS.—

22 (A) For occupied units in the transferring
23 project: The number of low-income and very
24 low-income units and the configuration (i.e.,
25 bedroom size) provided by the transferring

1 project shall be no less than when transferred
2 to the receiving project or projects and the net
3 dollar amount of Federal assistance provided to
4 the transferring project shall remain the same
5 in the receiving project or projects.

6 (B) For unoccupied units in the transfer-
7 ring project: The Secretary may authorize a re-
8 duction in the number of dwelling units in the
9 receiving project or projects to allow for a re-
10 configuration of bedroom sizes to meet current
11 market demands, as determined by the Sec-
12 retary and provided there is no increase in the
13 project-based assistance budget authority.

14 (2) The transferring project shall, as deter-
15 mined by the Secretary, be either physically obsolete
16 or economically nonviable.

17 (3) The receiving project or projects shall meet
18 or exceed applicable physical standards established
19 by the Secretary.

20 (4) The owner or mortgagor of the transferring
21 project shall notify and consult with the tenants re-
22 siding in the transferring project and provide a cer-
23 tification of approval by all appropriate local govern-
24 mental officials.

1 (5) The tenants of the transferring project who
2 remain eligible for assistance to be provided by the
3 receiving project or projects shall not be required to
4 vacate their units in the transferring project or
5 projects until new units in the receiving project are
6 available for occupancy.

7 (6) The Secretary determines that this transfer
8 is in the best interest of the tenants.

9 (7) If either the transferring project or the re-
10 ceiving project or projects meets the condition speci-
11 fied in subsection (d)(2)(A), any lien on the receiv-
12 ing project resulting from additional financing ob-
13 tained by the owner shall be subordinate to any
14 FHA-insured mortgage lien transferred to, or placed
15 on, such project by the Secretary, except that the
16 Secretary may waive this requirement upon deter-
17 mination that such a waiver is necessary to facilitate
18 the financing of acquisition, construction, and/or re-
19 habilitation of the receiving project or projects.

20 (8) If the transferring project meets the re-
21 quirements of subsection (d)(2), the owner or mort-
22 gator of the receiving project or projects shall exe-
23 cute and record either a continuation of the existing
24 use agreement or a new use agreement for the
25 project where, in either case, any use restrictions in

1 such agreement are of no lesser duration than the
2 existing use restrictions.

3 (9) The transfer does not increase the cost (as
4 defined in section 502 of the Congressional Budget
5 Act of 1974, as amended) of any FHA-insured
6 mortgage, except to the extent that appropriations
7 are provided in advance for the amount of any such
8 increased cost.

9 (d) For purposes of this section—

10 (1) the terms “low-income” and “very low-in-
11 come” shall have the meanings provided by the stat-
12 ute and/or regulations governing the program under
13 which the project is insured or assisted;

14 (2) the term “multifamily housing project”
15 means housing that meets one of the following con-
16 ditions—

17 (A) housing that is subject to a mortgage
18 insured under the National Housing Act;

19 (B) housing that has project-based assist-
20 ance attached to the structure including
21 projects undergoing mark to market debt re-
22 structuring under the Multifamily Assisted
23 Housing Reform and Affordability Housing Act;

24 (C) housing that is assisted under section
25 202 of the Housing Act of 1959, as amended

1 by section 801 of the Cranston-Gonzales Na-
2 tional Affordable Housing Act;

3 (D) housing that is assisted under section
4 202 of the Housing Act of 1959, as such sec-
5 tion existed before the enactment of the Cran-
6 ston-Gonzales National Affordable Housing Act;

7 (E) housing that is assisted under section
8 811 of the Cranston-Gonzales National Afford-
9 able Housing Act; or

10 (F) housing or vacant land that is subject
11 to a use agreement;

12 (3) the term “project-based assistance”
13 means—

14 (A) assistance provided under section 8(b)
15 of the United States Housing Act of 1937;

16 (B) assistance for housing constructed or
17 substantially rehabilitated pursuant to assist-
18 ance provided under section 8(b)(2) of such Act
19 (as such section existed immediately before Oc-
20 tober 1, 1983);

21 (C) rent supplement payments under sec-
22 tion 101 of the Housing and Urban Develop-
23 ment Act of 1965;

24 (D) interest reduction payments under sec-
25 tion 236 and/or additional assistance payments

1 under section 236(f)(2) of the National Hous-
2 ing Act;

3 (E) assistance payments made under sec-
4 tion 202(e)(2) of the Housing Act of 1959; and

5 (F) assistance payments made under sec-
6 tion 811(d)(2) of the Cranston-Gonzalez Na-
7 tional Affordable Housing Act;

8 (4) the term “receiving project or projects”
9 means the multifamily housing project or projects to
10 which some or all of the project-based assistance,
11 debt, and statutorily required low-income and very
12 low-income use restrictions are to be transferred;

13 (5) the term “transferring project” means the
14 multifamily housing project which is transferring
15 some or all of the project-based assistance, debt, and
16 the statutorily required low-income and very low-in-
17 come use restrictions to the receiving project or
18 projects; and

19 (6) the term “Secretary” means the Secretary
20 of Housing and Urban Development.

21 (e) RESEARCH REPORT.—The Secretary shall con-
22 duct an evaluation of the transfer authority under this sec-
23 tion, including the effect of such transfers on the oper-
24 ational efficiency, contract rents, physical and financial

1 conditions, and long-term preservation of the affected
2 properties.

3 SEC. 212. (a) No assistance shall be provided under
4 section 8 of the United States Housing Act of 1937 (42
5 U.S.C. 1437f) to any individual who—

6 (1) is enrolled as a student at an institution of
7 higher education (as defined under section 102 of
8 the Higher Education Act of 1965 (20 U.S.C.
9 1002));

10 (2) is under 24 years of age;

11 (3) is not a veteran;

12 (4) is unmarried;

13 (5) does not have a dependent child;

14 (6) is not a person with disabilities, as such
15 term is defined in section 3(b)(3)(E) of the United
16 States Housing Act of 1937 (42 U.S.C.
17 1437a(b)(3)(E)) and was not receiving assistance
18 under such section 8 as of November 30, 2005;

19 (7) is not a youth who left foster care at age
20 14 or older and is at risk of becoming homeless; and

21 (8) is not otherwise individually eligible, or has
22 parents who, individually or jointly, are not eligible,
23 to receive assistance under section 8 of the United
24 States Housing Act of 1937 (42 U.S.C. 1437f).

1 (b) For purposes of determining the eligibility of a
2 person to receive assistance under section 8 of the United
3 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
4 cial assistance (in excess of amounts received for tuition
5 and any other required fees and charges) that an indi-
6 vidual receives under the Higher Education Act of 1965
7 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
8 tution of higher education (as defined under the Higher
9 Education Act of 1965 (20 U.S.C. 1002)), shall be consid-
10 ered income to that individual, except for a person over
11 the age of 23 with dependent children.

12 SEC. 213. The funds made available for Native Alas-
13 kans under the heading “Native American Housing Block
14 Grants” in title II of this Act shall be allocated to the
15 same Native Alaskan housing block grant recipients that
16 received funds in fiscal year 2005.

17 SEC. 214. Notwithstanding the limitation in the first
18 sentence of section 255(g) of the National Housing Act
19 (12 U.S.C. 1715z-20(g)), the Secretary of Housing and
20 Urban Development may, until September 30, 2017, in-
21 sure and enter into commitments to insure mortgages
22 under such section 255.

23 SEC. 215. Notwithstanding any other provision of
24 law, in fiscal year 2017, in managing and disposing of any
25 multifamily property that is owned or has a mortgage held

1 by the Secretary of Housing and Urban Development, and
2 during the process of foreclosure on any property with a
3 contract for rental assistance payments under section 8
4 of the United States Housing Act of 1937 or other Fed-
5 eral programs, the Secretary shall maintain any rental as-
6 sistance payments under section 8 of the United States
7 Housing Act of 1937 and other programs that are at-
8 tached to any dwelling units in the property. To the extent
9 the Secretary determines, in consultation with the tenants
10 and the local government, that such a multifamily prop-
11 erty owned or held by the Secretary is not feasible for con-
12 tinued rental assistance payments under such section 8
13 or other programs, based on consideration of (1) the costs
14 of rehabilitating and operating the property and all avail-
15 able Federal, State, and local resources, including rent ad-
16 justments under section 524 of the Multifamily Assisted
17 Housing Reform and Affordability Act of 1997
18 (“MAHRAA”) and (2) environmental conditions that can-
19 not be remedied in a cost-effective fashion, the Secretary
20 may, in consultation with the tenants of that property,
21 contract for project-based rental assistance payments with
22 an owner or owners of other existing housing properties,
23 or provide other rental assistance. The Secretary shall also
24 take appropriate steps to ensure that project-based con-
25 tracts remain in effect prior to foreclosure, subject to the

1 exercise of contractual abatement remedies to assist relo-
2 cation of tenants for imminent major threats to health and
3 safety after written notice to and informed consent of the
4 affected tenants and use of other available remedies, such
5 as partial abatements or receivership. After disposition of
6 any multifamily property described under this section, the
7 contract and allowable rent levels on such properties shall
8 be subject to the requirements under section 524 of
9 MAHRAA.

10 SEC. 216. The commitment authority funded by fees
11 as provided under the heading “Community Development
12 Loan Guarantees Program Account” may be used to guar-
13 antee, or make commitments to guarantee, notes, or other
14 obligations issued by any State on behalf of non-entitle-
15 ment communities in the State in accordance with the re-
16 quirements of section 108 of the Housing and Community
17 Development Act of 1974: *Provided*, That any State re-
18 ceiving such a guarantee or commitment shall distribute
19 all funds subject to such guarantee to the units of general
20 local government in non-entitlement areas that received
21 the commitment.

22 SEC. 217. Public housing agencies that own and oper-
23 ate 400 or fewer public housing units may elect to be ex-
24 empt from any asset management requirement imposed by
25 the Secretary of Housing and Urban Development in con-

1 nection with the operating fund rule: *Provided*, That an
2 agency seeking a discontinuance of a reduction of subsidy
3 under the operating fund formula shall not be exempt
4 from asset management requirements.

5 SEC. 218. With respect to the use of amounts pro-
6 vided in this Act and in future Acts for the operation, cap-
7 ital improvement and management of public housing as
8 authorized by sections 9(d) and 9(e) of the United States
9 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the
10 Secretary shall not impose any requirement or guideline
11 relating to asset management that restricts or limits in
12 any way the use of capital funds for central office costs
13 pursuant to section 9(g)(1) or 9(g)(2) of the United States
14 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*
15 *vided*, That a public housing agency may not use capital
16 funds authorized under section 9(d) for activities that are
17 eligible under section 9(e) for assistance with amounts
18 from the operating fund in excess of the amounts per-
19 mitted under section 9(g)(1) or 9(g)(2).

20 SEC. 219. No official or employee of the Department
21 of Housing and Urban Development shall be designated
22 as an allotment holder unless the Office of the Chief Fi-
23 nancial Officer has determined that such allotment holder
24 has implemented an adequate system of funds control and
25 has received training in funds control procedures and di-

1 rectives. The Chief Financial Officer shall ensure that
2 there is a trained allotment holder for each HUD sub-
3 office under the accounts “Executive Offices” and “Ad-
4 ministrative Support Offices,” as well as each account re-
5 ceiving appropriations for “Program Office Salaries and
6 Expenses”, “Government National Mortgage Associa-
7 tion—Guarantees of Mortgage-Backed Securities Loan
8 Guarantee Program Account”, and “Office of Inspector
9 General” within the Department of Housing and Urban
10 Development.

11 SEC. 220. The Secretary of the Department of Hous-
12 ing and Urban Development shall, for fiscal year 2017,
13 notify the public through the Federal Register and other
14 means, as determined appropriate, of the issuance of a no-
15 tice of the availability of assistance or notice of funding
16 availability (NOFA) for any program or discretionary
17 fund administered by the Secretary that is to be competi-
18 tively awarded. Notwithstanding any other provision of
19 law, for fiscal year 2017, the Secretary may make the
20 NOFA available only on the Internet at the appropriate
21 Government web site or through other electronic media,
22 as determined by the Secretary.

23 SEC. 221. Payment of attorney fees in program-re-
24 lated litigation shall be paid from the individual program
25 office and Office of General Counsel salaries and expenses

1 appropriations. The annual budget submission for the pro-
2 gram offices and the Office of General Counsel shall in-
3 clude any such projected litigation costs for attorney fees
4 as a separate line item request. No funds provided in this
5 title may be used to pay any such litigation costs for attor-
6 ney fees until the Department submits for review a spend-
7 ing plan for such costs to the House and Senate Commit-
8 tees on Appropriations.

9 SEC. 222. The Secretary is authorized to transfer up
10 to 10 percent or \$4,000,000, whichever is less, of funds
11 appropriated for any office under the heading “Adminis-
12 trative Support Offices” or for any account under the gen-
13 eral heading “Program Office Salaries and Expenses” to
14 any other such office or account: *Provided*, That no appro-
15 priation for any such office or account shall be increased
16 or decreased by more than 10 percent or \$4,000,000,
17 whichever is less, without prior written approval of the
18 House and Senate Committees on Appropriations: *Pro-*
19 *vided further*, That the Secretary shall provide notification
20 to such Committees three business days in advance of any
21 such transfers under this section up to 10 percent or
22 \$4,000,000, whichever is less.

23 SEC. 223. (a) Any entity receiving housing assistance
24 payments shall maintain decent, safe, and sanitary condi-
25 tions, as determined by the Secretary of Housing and

1 Urban Development (in this section referred to as the
2 “Secretary”), and comply with any standards under appli-
3 cable State or local laws, rules, ordinances, or regulations
4 relating to the physical condition of any property covered
5 under a housing assistance payment contract.

6 (b) The Secretary shall take action under subsection
7 (c) when a multifamily housing project with a section 8
8 contract or contract for similar project-based assistance—

9 (1) receives a Uniform Physical Condition
10 Standards (UPCS) score of 60 or less; or

11 (2) fails to certify in writing to the Secretary
12 within 3 days that all Exigent Health and Safety de-
13 ficiencies identified by the inspector at the project
14 have been corrected.

15 Such requirements shall apply to insured and noninsured
16 projects with assistance attached to the units under sec-
17 tion 8 of the United States Housing Act of 1937 (42
18 U.S.C. 1437f), but do not apply to such units assisted
19 under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to
20 public housing units assisted with capital or operating
21 funds under section 9 of the United States Housing Act
22 of 1937 (42 U.S.C. 1437g).

23 (c)(1) Within 15 days of the issuance of the REAC
24 inspection, the Secretary must provide the owner with a
25 Notice of Default with a specified timetable, determined

1 by the Secretary, for correcting all deficiencies. The Sec-
2 retary must also provide a copy of the Notice of Default
3 to the tenants, the local government, any mortgagees, and
4 any contract administrator. If the owner's appeal results
5 in a UPCS score of 60 or above, the Secretary may with-
6 draw the Notice of Default.

7 (2) At the end of the time period for correcting all
8 deficiencies specified in the Notice of Default, if the owner
9 fails to fully correct such deficiencies, the Secretary may—

10 (A) require immediate replacement of project
11 management with a management agent approved by
12 the Secretary;

13 (B) impose civil money penalties, which shall be
14 used solely for the purpose of supporting safe and
15 sanitary conditions at applicable properties, as des-
16 ignated by the Secretary, with priority given to the
17 tenants of the property affected by the penalty;

18 (C) abate the section 8 contract, including par-
19 tial abatement, as determined by the Secretary, until
20 all deficiencies have been corrected;

21 (D) pursue transfer of the project to an owner,
22 approved by the Secretary under established proce-
23 dures, which will be obligated to promptly make all
24 required repairs and to accept renewal of the assist-
25 ance contract as long as such renewal is offered;

1 (E) transfer the existing section 8 contract to
2 another project or projects and owner or owners;

3 (F) pursue exclusionary sanctions, including
4 suspensions or debarments from Federal programs;

5 (G) seek judicial appointment of a receiver to
6 manage the property and cure all project deficiencies
7 or seek a judicial order of specific performance re-
8 quiring the owner to cure all project deficiencies;

9 (H) work with the owner, lender, or other re-
10 lated party to stabilize the property in an attempt
11 to preserve the property through compliance, trans-
12 fer of ownership, or an infusion of capital provided
13 by a third-party that requires time to effectuate; or

14 (I) take any other regulatory or contractual
15 remedies available as deemed necessary and appro-
16 priate by the Secretary.

17 (d) The Secretary shall also take appropriate steps
18 to ensure that project-based contracts remain in effect,
19 subject to the exercise of contractual abatement remedies
20 to assist relocation of tenants for major threats to health
21 and safety after written notice to the affected tenants. To
22 the extent the Secretary determines, in consultation with
23 the tenants and the local government, that the property
24 is not feasible for continued rental assistance payments

1 under such section 8 or other programs, based on consid-
2 eration of—

3 (1) the costs of rehabilitating and operating the
4 property and all available Federal, State, and local
5 resources, including rent adjustments under section
6 524 of the Multifamily Assisted Housing Reform
7 and Affordability Act of 1997 (“MAHRAA”); and

8 (2) environmental conditions that cannot be
9 remedied in a cost-effective fashion, the Secretary
10 may contract for project-based rental assistance pay-
11 ments with an owner or owners of other existing
12 housing properties, or provide other rental assist-
13 ance.

14 (e) The Secretary shall report quarterly on all prop-
15 erties covered by this section that are assessed through
16 the Real Estate Assessment Center and have UPCS phys-
17 ical inspection scores of less than 60 or have received an
18 unsatisfactory management and occupancy review within
19 the past 36 months. The report shall include—

20 (1) the enforcement actions being taken to ad-
21 dress such conditions, including imposition of civil
22 money penalties and termination of subsidies, and
23 identify properties that have such conditions mul-
24 tiple times;

1 (2) actions that the Department of Housing
2 and Urban Development is taking to protect tenants
3 of such identified properties; and

4 (3) any administrative or legislative rec-
5 ommendations to further improve the living condi-
6 tions at properties covered under a housing assist-
7 ance payment contract.

8 SEC. 224. None of the funds made available by this
9 Act, or any other Act, for purposes authorized under sec-
10 tion 8 (only with respect to the tenant-based rental assist-
11 ance program) and section 9 of the United States Housing
12 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
13 any public housing agency for any amount of salary, in-
14 cluding bonuses, for the chief executive officer of which,
15 or any other official or employee of which, that exceeds
16 the annual rate of basic pay payable for a position at level
17 IV of the Executive Schedule at any time during any pub-
18 lic housing agency fiscal year 2017.

19 SEC. 225. None of the funds in this Act may be avail-
20 able for the doctoral dissertation research grant program
21 at the Department of Housing and Urban Development.

22 SEC. 226. Section 24 of the United States Housing
23 Act of 1937 (42 U.S.C. 1437v) is amended—

1 (1) in subsection (m)(1), by striking “fiscal
2 year” and all that follows through the period at the
3 end and inserting “fiscal year 2017.”; and

4 (2) in subsection (o), by striking “September”
5 and all that follows through the period at the end
6 and inserting “September 30, 2017.”.

7 SEC. 227. None of the funds in this Act provided to
8 the Department of Housing and Urban Development may
9 be used to make a grant award unless the Secretary noti-
10 fies the House and Senate Committees on Appropriations
11 not less than 3 full business days before any project,
12 State, locality, housing authority, tribe, nonprofit organi-
13 zation, or other entity selected to receive a grant award
14 is announced by the Department or its offices.

15 SEC. 228. None of the funds made available by this
16 Act may be used to require or enforce the Physical Needs
17 Assessment (PNA).

18 SEC. 229. None of the funds made available by this
19 Act nor any receipts or amounts collected under any Fed-
20 eral Housing Administration program may be used to im-
21 plement the Homeowners Armed with Knowledge
22 (HAWK) program.

23 SEC. 230. 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. 231. 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. 232. 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. 233. 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 who has been
5 subject to administrative discipline in fiscal years 2016 or
6 2017, including suspension from work.

7 SEC. 234. Funds made available in this title under
8 the heading “Homeless Assistance Grants” may be used
9 by the Secretary to participate in Performance Partner-
10 ship Pilots authorized under section 526 of division H of
11 Public Law 113–76, section 524 of division G of Public
12 Law 113–235, section 525 of division H of Public Law
13 114–113, and such authorities as are enacted for Perform-
14 ance Partnership Pilots in an appropriations Act for fiscal
15 year 2017: *Provided*, That such participation shall be lim-
16 ited to no more than 10 continuums of care and housing
17 activities to improve outcomes for disconnected youth.

18 SEC. 235. With respect to grant amounts awarded
19 under the heading “Homeless Assistance Grants” for fis-
20 cal years 2015, 2016, and 2017 for the continuum of care
21 (CoC) program as authorized under subtitle C of title IV
22 of the McKinney-Vento Homeless Assistance Act, costs
23 paid by program income of grant recipients may count to-
24 ward meeting the recipient’s matching requirements, pro-

1 vided the costs are eligible CoC costs that supplement the
2 recipients CoC program.

3 SEC. 236. (a) From amounts made available under
4 this title under the heading “Homeless Assistance
5 Grants”, the Secretary may award 1-year transition
6 grants to recipients of funds for activities under subtitle
7 C of the McKinney-Vento Homeless Assistance Act (42
8 U.S.C. 11381 et seq.) to transition from one Continuum
9 of Care program component to another.

10 (b) No more than 50 percent of each transition grant
11 may be used for costs of eligible activities of the program
12 component originally funded.

13 (c) Transition grants made under this section are eli-
14 gible for renewal in subsequent fiscal years for the eligible
15 activities of the new program component.

16 (d) In order to be eligible to receive a transition
17 grant, the funding recipient must have the consent of the
18 Continuum of Care and meet standards determined by the
19 Secretary.

20 SEC. 237. (a) Section 302 of the Lead-Based Paint
21 Poisoning Prevention Act (42 U.S.C. 4822) is amended
22 in subsection (e)—

23 (1) in paragraph (1)—

1 (i) by striking “handicapped” and insert-
2 ing “persons with disabilities, or any 0-bedroom
3 dwelling”;

4 (ii) by inserting “or” after “expected to re-
5 side;”; and

6 (iii) by striking “less than 7 years of age”
7 and inserting “under age 6”;

8 (2) in paragraph (2) by striking “; or” and in-
9 serting “.”; and

10 (3) by striking paragraph (3).

11 (b) Section 1004 of the Residential Lead-Based Paint
12 Hazard Reduction Act of 1992 (42 U.S.C. 4851b) is
13 amended in paragraph (27)—

14 (1) by inserting “or any 0-bedroom dwelling”
15 after “disabilities,”; and

16 (2) by deleting “housing for the elderly or per-
17 sons with disabilities) or any 0 bedroom dwelling”
18 and inserting “housing)”.

19 (c) Section 401 of the Toxic Substances Control Act
20 (15 U.S.C. 2681) is amended in paragraph (17)—

21 (1) by inserting “or any 0-bedroom dwelling”
22 after “disabilities,”; and

23 (2) by deleting “housing for the elderly or per-
24 sons with disabilities) or any 0 bedroom dwelling”
25 and inserting “housing)”.

1 SEC. 238. Section 211 of the Department of Housing
2 and Urban Development Appropriations Act, 2008, is re-
3 pealed.

4 SEC. 239. The language under the heading Rental
5 Assistance Demonstration in the Department of Housing
6 and Urban Development Appropriations Act, 2012 (Public
7 Law 112–55), is amended—

8 (1) in the second proviso, by striking “2018”
9 and inserting “2020”; and

10 (2) in the fourth proviso, by striking “185,000”
11 and inserting “225,000”.

12 SEC. 240. The Secretary shall establish by notice
13 such requirements as may be necessary to implement sec-
14 tion 78001 of title LXXVIII of the Fixing America’s Sur-
15 face Transportation Act (Public Law 114–94), and the no-
16 tice shall take effect upon issuance: *Provided*, That the
17 Secretary shall commence rulemaking based on the initial
18 notice no later than the expiration of the 6-month period
19 following issuance of the notice and the rulemaking shall
20 allow for the opportunity for public comment.

21 SEC. 241. For fiscal year 2017 and hereafter, the
22 Secretary of Housing and Urban Development may use
23 amounts made available for the Continuum of Care pro-
24 gram under the “Homeless Assistance Grants” heading
25 under this title to renew a grant originally awarded pursu-

1 ant to the matter under the heading “Department of
2 Housing and Urban Development—Permanent Supportive
3 Housing” in chapter 6 of title III of the Supplemental Ap-
4 propriations Act, 2008 (Public Law 110–252; 122 Stat.
5 2351) for assistance under subtitle F of title IV of the
6 McKinney-Vento Homeless Assistance Act (42 U.S.C
7 11403 et seq.). Such renewal grant shall be awarded to
8 the same grantee and be subject to the provisions of such
9 Continuum of Care program except that the funds may
10 be used outside the geographic area of the continuum of
11 care.

12 SEC. 242. Section 218(g) of the Cranston-Gonzalez
13 National Affordable Housing Act (42 U.S.C. 12748(g))
14 shall not apply with respect to the right of a jurisdiction
15 to draw funds from its HOME Investment Trust Fund
16 that otherwise expired or would expire in 2016, 2017,
17 2018, or 2019 under that section.

18 SEC. 243. None of the funds made available by this
19 Act may be used by the Department of Housing and
20 Urban Development to direct a grantee to undertake spe-
21 cific changes to existing zoning laws as part of carrying
22 out the final rule entitled “Affirmatively Furthering Fair
23 Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the
24 notice entitled “Affirmatively Furthering Fair Housing

1 Assessment Tool” (79 Fed. Reg. 57949 (September 26,
2 2014)).

3 This title may be cited as the “Department of Hous-
4 ing and Urban Development Appropriations Act, 2017”.

1627

1 TITLE III
2 RELATED AGENCIES
3 ACCESS BOARD
4 SALARIES AND EXPENSES

5 For expenses necessary for the Access Board, as au-
6 thorized by section 502 of the Rehabilitation Act of 1973,
7 as amended, \$8,190,000: *Provided*, That, notwithstanding
8 any other provision of law, there may be credited to this
9 appropriation funds received for publications and training
10 expenses.

11 FEDERAL MARITIME COMMISSION
12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Maritime
14 Commission as authorized by section 201(d) of the Mer-
15 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
16 cluding services as authorized by 5 U.S.C. 3109; hire of
17 passenger motor vehicles as authorized by 31 U.S.C.
18 1343(b); and uniforms or allowances therefore, as author-
19 ized by 5 U.S.C. 5901–5902, \$27,490,000: *Provided*, That
20 not to exceed \$2,000 shall be available for official recep-
21 tion and representation expenses.

1 NATIONAL RAILROAD PASSENGER CORPORATION
2 OFFICE OF INSPECTOR GENERAL
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of Inspector
5 General for the National Railroad Passenger Corporation
6 to carry out the provisions of the Inspector General Act
7 of 1978, as amended, \$23,274,000: *Provided*, That the In-
8 spector General shall have all necessary authority, in car-
9 rying out the duties specified in the Inspector General Act,
10 as amended (5 U.S.C. App. 3), to investigate allegations
11 of fraud, including false statements to the government (18
12 U.S.C. 1001), by any person or entity that is subject to
13 regulation by the National Railroad Passenger Corpora-
14 tion: *Provided further*, That the Inspector General may
15 enter into contracts and other arrangements for audits,
16 studies, analyses, and other services with public agencies
17 and with private persons, subject to the applicable laws
18 and regulations that govern the obtaining of such services
19 within the National Railroad Passenger Corporation: *Pro-*
20 *vided further*, That the Inspector General may select, ap-
21 point, and employ such officers and employees as may be
22 necessary for carrying out the functions, powers, and du-
23 ties of the Office of Inspector General, subject to the appli-
24 cable laws and regulations that govern such selections, ap-
25 pointments, and employment within the Corporation: *Pro-*

1 *vided further*, That concurrent with the President's budget
2 request for fiscal year 2018, the Inspector General shall
3 submit to the House and Senate Committees on Appro-
4 priations a budget request for fiscal year 2018 in similar
5 format and substance to those submitted by executive
6 agencies of the Federal Government.

7 NATIONAL TRANSPORTATION SAFETY BOARD

8 SALARIES AND EXPENSES

9 For necessary expenses of the National Transpor-
10 tation Safety Board, including hire of passenger motor ve-
11 hicles and aircraft; services as authorized by 5 U.S.C.
12 3109, but at rates for individuals not to exceed the per
13 diem rate equivalent to the rate for a GS-15; uniforms,
14 or allowances therefor, as authorized by law (5 U.S.C.
15 5901-5902), \$106,000,000, of which not to exceed \$2,000
16 may be used for official reception and representation ex-
17 penses. The amounts made available to the National
18 Transportation Safety Board in this Act include amounts
19 necessary to make lease payments on an obligation in-
20 curred in fiscal year 2001 for a capital lease.

21 NEIGHBORHOOD REINVESTMENT CORPORATION

22 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
23 CORPORATION

24 For payment to the Neighborhood Reinvestment Cor-
25 poration for use in neighborhood reinvestment activities,

1630

1 as authorized by the Neighborhood Reinvestment Corpora-
2 tion Act (42 U.S.C. 8101–8107), \$140,000,000, of which
3 \$5,000,000 shall be for a multi-family rental housing pro-
4 gram.

5 SURFACE TRANSPORTATION BOARD

6 SALARIES AND EXPENSES

7 For necessary expenses of the Surface Transpor-
8 tation Board, including services authorized by 5 U.S.C.
9 3109, \$37,000,000: *Provided*, That notwithstanding any
10 other provision of law, not to exceed \$1,250,000 from fees
11 established by the Chairman of the Surface Transpor-
12 tation Board shall be credited to this appropriation as off-
13 setting collections and used for necessary and authorized
14 expenses under this heading: *Provided further*, That the
15 sum herein appropriated from the general fund shall be
16 reduced on a dollar-for-dollar basis as such offsetting col-
17 lections are received during fiscal year 2017, to result in
18 a final appropriation from the general fund estimated at
19 no more than \$35,750,000.

20 UNITED STATES INTERAGENCY COUNCIL ON

21 HOMELESSNESS

22 OPERATING EXPENSES

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

1 perts and consultants under section 3109 of title 5, United
2 States Code) of the United States Interagency Council on
3 Homelessness in carrying out the functions pursuant to
4 title II of the McKinney-Vento Homeless Assistance Act,
5 as amended, \$3,600,000: *Provided*, That title II of the
6 McKinney-Vento Homeless Assistance Act (42 U.S.C.
7 11319) is amended by striking “October 1, 2017” in sec-
8 tion 209 and inserting “October 1, 2018”.

9 TITLE IV

10 GENERAL PROVISIONS—THIS ACT

11 (INCLUDING RESCISSIONS)

12 SEC. 401. None of the funds in this Act shall be used
13 for the planning or execution of any program to pay the
14 expenses of, or otherwise compensate, non-Federal parties
15 intervening in regulatory or adjudicatory proceedings
16 funded in this Act.

17 SEC. 402. None of the funds appropriated in this Act
18 shall remain available for obligation beyond the current
19 fiscal year, nor may any be transferred to other appropria-
20 tions, unless expressly so provided herein.

21 SEC. 403. The expenditure of any appropriation
22 under this Act for any consulting service through a pro-
23 curement contract pursuant to section 3109 of title 5,
24 United States Code, shall be limited to those contracts
25 where such expenditures are a matter of public record and

1 available for public inspection, except where otherwise pro-
2 vided under existing law, or under existing Executive order
3 issued pursuant to existing law.

4 SEC. 404. (a) None of the funds made available in
5 this Act may be obligated or expended for any employee
6 training that—

7 (1) does not meet identified needs for knowl-
8 edge, skills, and abilities bearing directly upon the
9 performance of official duties;

10 (2) contains elements likely to induce high lev-
11 els of emotional response or psychological stress in
12 some participants;

13 (3) does not require prior employee notification
14 of the content and methods to be used in the train-
15 ing and written end of course evaluation;

16 (4) contains any methods or content associated
17 with religious or quasi-religious belief systems or
18 “new age” belief systems as defined in Equal Em-
19 ployment Opportunity Commission Notice N-
20 915.022, dated September 2, 1988; or

21 (5) is offensive to, or designed to change, par-
22 ticipants’ personal values or lifestyle outside the
23 workplace.

1 (b) Nothing in this section shall prohibit, restrict, or
2 otherwise preclude an agency from conducting training
3 bearing directly upon the performance of official duties.

4 SEC. 405. Except as otherwise provided in this Act,
5 none of the funds provided in this Act, provided by pre-
6 vious appropriations Acts to the agencies or entities fund-
7 ed in this Act that remain available for obligation or ex-
8 penditure in fiscal year 2017, or provided from any ac-
9 counts in the Treasury derived by the collection of fees
10 and available to the agencies funded by this Act, shall be
11 available for obligation or expenditure through a re-
12 programming of funds that—

13 (1) creates a new program;

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

15 (3) increases funds or personnel for any pro-
16 gram, project, or activity for which funds have been
17 denied or restricted by the Congress;

18 (4) proposes to use funds directed for a specific
19 activity by either the House or Senate Committees
20 on Appropriations for a different purpose;

21 (5) augments existing programs, projects, or ac-
22 tivities in excess of \$5,000,000 or 10 percent, which-
23 ever is less;

1 (6) reduces existing programs, projects, or ac-
2 tivities by \$5,000,000 or 10 percent, whichever is
3 less; or

4 (7) creates, reorganizes, or restructures a
5 branch, division, office, bureau, board, commission,
6 agency, administration, or department different from
7 the budget justifications submitted to the Commit-
8 tees on Appropriations or the table accompanying
9 the explanatory statement accompanying this Act,
10 whichever is more detailed, unless prior approval is
11 received from the House and Senate Committees on
12 Appropriations: *Provided*, That not later than 60
13 days after the date of enactment of this Act, each
14 agency funded by this Act shall submit a report to
15 the Committees on Appropriations of the Senate and
16 of the House of Representatives to establish the
17 baseline for application of reprogramming and trans-
18 fer authorities for the current fiscal year: *Provided*
19 *further*, That the report shall include—

20 (A) a table for each appropriation with a
21 separate column to display the prior year en-
22 acted level, the President's budget request, ad-
23 justments made by Congress, adjustments due
24 to enacted rescissions, if appropriate, and the
25 fiscal year enacted level;

1 (B) a delineation in the table for each ap-
2 propriation and its respective prior year enacted
3 level by object class and program, project, and
4 activity as detailed in the budget appendix for
5 the respective appropriation; and

6 (C) an identification of items of special
7 congressional interest.

8 SEC. 406. Except as otherwise specifically provided
9 by law, not to exceed 50 percent of unobligated balances
10 remaining available at the end of fiscal year 2017 from
11 appropriations made available for salaries and expenses
12 for fiscal year 2017 in this Act, shall remain available
13 through September 30, 2018, for each such account for
14 the purposes authorized: *Provided*, That a request shall
15 be submitted to the House and Senate Committees on Ap-
16 propriations for approval prior to the expenditure of such
17 funds: *Provided further*, That these requests shall be made
18 in compliance with reprogramming guidelines under sec-
19 tion 405 of this Act.

20 SEC. 407. No funds in this Act may be used to sup-
21 port any Federal, State, or local projects that seek to use
22 the power of eminent domain, unless eminent domain is
23 employed only for a public use: *Provided*, That for pur-
24 poses of this section, public use shall not be construed to
25 include economic development that primarily benefits pri-

1 vate entities: *Provided further*, That any use of funds for
2 mass transit, railroad, airport, seaport or highway
3 projects, as well as utility projects which benefit or serve
4 the general public (including energy-related, communica-
5 tion-related, water-related and wastewater-related infra-
6 structure), other structures designated for use by the gen-
7 eral public or which have other common-carrier or public-
8 utility functions that serve the general public and are sub-
9 ject to regulation and oversight by the government, and
10 projects for the removal of an immediate threat to public
11 health and safety or brownfields as defined in the Small
12 Business Liability Relief and Brownfields Revitalization
13 Act (Public Law 107–118) shall be considered a public
14 use for purposes of eminent domain.

15 SEC. 408. None of the funds made available in this
16 Act may be transferred to any department, agency, or in-
17 strumentality of the United States Government, except
18 pursuant to a transfer made by, or transfer authority pro-
19 vided in, this Act or any other appropriations Act.

20 SEC. 409. No part of any appropriation contained in
21 this Act shall be available to pay the salary for any person
22 filling a position, other than a temporary position, for-
23 merly held by an employee who has left to enter the Armed
24 Forces of the United States and has satisfactorily com-
25 pleted his or her period of active military or naval service,

1 and has within 90 days after his or her release from such
2 service or from hospitalization continuing after discharge
3 for a period of not more than 1 year, made application
4 for restoration to his or her former position and has been
5 certified by the Office of Personnel Management as still
6 qualified to perform the duties of his or her former posi-
7 tion and has not been restored thereto.

8 SEC. 410. No funds appropriated pursuant to this
9 Act may be expended by an entity unless the entity agrees
10 that in expending the assistance the entity will comply
11 with sections 2 through 4 of the Act of March 3, 1933
12 (41 U.S.C. 8301–8305, popularly known as the “Buy
13 American Act”).

14 SEC. 411. No funds appropriated or otherwise made
15 available under this Act shall be made available to any
16 person or entity that has been convicted of violating the
17 Buy American Act (41 U.S.C. 8301–8305).

18 SEC. 412. None of the funds made available in this
19 Act may be used for first-class airline accommodations in
20 contravention of sections 301–10.122 and 301–10.123 of
21 title 41, Code of Federal Regulations.

22 SEC. 413. (a) None of the funds made available by
23 this Act may be used to approve a new foreign air carrier
24 permit under sections 41301 through 41305 of title 49,
25 United States Code, or exemption application under sec-

1 tion 40109 of that title of an air carrier already holding
2 an air operators certificate issued by a country that is
3 party to the U.S.-E.U.-Iceland-Norway Air Transport
4 Agreement where such approval would contravene United
5 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
6 way Air Transport Agreement.

7 (b) Nothing in this section shall prohibit, restrict or
8 otherwise preclude the Secretary of Transportation from
9 granting a foreign air carrier permit or an exemption to
10 such an air carrier where such authorization is consistent
11 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
12 ment and United States law.

13 SEC. 414. None of the funds made available in this
14 Act may be used to send or otherwise pay for the attend-
15 ance of more than 50 employees of a single agency or de-
16 partment of the United States Government, who are sta-
17 tioned in the United States, at any single international
18 conference unless the relevant Secretary reports to the
19 House and Senate Committees on Appropriations at least
20 5 days in advance that such attendance is important to
21 the national interest: *Provided*, That for purposes of this
22 section the term “international conference” shall mean a
23 conference occurring outside of the United States attended
24 by representatives of the United States Government and

1 of foreign governments, international organizations, or
2 nongovernmental organizations.

3 SEC. 415. None of the funds made available by this
4 Act may be used by the Department of Transportation,
5 the Department of Housing and Urban Development, or
6 any other Federal agency to lease or purchase new light
7 duty vehicles for any executive fleet, or for an agency's
8 fleet inventory, except in accordance with Presidential
9 Memorandum—Federal Fleet Performance, dated May
10 24, 2011.

11 SEC. 416. None of the funds appropriated or other-
12 wise made available under this Act may be used by the
13 Surface Transportation Board to charge or collect any fil-
14 ing fee for rate or practice complaints filed with the Board
15 in an amount in excess of the amount authorized for dis-
16 trict court civil suit filing fees under section 1914 of title
17 28, United States Code.

18 SEC. 417. All unobligated balances, including recap-
19 tures and carryover, remaining from funds appropriated
20 in division L of Public Law 114–113 for “Department of
21 Transportation-Office of the Secretary-Salaries and Ex-
22 penses”, “Department of Transportation-Office of the
23 Secretary-Office of Civil Rights”, “Department of Trans-
24 portation-Office of the Secretary-Minority Business Out-
25 reach”, “Department of Transportation-Federal Transit

1 Administration-Administrative Expenses”, “Department
2 of Transportation-Pipeline and Hazardous Materials Safe-
3 ty Administration-Operational Expenses”, “Department
4 of Transportation-Surface Transportation Board-Salaries
5 and Expenses”, “Access Board-Salaries and Expenses”,
6 “Federal Maritime Commission-Salaries and Expenses”,
7 “National Railroad Passenger Corporation-Office of In-
8 spector General-Salaries and Expenses”, “National Trans-
9 portation Safety Board-Salaries and Expenses”, and
10 “United States Interagency Council on Homelessness-Op-
11 erating Expenses” are rescinded.

12 SEC. 418. (a) None of the funds made available in
13 this Act may be used to deny an Inspector General funded
14 under this Act timely access to any records, documents,
15 or other materials available to the department or agency
16 over which that Inspector General has responsibilities
17 under the Inspector General Act of 1978 (5 U.S.C. App.),
18 or to prevent or impede that Inspector General’s access
19 to such records, documents, or other materials, under any
20 provision of law, except a provision of law that expressly
21 refers to the Inspector General and expressly limits the
22 Inspector General’s right of access.

23 (b) A department or agency covered by this section
24 shall provide its Inspector General with access to all such

1 records, documents, and other materials in a timely man-
2 ner.

3 (c) Each Inspector General shall ensure compliance
4 with statutory limitations on disclosure relevant to the in-
5 formation provided by the establishment over which that
6 Inspector General has responsibilities under the Inspector
7 General Act of 1978 (5 U.S.C. App.).

8 (d) Each Inspector General covered by this section
9 shall report to the Committees on Appropriations of the
10 House of Representatives and the Senate within 5 cal-
11 endar days any failures to comply with this requirement.

12 SEC. 419. Notwithstanding any other provision of
13 law, on and after the date of enactment of this Act (with-
14 out regard to fiscal year)—

15 (1) subsections (c) and (d) of section 395.3 of
16 title 49, Code of Federal Regulations, as codified on
17 the day before the date of enactment of this Act, are
18 null and void; and

19 (2) section 395.3(c) of title 49, Code of Federal
20 Regulations, as in effect on December 26, 2011, is
21 hereby restored to full force and effect.

22 SEC. 420. For an additional amount for the Emer-
23 gency Relief Program as authorized by section 125 of title
24 23, United States Code, \$528,000,000, to remain avail-
25 able until expended: *Provided*, That such amount is des-

1 ignated by the Congress as an emergency requirement
2 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
3 et and Emergency Deficit Control Act of 1985.

4 SEC. 421. For an additional amount for “Department
5 of Housing and Urban Development, Community Plan-
6 ning and Development, Community Development Fund”,
7 \$400,000,000, to remain available until expended, which
8 amounts shall be allocated and used under the same au-
9 thority and conditions as—

10 (1) the additional appropriations for fiscal year
11 2016 in section 145(a) of division C of Public Law
12 114–223 and for fiscal year 2017 in section 192(a)
13 of division C of Public Law 114–223 (as added by
14 section 101(3) of division A of Public Law 114–254)
15 (except for the last proviso under such section
16 145(a) and the proviso under such section 192);

17 (2) the additional appropriation for fiscal year
18 2016 in section 420 of title IV of division L of Pub-
19 lic Law 114–113 (except for the last two provisos
20 under such section); and

21 (3) in section 145(a) of division C of Public
22 Law 114–223 (except for the last proviso under such
23 section 145(a)), for additional major disasters de-
24 clared in calendar year 2017 or later until such
25 funds are fully allocated:

1 *Provided*, That amounts authorized for use under section
2 192(b) of division C of Public Law 114–223 (as added
3 by section 101(3) of division A of Public Law 114–254)
4 may be used for necessary costs, including information
5 technology costs, of administering and overseeing the obli-
6 gation and expenditure of amounts made available under
7 this section: *Provided further*, That amounts made avail-
8 able by this section shall be designated by the Congress
9 as 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 SEC. 422. (a) A State or territory, as defined in sec-
13 tion 165 of title 23, United States Code, may use for any
14 project eligible under section 133(b) of title 23 or section
15 165 of title 23 and located within the boundary of the
16 State or territory any earmarked amount, and any associ-
17 ated obligation limitation, provided that the Department
18 of Transportation for the State or territory for which the
19 earmarked amount was originally designated or directed
20 notifies the Secretary of Transportation of its intent to
21 use its authority under this section and submits a quar-
22 terly report to the Secretary identifying the projects to
23 which the funding would be applied. Notwithstanding the
24 original period of availability of funds to be obligated
25 under this section, such funds and associated obligation

1 limitation shall remain available for obligation for a period
2 of 3 fiscal years after the fiscal year in which the Sec-
3 retary of Transportation is notified. The Federal share of
4 the cost of a project carried out with funds made available
5 under this section shall be the same as associated with
6 the earmark.

7 (b) In this section, the term “earmarked amount”
8 means—

9 (1) congressionally directed spending, as de-
10 fined in rule XLIV of the Standing Rules of the
11 Senate, identified in a prior law, report, or joint ex-
12 planatory statement, which was authorized to be ap-
13 propriated or appropriated more than 10 fiscal years
14 prior to the current fiscal year, and administered by
15 the Federal Highway Administration; or

16 (2) a congressional earmark, as defined in rule
17 XXI of the Rules of the House of Representatives
18 identified in a prior law, report, or joint explanatory
19 statement, which was authorized to be appropriated
20 or appropriated more than 10 fiscal years prior to
21 the current fiscal year, and administered by the Fed-
22 eral Highway Administration.

23 (c) The authority under subsection (a) may be exer-
24 cised only for those projects or activities that have obli-
25 gated less than 10 percent of the amount made available

1 for obligation as of October 1 of the current fiscal year,
2 and shall be applied to projects within the same general
3 geographic area within 100 miles for which the funding
4 was designated, except that a State or territory may apply
5 such authority to unexpended balances of funds from
6 projects or activities the State or territory certifies have
7 been closed and for which payments have been made under
8 a final voucher.

9 (d) The Secretary shall submit consolidated reports
10 of the information provided by the States and territories
11 each quarter to the House and Senate Committees on Ap-
12 propriations.

13 SEC. 423. (a) Section 1105(c) of the Intermodal Sur-
14 face Transportation Efficiency Act of 1991 is amended by
15 adding at the end the following:

16 “(89) United States Route 67 from Interstate
17 40 in North Little Rock, Arkansas, to United States
18 Route 412.

19 “(90) The Edward T. Breathitt Parkway from
20 Interstate 24 to Interstate 69.”.

21 (b) Section 1105(e)(5)(A) of the Intermodal Surface
22 Transportation Efficiency Act of 1991 is amended in the
23 first sentence by striking “and subsection (c)(83)” and in-
24 serting “subsection (c)(83), subsection (c)(89), and sub-
25 section (c)(90)”.

1 (c) Section 1105(e)(5)(C)(i) of the Intermodal Sur-
2 face Transportation Efficiency Act of 1991 is amended by
3 adding at the end the following: “The route referred to
4 in subsection (c)(89) is designated as Interstate Route I-
5 57. The route referred to in subsection (c)(90) is des-
6 ignated as Interstate Route I-169.”.

7 This division may be cited as the “Transportation,
8 Housing and Urban Development, and Related Agencies
9 Appropriations Act, 2017”.

1647

1 **DIVISION L—MILITARY CONSTRUCTION**
2 **AND VETERANS AFFAIRS—ADDI-**
3 **TIONAL APPROPRIATIONS ACT, 2017**

4 TITLE I

5 OVERSEAS CONTINGENCY OPERATIONS

6 DEPARTMENT OF DEFENSE

7 MILITARY CONSTRUCTION, ARMY

8 For an additional amount for “Military Construction,
9 Army”, \$39,500,000, to remain available until September
10 30, 2021: *Provided*, That such funds may be obligated and
11 expended to carry out planning and design and military
12 construction projects authorized by law: *Provided further*,
13 That such amount is designated by the Congress for Over-
14 seas Contingency Operations/Global War on Terrorism
15 pursuant to section 251(b)(2)(A)(ii) of the Balanced
16 Budget and Emergency Deficit Control Act of 1985.

17 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

18 For an additional amount for “Military Construction,
19 Navy and Marine Corps”, \$66,708,000, to remain avail-
20 able until September 30, 2021: *Provided*, That such funds
21 may be obligated and expended to carry out planning and
22 design and military construction projects authorized by
23 law: *Provided further*, That such amount is designated by
24 the Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 MILITARY CONSTRUCTION, AIR FORCE

4 For an additional amount for “Military Construction,
5 Air Force”, \$105,300,000, to remain available until Sep-
6 tember 30, 2021: *Provided*, That such funds may be obli-
7 gated and expended to carry out planning and design and
8 military construction projects authorized by law: *Provided*
9 *further*, That such amount is designated 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 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

14 For an additional amount for “Military Construction,
15 Army National Guard”, \$12,000,000, to remain available
16 until September 30, 2021: *Provided*, That such funds may
17 be obligated and expended to carry out planning and de-
18 sign and military construction projects authorized by law:
19 *Provided further*, That such amount is designated by the
20 Congress for Overseas Contingency Operations/Global
21 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
22 the Balanced Budget and Emergency Deficit Control Act
23 of 1985.

1 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

2 For an additional amount for “Military Construction,
3 Air National Guard”, \$13,000,000, to remain available
4 until September 30, 2021: *Provided*, That such funds may
5 be obligated and expended to carry out planning and de-
6 sign and military construction projects authorized by law:
7 *Provided further*, That such amount is designated by the
8 Congress for Overseas Contingency Operations/Global
9 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
10 the Balanced Budget and Emergency Deficit Control Act
11 of 1985.

12 MILITARY CONSTRUCTION, ARMY RESERVE

13 For an additional amount for “Military Construction,
14 Army Reserve”, \$10,000,000, to remain available until
15 September 30, 2021: *Provided*, That such funds may be
16 obligated and expended to carry out planning and design
17 and military construction projects authorized by law: *Pro-*
18 *vided further*, That such amount is designated by the Con-
19 gress for Overseas Contingency Operations/Global War on
20 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985.

22 MILITARY CONSTRUCTION, NAVY RESERVE

23 For an additional amount for “Military Construction,
24 Navy Reserve”, \$4,525,000, to remain available until Sep-
25 tember 30, 2021: *Provided*, That such funds may be obli-

1 gated and expended to carry out planning and design and
2 military construction projects authorized by law: *Provided*
3 *further*, That such amount is designated by the Congress
4 for Overseas Contingency Operations/Global War on Ter-
5 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985.

7 MILITARY CONSTRUCTION, AIR FORCE RESERVE

8 For an additional amount for “Military Construction,
9 Air Force Reserve”, \$9,000,000, to remain available until
10 September 30, 2021: *Provided*, That such funds may be
11 obligated and expended to carry out planning and design
12 and military construction projects authorized by law: *Pro-*
13 *vided further*, That such amount is designated by the Con-
14 gress for Overseas Contingency Operations/Global War on
15 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

17 ADMINISTRATIVE PROVISION—THIS TITLE

18 (RESCISSION OF FUNDS)

19 SEC. 101. Of the unobligated balances made available
20 by division I of Public Law 113–235 for “European Reas-
21 surance Initiative Military Construction” for “Military
22 Construction, Air Force”, \$12,300,000 are hereby re-
23 scinded: *Provided*, That such amount is designated by the
24 Congress for Overseas Contingency Operations/Global
25 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of

1651

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985.

3 TITLE II

4 DEPARTMENT OF VETERANS AFFAIRS

5 VETERANS HEALTH ADMINISTRATION

6 MEDICAL SERVICES

7 For an additional amount for “Medical Services”,
8 \$50,000,000, to remain available until September 30,
9 2018: *Provided*, That such funds shall be for opioid and
10 substance abuse prevention and treatment, and further
11 implementation of the Jason Simcakoski Memorial and
12 Promise Act (Title IX of Public Law 114–198).

13 TITLE III

14 GENERAL PROVISION—THIS DIVISION

15 SEC. 301. Notwithstanding any other provision of
16 law, funds made available in this division are in addition
17 to amounts appropriated or otherwise made available for
18 the Department of Defense and the Department of Vet-
19 erans Affairs for fiscal year 2017: *Provided*, That such
20 amounts shall be subject to the terms and conditions set
21 forth in division A of Public Law 114–223.

22 This division may be cited as “Military Construction
23 and Veterans Affairs—Additional Appropriations Act,
24 2017”.

1 **DIVISION M—OTHER MATTERS**
2 **TITLE I—HEALTH BENEFITS FOR**
3 **MINERS ACT OF 2017**

4 **SEC. 101. SHORT TITLE.**

5 This title may be cited as “Health Benefits for Min-
6 ers Act of 2017”.

7 **SEC. 102. EXTENSION OF TANF PROGRAM AND DETER-**
8 **MINING WHAT WORKS TO MOVE WELFARE**
9 **RECIPIENTS INTO JOBS.**

10 (a) IN GENERAL.—Each of the following provisions
11 of the Social Security Act is amended by striking “fiscal
12 year 2012” each place it appears and inserting “each of
13 fiscal years 2017 and 2018”:

14 (1) Subparagraphs (A) and (C) of section
15 403(a)(1) (42 U.S.C. 603(a)(1)).

16 (2) Section 403(a)(2)(D) (42 U.S.C.
17 603(a)(2)(D)), except that the 2nd sentence of such
18 section is amended by striking “fiscal year 2012”
19 and inserting “fiscal year 2017 or 2018”.

20 (3) Paragraphs (1)(A) and (2)(A) of section
21 412(a) (42 U.S.C. 612(a)).

22 (4) Section 418(a)(3) (42 U.S.C. 618(a)(3)).

23 (5) Section 1108(b)(2) (42 U.S.C. 1308(b)(2)).

24 (b) CONTINGENCY FUND.—Section 403(b)(2) of such
25 Act (42 U.S.C. 603(b)(2)) is amended to read as follows:

1 “(2) DEPOSITS INTO FUND.—Out of any money
2 in the Treasury of the United States not otherwise
3 appropriated, there are appropriated for fiscal year
4 2018 such sums as are necessary for payment to the
5 Fund in a total amount not to exceed
6 \$608,000,000.”.

7 (c) STRENGTHENING WELFARE RESEARCH AND
8 EVALUATION AND DEVELOPMENT OF A WHAT WORKS
9 CLEARINGHOUSE.—

10 (1) IN GENERAL.—Section 413 of such Act (42
11 U.S.C. 613) is amended to read as follows:

12 **“SEC. 413. EVALUATION OF TEMPORARY ASSISTANCE FOR**
13 **NEEDY FAMILIES AND RELATED PROGRAMS.**

14 “(a) EVALUATION OF THE IMPACTS OF TANF.—The
15 Secretary shall conduct research on the effect of State pro-
16 grams funded under this part and any other State pro-
17 gram funded with qualified State expenditures (as defined
18 in section 409(a)(7)(B)(i)) on employment, self-suffi-
19 ciency, child well-being, unmarried births, marriage, pov-
20 erty, economic mobility, and other factors as determined
21 by the Secretary.

22 “(b) EVALUATION OF GRANTS TO IMPROVE CHILD
23 WELL-BEING BY PROMOTING HEALTHY MARRIAGE AND
24 RESPONSIBLE FATHERHOOD.—The Secretary shall con-
25 duct research to determine the effects of the grants made

1 under section 403(a)(2) on child well-being, marriage,
2 family stability, economic mobility, poverty, and other fac-
3 tors as determined by the Secretary.

4 “(c) DISSEMINATION OF INFORMATION.—The Sec-
5 retary shall, in consultation with States receiving funds
6 provided under this part, develop methods of dissemi-
7 nating information on any research, evaluation, or study
8 conducted under this section, including facilitating the
9 sharing of information and best practices among States
10 and localities.

11 “(d) STATE-INITIATED EVALUATIONS.—A State
12 shall be eligible to receive funding to evaluate the State
13 program funded under this part or any other State pro-
14 gram funded with qualified State expenditures (as defined
15 in section 409(a)(7)(B)(i)) if—

16 “(1) the State submits to the Secretary a de-
17 scription of the proposed evaluation;

18 “(2) the Secretary determines that the design
19 and approach of the proposed evaluation is rigorous
20 and is likely to yield information that is credible and
21 will be useful to other States; and

22 “(3) unless waived by the Secretary, the State
23 contributes to the cost of the evaluation, from non-
24 Federal sources, an amount equal to at least 25 per-
25 cent of the cost of the proposed evaluation.

1 “(e) CENSUS BUREAU RESEARCH.—

2 “(1) The Bureau of the Census shall implement
3 or enhance household surveys of program participa-
4 tion, in consultation with the Secretary and the Bu-
5 reau of Labor Statistics and made available to inter-
6 ested parties, to allow for the assessment of the out-
7 comes of continued welfare reform on the economic
8 and child well-being of low-income families with chil-
9 dren, including those who received assistance or
10 services from a State program funded under this
11 part or any other State program funded with quali-
12 fied State expenditures (as defined in section
13 409(a)(7)(B)(i)). The content of the surveys should
14 include such information as may be necessary to ex-
15 amine the issues of unmarried childbearing, mar-
16 riage, welfare dependency and compliance with work
17 requirements, the beginning and ending of spells of
18 assistance, work, earnings and employment stability,
19 and the well-being of children.

20 “(2) To carry out the activities specified in
21 paragraph (1), the Bureau of the Census, the Sec-
22 retary, and the Bureau of Labor Statistics shall con-
23 sider ways to improve the surveys and data derived
24 from the surveys to—

1 “(A) address under reporting of the receipt
2 of means-tested benefits and tax benefits for
3 low-income individuals and families;

4 “(B) increase understanding of poverty
5 spells and long-term poverty, including by facili-
6 tating the matching of information to better un-
7 derstand intergenerational poverty;

8 “(C) generate a better geographical under-
9 standing of poverty such as through State-
10 based estimates and measures of neighborhood
11 poverty;

12 “(D) increase understanding of the effects
13 of means-tested benefits and tax benefits on the
14 earnings and incomes of low-income families;
15 and

16 “(E) improve how poverty and economic
17 well-being are measured, including through the
18 use of consumption measures, material depriv-
19 ation measures, social exclusion measures, and
20 economic and social mobility measures.

21 “(f) RESEARCH AND EVALUATION CONDUCTED
22 UNDER THIS SECTION.—Research and evaluation con-
23 ducted under this section designed to determine the effects
24 of a program or policy (other than research conducted
25 under subsection (e)) shall use experimental designs using

1 random assignment or other reliable, evidence-based re-
2 search methodologies that allow for the strongest possible
3 causal inferences when random assignment is not feasible.

4 “(g) DEVELOPMENT OF WHAT WORKS CLEARING-
5 HOUSE OF PROVEN AND PROMISING APPROACHES TO
6 MOVE WELFARE RECIPIENTS INTO WORK.—

7 “(1) IN GENERAL.—The Secretary, in consulta-
8 tion with the Secretary of Labor, shall develop a
9 database (which shall be referred to as the ‘What
10 Works Clearinghouse of Proven and Promising
11 Projects to Move Welfare Recipients into Work’) of
12 the projects that used a proven approach or a prom-
13 ising approach in moving welfare recipients into
14 work, based on independent, rigorous evaluations of
15 the projects. The database shall include a separate
16 listing of projects that used a developmental ap-
17 proach in delivering services and a further separate
18 listing of the projects with no or negative effects.
19 The Secretary shall add to the What Works Clear-
20 ingshouse of Proven and Promising Projects to Move
21 Welfare Recipients into Work data about the
22 projects that, based on an independent, well-con-
23 ducted experimental evaluation of a program or
24 project, using random assignment or other research
25 methodologies that allow for the strongest possible

1 causal inferences, have shown they are proven,
2 promising, developmental, or ineffective approaches.

3 “(2) CRITERIA FOR EVIDENCE OF EFFECTIVE-
4 NESS OF APPROACH.—The Secretary, in consultation
5 with the Secretary of Labor and organizations with
6 experience in evaluating research on the effective-
7 ness of various approaches in delivering services to
8 move welfare recipients into work, shall—

9 “(A) establish criteria for evidence of effec-
10 tiveness; and

11 “(B) ensure that the process for estab-
12 lishing the criteria—

13 “(i) is transparent;

14 “(ii) is consistent across agencies;

15 “(iii) provides opportunity for public
16 comment; and

17 “(iv) takes into account efforts of
18 Federal agencies to identify and publicize
19 effective interventions, including efforts at
20 the Department of Health and Human
21 Services, the Department of Education,
22 and the Department of Justice.

23 “(h) APPROPRIATION.—

24 “(1) IN GENERAL.—Of the amount appro-
25 priated by section 403(a)(1) for each fiscal year,

1 0.33 percent shall be available for research, technical
2 assistance, and evaluation under this section.

3 “(2) ALLOCATION.—Of the amount made avail-
4 able under paragraph (1) for each fiscal year, the
5 Secretary shall make available \$10,000,000 plus
6 such additional amount as the Secretary deems nec-
7 essary and appropriate, to carry out subsection (e).

8 “(3) BASELINE.—The baseline established pur-
9 suant to section 257 of the Balanced Budget and
10 Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) for
11 the Temporary Assistance for Needy Families Pro-
12 gram shall be recorded by the Office of Management
13 and Budget and the Congressional Budget Office at
14 the level prior to any transfers recorded pursuant to
15 section 413(h) of this Act.”.

16 (2) CONFORMING AMENDMENT.—Section
17 403(a)(1)(B) of such Act (42 U.S.C. 603(a)(1)(B))
18 is amended by inserting “, reduced by the percent-
19 age specified in section 413(h)(1) with respect to the
20 fiscal year,” before “as the amount”.

21 **SEC. 103. FULL FUNDING FOR STATE COURTS TO IMPROVE**
22 **THE HANDLING OF CHILD WELFARE CASES.**

23 Out of any money in the Treasury of the United
24 States not otherwise appropriated, there are hereby appro-
25 priated for fiscal year 2017 \$20,000,000 for grants under

1 section 438 of the Social Security Act, in addition to any
2 other amounts appropriated for such purpose. The
3 amounts appropriated by the preceding sentence shall be
4 considered to be amounts reserved under section 436(b)(2)
5 of such Act for fiscal year 2017, for purposes of clauses
6 (ii) and (iii) of section 438(c)(3)(A) of such Act.

7 **SEC. 104. INCLUSION OF CERTAIN RETIREES IN THE MULTI-**
8 **EMPLOYER HEALTH BENEFIT PLAN.**

9 (a) IN GENERAL.—Section 402(h)(2)(C) of the Sur-
10 face Mining Control and Reclamation Act of 1977 (30
11 U.S.C. 1232(h)(2)(C)) is amended—

12 (1) by striking clauses (ii), (iii), and (iv); and

13 (2) by inserting after clause (i) the following:

14 “(ii) CALCULATION OF EXCESS.—The
15 excess determined under clause (i) shall be
16 calculated by taking into account only—

17 “(I) those beneficiaries actually
18 enrolled in the Plan as of the date of
19 the enactment of the Health Benefits
20 for Miners Act of 2017 who are eligi-
21 ble to receive health benefits under
22 the Plan on the first day of the cal-
23 endar year for which the transfer is
24 made, other than those beneficiaries
25 enrolled in the Plan under the terms

1661

1 of a participation agreement with the
2 current or former employer of such
3 beneficiaries; and

4 “(II) those beneficiaries whose
5 health benefits, defined as those bene-
6 fits payable, following death or retire-
7 ment or upon a finding of disability,
8 directly by an employer in the bitu-
9 minous coal industry under a coal
10 wage agreement (as defined in section
11 9701(b)(1) of the Internal Revenue
12 Code of 1986), would be denied or re-
13 duced as a result of a bankruptcy pro-
14 ceeding commenced in 2012 or 2015.

15 For purposes of subclause (I), a bene-
16 ficiary enrolled in the Plan as of the date
17 of the enactment of the Health Benefits
18 for Miners Act of 2017 shall be deemed to
19 have been eligible to receive health benefits
20 under the Plan on January 1, 2017.

21 “(iii) ELIGIBILITY OF CERTAIN RETIR-
22 EES.—Individuals referred to in clause
23 (ii)(II) shall be treated as eligible to re-
24 ceive health benefits under the Plan.

1 “(iv) REQUIREMENTS FOR TRANS-
2 FER.—The amount of the transfer other-
3 wise determined under this subparagraph
4 for a fiscal year shall be reduced by any
5 amount transferred for the fiscal year to
6 the Plan, to pay benefits required under
7 the Plan, from a voluntary employees’ ben-
8 eficiary association established as a result
9 of a bankruptcy proceeding described in
10 clause (ii).”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 this section shall apply to fiscal years beginning after Sep-
13 tember 30, 2016.

14 **SEC. 105. CUSTOMS USER FEES.**

15 (a) IN GENERAL.—Section 13031(j)(3)(A) of the
16 Consolidated Omnibus Budget Reconciliation Act of 1985
17 (19 U.S.C. 58c(j)(3)(A)) is amended by striking “Sep-
18 tember 30, 2025” and inserting “January 14, 2026”.

19 (b) RATE FOR MERCHANDISE PROCESSING FEES.—
20 Section 503 of the United States–Korea Free Trade
21 Agreement Implementation Act (Public Law 112–41; 19
22 U.S.C. 3805 note) is amended by striking “September 30,
23 2025” and inserting “January 14, 2026”.

1 **TITLE II—PUERTO RICO SEC-**
2 **TION 1108(g) AMENDMENT OF**
3 **2017**

4 **SEC. 201. SHORT TITLE.**

5 This title may be cited as “Puerto Rico Section
6 1108(g) Amendment of 2017”.

7 **SEC. 202. PUERTO RICO SECTION 1108(g) AMENDMENT OF**
8 **2017.**

9 (a) Section 1108(g) of the Social Security Act (42
10 U.S.C. 1308(g)) is amended—

11 (1) in paragraph (4), by inserting “and with re-
12 spect to fiscal years beginning with fiscal year 2017,
13 if Puerto Rico qualifies for a payment under section
14 1903(a)(6) for a calendar quarter (beginning on or
15 after July 1, 2017) of such fiscal year” after
16 “1903(a)(3)”; and

17 (2) in paragraph (5)—

18 (A) in the first sentence, by striking “The
19 Secretary” and inserting “(A) Subject to sub-
20 paragraph (B), the Secretary”; and

21 (B) by adding at the end the following new
22 subparagraph:

23 “(B) The amount of the increase otherwise pro-
24 vided under subparagraph (A) for Puerto Rico shall
25 be further increased by \$295,900,000.”.

1 (b) All the unobligated amounts available under sec-
2 tion 1323(c)(1) of the Patient Protection and Affordable
3 Care Act (42 U.S.C. 18043(c)(1)) are rescinded imme-
4 diately upon the date of the enactment of this section.

5 **TITLE III—GENERAL PROVISION**

6 **SEC. 301. BUDGETARY EFFECTS.**

7 (a) STATUTORY PAYGO SCORECARDS.—The budg-
8 etary effects of this division and each succeeding division
9 shall not be entered on either PAYGO scorecard main-
10 tained pursuant to section 4(d) of the Statutory Pay-As-
11 You-Go Act of 2010.

12 (b) SENATE PAYGO SCORECARDS.—The budgetary
13 effects of this division and each succeeding division shall
14 not be entered on any PAYGO scorecard maintained for
15 purposes of section 201 of S. Con. Res. 21 (110th Con-
16 gress).

17 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
18 Notwithstanding Rule 3 of the Budget Scorekeeping
19 Guidelines set forth in the joint explanatory statement of
20 the committee of conference accompanying Conference Re-
21 port 105–217 and section 250(c)(8) of the Balanced
22 Budget and Emergency Deficit Control Act of 1985, the
23 budgetary effects of this division and each succeeding divi-
24 sion shall not be estimated—

25 (1) for purposes of section 251 of such Act; and

1665

1 (2) for purposes of paragraph (4)(C) of section
2 3 of the Statutory Pay-As-You-Go Act of 2010 as
3 being included in an appropriation Act.

