

In the House of Representatives, U. S.,

December 17, 2019.

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 1865) entitled “An Act to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.”, with the following

HOUSE AMENDMENT TO SENATE AMENDMENT:

At the end of the Senate amendment, add the following:

1 SECTION 1 SHORT TITLE.

2 *This Act may be cited as the “Further Consolidated*
3 *Appropriations Act, 2020”.*

4 SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.

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DIVISION A—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

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 B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020**Title I—Agricultural Programs**Title II—Farm Production and Conservation Programs**Title III—Rural Development Programs**Title IV—Domestic Food Programs**Title V—Foreign Assistance and Related Programs**Title VI—Related Agencies and Food and Drug Administration**Title VII—General Provisions**DIVISION C—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2020**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 D—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020**Title I—Department of the Interior**Title II—Environmental Protection Agency**Title III—Related Agencies**Title IV—General Provisions**DIVISION E—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2020**Title I—Legislative Branch**Title II—General Provisions**DIVISION F—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020**Title I—Department of Defense**Title II—Department of Veterans Affairs**Title III—Related Agencies**Title IV—Overseas Contingency Operations**Title V—Natural Disaster Relief**Title VI—General Provisions**DIVISION G—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2020**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**DIVISION H—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020**Title I—Department of Transportation**Title II—Department of Housing and Urban Development**Title III—Related Agencies**Title IV—General Provisions—This Act**DIVISION I—EXTENSIONS**Title I—Immigration Extensions**Title II—National Flood Insurance Program Extension**Title III—Secure Rural Schools and Community Self-Determination Extension**Title IV—Export-Import Bank Extension**Title V—Terrorism Risk Insurance Program Extension**Title VI—NASA Enhanced Use Leasing Extension**Title VII—INKSNA Extension**Title VIII—Brand USA Extension**Title IX—DC Opportunity Scholarship Extensions**Title X—Budgetary Effects**DIVISION J—FOREIGN POLICY**DIVISION K—NATIONAL LAW ENFORCEMENT MUSEUM
COMMEMORATIVE COIN**DIVISION L—DHS CYBER HUNT AND INCIDENT RESPONSE TEAMS**DIVISION M—BIPARTISAN AMERICAN MINERS**DIVISION N—HEALTH AND HUMAN SERVICES EXTENDERS**DIVISION O—SETTING EVERY COMMUNITY UP FOR RETIREMENT
ENHANCEMENT**DIVISION P—OTHER MATTER**Title I—Platte River Recovery Implementation Program**Title II—Great Lakes**Title III—Morris K. Udall and Stewart L. Udall Foundation**Title IV—White Horse Hill National Game Preserve**Title V—Pittman-Robertson Fund**Title VI—John F. Kennedy Center**Title VII—Preserving America’s Battlefields**Title VIII—Veterans Affairs Report on Disability Compensation and the Positive
Association With Exposure to an Herbicide Agent**Title IX—Disaster Recovery Workforce**Title X—Television Viewer Protection**Title XI—Eligibility to Receive Signals Under a Distant-Signal Satellite License**Title XII—Groundfish Trawl Fishery**Title XIII—Temporary Relief from Certain ERISA Requirements**Title XIV—Library of Congress Technical Corrections**Title XV—Senate Entities**Title XVI—Legislative Branch Inspectors General Independence**Title XVII—Managing Political Fund Activity*

Title XVIII—Kentucky Wildlands National Heritage Area Study
Title XIX—International Bank for Reconstruction and Development
Title XX—European Energy Security and Diversification Act of 2019

DIVISION Q—REVENUE PROVISIONS

1 **SEC. 3. REFERENCES.**

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

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

7 *The explanatory statement regarding this Act, printed*
8 *in the House section of the Congressional Record on or*
9 *about December 17, 2019, and submitted by the Chair-*
10 *woman of the Committee on Appropriations of the House,*
11 *shall have the same effect with respect to the allocation of*
12 *funds and implementation of divisions A through H of this*
13 *Act as if it were a joint explanatory statement of a com-*
14 *mittee 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, 2020.*

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 rescinded,*

1 *if applicable) only if the President subsequently so des-*
2 *ignates all such amounts and transmits such designations*
3 *to the Congress.*

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

11 **SEC. 7. ADJUSTMENTS TO COMPENSATION.**

12 *Notwithstanding any other provision of law, no adjust-*
13 *ment shall be made under section 601(a) of the Legislative*
14 *Reorganization Act of 1946 (2 U.S.C. 4501) (relating to*
15 *cost of living adjustments for Members of Congress) during*
16 *fiscal year 2020.*

17 **SEC. 8. OFFICE OF MANAGEMENT AND BUDGET REPORTING**
18 **REQUIREMENTS.**

19 *(a) As of the date of enactment of this Act, section 150*
20 *of the Continuing Appropriations Act, 2020 (division A of*
21 *Public Law 116–59), as added by the Further Continuing*
22 *Appropriations Act, 2020 (division A of Public Law 116–*
23 *69), shall no longer have any force or effect.*

24 *(b) Notwithstanding the “7 calendar days” require-*
25 *ment in section 251(a)(7)(B) of the Balanced Budget and*

1 *Emergency Deficit Control Act of 1985 (2 U.S.C.*
 2 *901(a)(7)(B)), for any appropriations Act for fiscal year*
 3 *2020 enacted before January 1, 2020, the Office of Manage-*
 4 *ment and Budget shall transmit to the Congress its report*
 5 *under that section estimating the discretionary budgetary*
 6 *effects of such Acts not later than January 15, 2020.*

7 ***DIVISION A—DEPARTMENTS OF LABOR,***
 8 ***HEALTH AND HUMAN SERVICES, AND***
 9 ***EDUCATION, AND RELATED AGENCIES***
 10 ***APPROPRIATIONS ACT, 2020***

11 *TITLE I*

12 *DEPARTMENT OF LABOR*

13 *EMPLOYMENT AND TRAINING ADMINISTRATION*

14 *TRAINING AND EMPLOYMENT SERVICES*

15 *For necessary expenses of the Workforce Innovation*
 16 *and Opportunity Act (referred to in this Act as “WIOA”)*
 17 *and the National Apprenticeship Act, \$3,611,200,000, plus*
 18 *reimbursements, shall be available. Of the amounts pro-*
 19 *vided:*

20 *(1) for grants to States for adult employment*
 21 *and training activities, youth activities, and dis-*
 22 *located worker employment and training activities,*
 23 *\$2,819,832,000 as follows:*

24 *(A) \$854,649,000 for adult employment and*
 25 *training activities, of which \$142,649,000 shall*

1 *be available for the period July 1, 2020 through*
2 *June 30, 2021, and of which \$712,000,000 shall*
3 *be available for the period October 1, 2020*
4 *through June 30, 2021;*

5 *(B) \$913,130,000 for youth activities, which*
6 *shall be available for the period April 1, 2020*
7 *through June 30, 2021; and*

8 *(C) \$1,052,053,000 for dislocated worker*
9 *employment and training activities, of which*
10 *\$192,053,000 shall be available for the period*
11 *July 1, 2020 through June 30, 2021, and of*
12 *which \$860,000,000 shall be available for the pe-*
13 *riod October 1, 2020 through June 30, 2021:*

14 *Provided, That the funds available for allotment to*
15 *outlying areas to carry out subtitle B of title I of the*
16 *WIOA shall not be subject to the requirements of sec-*
17 *tion 127(b)(1)(B)(ii) of such Act; and*

18 *(2) for national programs, \$791,368,000 as fol-*
19 *lows:*

20 *(A) \$270,859,000 for the dislocated workers*
21 *assistance national reserve, of which \$70,859,000*
22 *shall be available for the period July 1, 2020*
23 *through September 30, 2021, and of which*
24 *\$200,000,000 shall be available for the period*
25 *October 1, 2020 through September 30, 2021:*

1 *Provided, That funds provided to carry out sec-*
2 *tion 132(a)(2)(A) of the WIOA may be used to*
3 *provide assistance to a State for statewide or*
4 *local use in order to address cases where there*
5 *have been worker dislocations across multiple*
6 *sectors or across multiple local areas and such*
7 *workers remain dislocated; coordinate the State*
8 *workforce development plan with emerging eco-*
9 *nomical development needs; and train such eligible*
10 *dislocated workers: Provided further, That funds*
11 *provided to carry out sections 168(b) and 169(c)*
12 *of the WIOA may be used for technical assistance*
13 *and demonstration projects, respectively, that*
14 *provide assistance to new entrants in the work-*
15 *force and incumbent workers: Provided further,*
16 *That notwithstanding section 168(b) of the*
17 *WIOA, of the funds provided under this subpara-*
18 *graph, the Secretary of Labor (referred to in this*
19 *title as “Secretary”) may reserve not more than*
20 *10 percent of such funds to provide technical as-*
21 *sistance and carry out additional activities re-*
22 *lated to the transition to the WIOA: Provided*
23 *further, That of the funds provided under this*
24 *subparagraph, \$70,000,000 shall be for training*
25 *and employment assistance under sections*

1 168(b), 169(c) (notwithstanding the 10 percent
2 limitation in such section) and 170 of the WIOA
3 as follows:

4 (i) \$30,000,000 shall be for workers in
5 the Appalachian region, as defined by 40
6 U.S.C. 14102(a)(1) and workers in the
7 Lower Mississippi, as defined in section
8 4(2) of the Delta Development Act (Public
9 Law 100–460, 102 Stat. 2246; 7 U.S.C.
10 2009aa(2));

11 (ii) \$40,000,000 shall be for the pur-
12 pose of developing, offering, or improving
13 educational or career training programs at
14 community colleges, defined as public insti-
15 tutions of higher education, as described in
16 section 101(a) of the Higher Education Act
17 and at which the associate’s degree is pri-
18 marily the highest degree awarded, with
19 other eligible institutions of higher edu-
20 cation, as defined in section 101(a) of the
21 Higher Education Act, eligible to partici-
22 pate through consortia, with community
23 colleges as the lead grantee: Provided, That
24 the Secretary shall follow the requirements
25 for the program in House Report 116–62:

1 *Provided further, That any grant funds*
2 *used for apprenticeships shall be used to*
3 *support only apprenticeship programs reg-*
4 *istered under the National Apprenticeship*
5 *Act and as referred to in section 3(7)(B) of*
6 *the Workforce Innovation and Opportunity*
7 *Act;*

8 *(B) \$55,000,000 for Native American pro-*
9 *grams under section 166 of the WIOA, which*
10 *shall be available for the period July 1, 2020*
11 *through June 30, 2021;*

12 *(C) \$91,896,000 for migrant and seasonal*
13 *farmworker programs under section 167 of the*
14 *WIOA, including \$85,229,000 for formula grants*
15 *(of which not less than 70 percent shall be for*
16 *employment and training services), \$6,122,000*
17 *for migrant and seasonal housing (of which not*
18 *less than 70 percent shall be for permanent hous-*
19 *ing), and \$545,000 for other discretionary pur-*
20 *poses, which shall be available for the period*
21 *April 1, 2020 through June 30, 2021: Provided,*
22 *That notwithstanding any other provision of law*
23 *or related regulation, the Department of Labor*
24 *shall take no action limiting the number or pro-*
25 *portion of eligible participants receiving related*

1 *assistance services or discouraging grantees from*
2 *providing such services;*

3 *(D) \$94,534,000 for YouthBuild activities*
4 *as described in section 171 of the WIOA, which*
5 *shall be available for the period April 1, 2020*
6 *through June 30, 2021;*

7 *(E) \$98,079,000 for ex-offender activities,*
8 *under the authority of section 169 of the WIOA,*
9 *which shall be available for the period April 1,*
10 *2020 through June 30, 2021: Provided, That of*
11 *this amount, \$25,000,000 shall be for competitive*
12 *grants to national and regional intermediaries*
13 *for activities that prepare young ex-offenders and*
14 *school dropouts for employment, with a priority*
15 *for projects serving high-crime, high-poverty*
16 *areas;*

17 *(F) \$6,000,000 for the Workforce Data*
18 *Quality Initiative, under the authority of section*
19 *169 of the WIOA, which shall be available for the*
20 *period July 1, 2020 through June 30, 2021; and*

21 *(G) \$175,000,000 to expand opportunities*
22 *through apprenticeships only registered under*
23 *the National Apprenticeship Act and as referred*
24 *to in section 3(7)(B) of the WIOA, to be avail-*
25 *able to the Secretary to carry out activities*

1 *through grants, cooperative agreements, contracts*
2 *and other arrangements, with States and other*
3 *appropriate entities, which shall be available for*
4 *the period July 1, 2020 through June 30, 2021.*

5 *JOB CORPS*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *To carry out subtitle C of title I of the WIOA, includ-*
8 *ing Federal administrative expenses, the purchase and hire*
9 *of passenger motor vehicles, the construction, alteration,*
10 *and repairs of buildings and other facilities, and the pur-*
11 *chase of real property for training centers as authorized by*
12 *the WIOA, \$1,743,655,000, plus reimbursements, as follows:*

13 (1) *\$1,603,325,000 for Job Corps Operations,*
14 *which shall be available for the period July 1, 2020*
15 *through June 30, 2021;*

16 (2) *\$108,000,000 for construction, rehabilitation*
17 *and acquisition of Job Corps Centers, which shall be*
18 *available for the period July 1, 2020 through June*
19 *30, 2023, and which may include the acquisition,*
20 *maintenance, and repair of major items of equip-*
21 *ment: Provided, That the Secretary may transfer up*
22 *to 15 percent of such funds to meet the operational*
23 *needs of such centers or to achieve administrative effi-*
24 *ciencies: Provided further, That any funds transferred*
25 *pursuant to the preceding provision shall not be*

1 *available for obligation after June 30, 2021: Provided*
2 *further, That the Committees on Appropriations of*
3 *the House of Representatives and the Senate are noti-*
4 *fied at least 15 days in advance of any transfer; and*
5 *(3) \$32,330,000 for necessary expenses of Job*
6 *Corps, which shall be available for obligation for the*
7 *period October 1, 2019 through September 30, 2020:*
8 *Provided, That no funds from any other appropriation*
9 *shall be used to provide meal services at or for Job Corps*
10 *centers.*

11 *COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS*

12 *To carry out title V of the Older Americans Act of 1965*
13 *(referred to in this Act as “OAA”), \$405,000,000, which*
14 *shall be available for the period April 1, 2020 through June*
15 *30, 2021, and may be recaptured and reobligated in accord-*
16 *ance with section 517(c) of the OAA.*

17 *FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES*

18 *For payments during fiscal year 2020 of trade adjust-*
19 *ment benefit payments and allowances under part I of sub-*
20 *chapter B of chapter 2 of title II of the Trade Act of 1974,*
21 *and section 246 of that Act; and for training, employment*
22 *and case management services, allowances for job search*
23 *and relocation, and related State administrative expenses*
24 *under part II of subchapter B of chapter 2 of title II of*
25 *the Trade Act of 1974, and including benefit payments, al-*

1 *lowances, training, employment and case management serv-*
2 *ices, and related State administration provided pursuant*
3 *to section 231(a) of the Trade Adjustment Assistance Exten-*
4 *sion Act of 2011 and section 405(a) of the Trade Preferences*
5 *Extension Act of 2015, \$680,000,000 together with such*
6 *amounts as may be necessary to be charged to the subse-*
7 *quent appropriation for payments for any period subse-*
8 *quent to September 15, 2020: Provided, That notwith-*
9 *standing section 502 of this Act, any part of the appropria-*
10 *tion provided under this heading may remain available for*
11 *obligation beyond the current fiscal year pursuant to the*
12 *authorities of section 245(c) of the Trade Act of 1974 (19*
13 *U.S.C. 2317(c)).*

14 *STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT*

15 *SERVICE OPERATIONS*

16 *For authorized administrative expenses, \$84,066,000,*
17 *together with not to exceed \$3,290,583,000 which may be*
18 *expended from the Employment Security Administration*
19 *Account in the Unemployment Trust Fund (“the Trust*
20 *Fund”), of which:*

21 *(1) \$2,540,816,000 from the Trust Fund is for*
22 *grants to States for the administration of State un-*
23 *employment insurance laws as authorized under title*
24 *III of the Social Security Act (including not less than*
25 *\$175,000,000 to carry out reemployment services and*

1 *eligibility assessments under section 306 of such Act,*
2 *any claimants of regular compensation, as defined in*
3 *such section, including those who are profiled as most*
4 *likely to exhaust their benefits, may be eligible for*
5 *such services and assessments: Provided, That of such*
6 *amount, \$117,000,000 is specified for grants under*
7 *section 306 of the Social Security Act and is provided*
8 *to meet the terms of section 251(b)(2)(E)(ii) of the*
9 *Balanced Budget and Emergency Deficit Control Act*
10 *of 1985, as amended, and \$58,000,000 is additional*
11 *new budget authority specified for purposes of section*
12 *251(b)(2)(E)(i)(II) of such Act; and \$9,000,000 for*
13 *continued support of the Unemployment Insurance*
14 *Integrity Center of Excellence), the administration of*
15 *unemployment insurance for Federal employees and*
16 *for ex-service members as authorized under 5 U.S.C.*
17 *8501–8523, and the administration of trade readjust-*
18 *ment allowances, reemployment trade adjustment as-*
19 *sistance, and alternative trade adjustment assistance*
20 *under the Trade Act of 1974 and under section 231(a)*
21 *of the Trade Adjustment Assistance Extension Act of*
22 *2011 and section 405(a) of the Trade Preferences Ex-*
23 *tension Act of 2015, and shall be available for obliga-*
24 *tion by the States through December 31, 2020, except*
25 *that funds used for automation shall be available for*

1 *Federal obligation through December 31, 2020, and*
2 *for State obligation through September 30, 2022, or,*
3 *if the automation is being carried out through con-*
4 *sortia of States, for State obligation through Sep-*
5 *tember 30, 2026, and for expenditure through Sep-*
6 *tember 30, 2027, and funds for competitive grants*
7 *awarded to States for improved operations and to*
8 *conduct in-person reemployment and eligibility as-*
9 *sessments and unemployment insurance improper*
10 *payment reviews and provide reemployment services*
11 *and referrals to training, as appropriate, shall be*
12 *available for Federal obligation through December 31,*
13 *2020, and for obligation by the States through Sep-*
14 *tember 30, 2022, and funds for the Unemployment In-*
15 *surance Integrity Center of Excellence shall be avail-*
16 *able for obligation by the State through September 30,*
17 *2021, and funds used for unemployment insurance*
18 *workloads experienced through September 30, 2020*
19 *shall be available for Federal obligation through De-*
20 *cember 31, 2020;*

21 (2) *\$12,000,000 from the Trust Fund is for na-*
22 *tional activities necessary to support the administra-*
23 *tion of the Federal-State unemployment insurance*
24 *system;*

1 (3) \$646,639,000 from the Trust Fund, together
2 with \$21,413,000 from the General Fund of the Treas-
3 ury, is for grants to States in accordance with section
4 6 of the Wagner-Peyser Act, and shall be available for
5 Federal obligation for the period July 1, 2020 through
6 June 30, 2021;

7 (4) \$22,318,000 from the Trust Fund is for na-
8 tional activities of the Employment Service, including
9 administration of the work opportunity tax credit
10 under section 51 of the Internal Revenue Code of
11 1986, and the provision of technical assistance and
12 staff training under the Wagner-Peyser Act;

13 (5) \$68,810,000 from the Trust Fund is for the
14 administration of foreign labor certifications and re-
15 lated activities under the Immigration and Nation-
16 ality Act and related laws, of which \$54,528,000 shall
17 be available for the Federal administration of such
18 activities, and \$14,282,000 shall be available for
19 grants to States for the administration of such activi-
20 ties; and

21 (6) \$62,653,000 from the General Fund is to
22 provide workforce information, national electronic
23 tools, and one-stop system building under the Wagner-
24 Peyser Act and shall be available for Federal obliga-

1 *tion for the period July 1, 2020 through June 30,*
2 *2021:*

3 *Provided, That to the extent that the Average Weekly In-*
4 *ured Unemployment (“AWIU”) for fiscal year 2020 is pro-*
5 *jected by the Department of Labor to exceed 1,706,000, an*
6 *additional \$28,600,000 from the Trust Fund shall be avail-*
7 *able for obligation for every 100,000 increase in the AWIU*
8 *level (including a pro rata amount for any increment less*
9 *than 100,000) to carry out title III of the Social Security*
10 *Act: Provided further, That funds appropriated in this Act*
11 *that are allotted to a State to carry out activities under*
12 *title III of the Social Security Act may be used by such*
13 *State to assist other States in carrying out activities under*
14 *such title III if the other States include areas that have*
15 *suffered a major disaster declared by the President under*
16 *the Robert T. Stafford Disaster Relief and Emergency As-*
17 *sistance Act: Provided further, That the Secretary may use*
18 *funds appropriated for grants to States under title III of*
19 *the Social Security Act to make payments on behalf of*
20 *States for the use of the National Directory of New Hires*
21 *under section 453(j)(8) of such Act: Provided further, That*
22 *the Secretary may use funds appropriated for grants to*
23 *States under title III of the Social Security Act to make*
24 *payments on behalf of States to the entity operating the*
25 *State Information Data Exchange System: Provided fur-*

1 *ther, That funds appropriated in this Act which are used*
2 *to establish a national one-stop career center system, or*
3 *which are used to support the national activities of the Fed-*
4 *eral-State unemployment insurance, employment service, or*
5 *immigration programs, may be obligated in contracts,*
6 *grants, or agreements with States and non-State entities:*
7 *Provided further, That States awarded competitive grants*
8 *for improved operations under title III of the Social Secu-*
9 *rity Act, or awarded grants to support the national activi-*
10 *ties of the Federal-State unemployment insurance system,*
11 *may award subgrants to other States and non-State entities*
12 *under such grants, subject to the conditions applicable to*
13 *the grants: Provided further, That funds appropriated*
14 *under this Act for activities authorized under title III of*
15 *the Social Security Act and the Wagner-Peyser Act may*
16 *be used by States to fund integrated Unemployment Insur-*
17 *ance and Employment Service automation efforts, notwith-*
18 *standing cost allocation principles prescribed under the*
19 *final rule entitled “Uniform Administrative Requirements,*
20 *Cost Principles, and Audit Requirements for Federal*
21 *Awards” at part 200 of title 2, Code of Federal Regulations:*
22 *Provided further, That the Secretary, at the request of a*
23 *State participating in a consortium with other States, may*
24 *reallot funds allotted to such State under title III of the*
25 *Social Security Act to other States participating in the con-*

1 *sortium or to the entity operating the Unemployment In-*
2 *surance Information Technology Support Center in order*
3 *to carry out activities that benefit the administration of*
4 *the unemployment compensation law of the State making*
5 *the request: Provided further, That the Secretary may col-*
6 *lect fees for the costs associated with additional data collec-*
7 *tion, analyses, and reporting services relating to the Na-*
8 *tional Agricultural Workers Survey requested by State and*
9 *local governments, public and private institutions of higher*
10 *education, and nonprofit organizations and may utilize*
11 *such sums, in accordance with the provisions of 29 U.S.C.*
12 *9a, for the National Agricultural Workers Survey infra-*
13 *structure, methodology, and data to meet the information*
14 *collection and reporting needs of such entities, which shall*
15 *be credited to this appropriation and shall remain available*
16 *until September 30, 2021, for such purposes.*

17 *ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND*
18 *OTHER FUNDS*

19 *For repayable advances to the Unemployment Trust*
20 *Fund as authorized by sections 905(d) and 1203 of the So-*
21 *cial Security Act, and to the Black Lung Disability Trust*
22 *Fund as authorized by section 9501(c)(1) of the Internal*
23 *Revenue Code of 1986; and for nonrepayable advances to*
24 *the revolving fund established by section 901(e) of the Social*
25 *Security Act, to the Unemployment Trust Fund as author-*

1 ized by 5 U.S.C. 8509, and to the “Federal Unemployment
2 Benefits and Allowances” account, such sums as may be
3 necessary, which shall be available for obligation through
4 September 30, 2021.

5 *PROGRAM ADMINISTRATION*

6 *For expenses of administering employment and train-*
7 *ing programs, \$108,674,000, together with not to exceed*
8 *\$49,982,000 which may be expended from the Employment*
9 *Security Administration Account in the Unemployment*
10 *Trust Fund.*

11 *EMPLOYEE BENEFITS SECURITY ADMINISTRATION*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses for the Employee Benefits Secu-*
14 *rity Administration, \$181,000,000, of which up to*
15 *\$3,000,000 shall be made available through September 30,*
16 *2021, for the procurement of expert witnesses for enforce-*
17 *ment litigation.*

18 *PENSION BENEFIT GUARANTY CORPORATION*

19 *PENSION BENEFIT GUARANTY CORPORATION FUND*

20 *The Pension Benefit Guaranty Corporation (“Cor-*
21 *poration”) is authorized to make such expenditures, includ-*
22 *ing financial assistance authorized by subtitle E of title IV*
23 *of the Employee Retirement Income Security Act of 1974,*
24 *within limits of funds and borrowing authority available*
25 *to the Corporation, and in accord with law, and to make*

1 *such contracts and commitments without regard to fiscal*
2 *year limitations, as provided by 31 U.S.C. 9104, as may*
3 *be necessary in carrying out the program, including associ-*
4 *ated administrative expenses, through September 30, 2020,*
5 *for the Corporation: Provided, That none of the funds avail-*
6 *able to the Corporation for fiscal year 2020 shall be avail-*
7 *able for obligations for administrative expenses in excess of*
8 *\$452,858,000: Provided further, That to the extent that the*
9 *number of new plan participants in plans terminated by*
10 *the Corporation exceeds 100,000 in fiscal year 2020, an*
11 *amount not to exceed an additional \$9,200,000 shall be*
12 *available through September 30, 2024, for obligations for*
13 *administrative expenses for every 20,000 additional termi-*
14 *nated participants: Provided further, That obligations in*
15 *excess of the amounts provided for administrative expenses*
16 *in this paragraph may be incurred and shall be available*
17 *through September 30, 2024 for obligation for unforeseen*
18 *and extraordinary pre-termination or termination expenses*
19 *or extraordinary multiemployer program related expenses*
20 *after approval by the Office of Management and Budget and*
21 *notification of the Committees on Appropriations of the*
22 *House of Representatives and the Senate: Provided further,*
23 *That an additional amount shall be available for obligation*
24 *through September 30, 2024 to the extent the Corporation's*
25 *costs exceed \$250,000 for the provision of credit or identity*

1 *monitoring to affected individuals upon suffering a security*
2 *incident or privacy breach, not to exceed an additional*
3 *\$100 per affected individual.*

4 *WAGE AND HOUR DIVISION*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses for the Wage and Hour Divi-*
7 *sion, including reimbursement to State, Federal, and local*
8 *agencies and their employees for inspection services ren-*
9 *dered, \$242,000,000.*

10 *OFFICE OF LABOR-MANAGEMENT STANDARDS*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses for the Office of Labor-Manage-*
13 *ment Standards, \$43,187,000.*

14 *OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses for the Office of Federal Con-*
17 *tract Compliance Programs, \$105,976,000.*

18 *OFFICE OF WORKERS' COMPENSATION PROGRAMS*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses for the Office of Workers' Com-*
21 *ensation Programs, \$115,424,000, together with*
22 *\$2,177,000 which may be expended from the Special Fund*
23 *in accordance with sections 39(c), 44(d), and 44(j) of the*
24 *Longshore and Harbor Workers' Compensation Act.*

1 on September 30, 2019, shall remain available until ex-
2 pended for the payment of compensation, benefits, and ex-
3 penses: Provided further, That in addition there shall be
4 transferred to this appropriation from the Postal Service
5 and from any other corporation or instrumentality required
6 under 5 U.S.C. 8147(c) to pay an amount for its fair share
7 of the cost of administration, such sums as the Secretary
8 determines to be the cost of administration for employees
9 of such fair share entities through September 30, 2020: Pro-
10 vided further, That of those funds transferred to this ac-
11 count from the fair share entities to pay the cost of adminis-
12 tration of the Federal Employees' Compensation Act,
13 \$74,777,000 shall be made available to the Secretary as fol-
14 lows:

15 (1) For enhancement and maintenance of auto-
16 mated data processing systems operations and tele-
17 communications systems, \$24,540,000;

18 (2) For automated workload processing oper-
19 ations, including document imaging, centralized mail
20 intake, and medical bill processing, \$22,968,000;

21 (3) For periodic roll disability management and
22 medical review, \$25,535,000;

23 (4) For program integrity, \$1,734,000; and

24 (5) The remaining funds shall be paid into the
25 Treasury as miscellaneous receipts:

1 *Provided further, That the Secretary may require that any*
2 *person filing a notice of injury or a claim for benefits under*
3 *5 U.S.C. 81, or the Longshore and Harbor Workers' Com-*
4 *pensation Act, provide as part of such notice and claim,*
5 *such identifying information (including Social Security ac-*
6 *count number) as such regulations may prescribe.*

7 *SPECIAL BENEFITS FOR DISABLED COAL MINERS*

8 *For carrying out title IV of the Federal Mine Safety*
9 *and Health Act of 1977, as amended by Public Law 107-*
10 *275, \$20,970,000, to remain available until expended.*

11 *For making after July 31 of the current fiscal year,*
12 *benefit payments to individuals under title IV of such Act,*
13 *for costs incurred in the current fiscal year, such amounts*
14 *as may be necessary.*

15 *For making benefit payments under title IV for the*
16 *first quarter of fiscal year 2021, \$14,000,000, to remain*
17 *available until expended.*

18 *ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES*

19 *OCCUPATIONAL ILLNESS COMPENSATION FUND*

20 *For necessary expenses to administer the Energy Em-*
21 *ployees Occupational Illness Compensation Program Act,*
22 *\$59,846,000, to remain available until expended: Provided,*
23 *That the Secretary may require that any person filing a*
24 *claim for benefits under the Act provide as part of such*

1 *claim such identifying information (including Social Secu-*
2 *rity account number) as may be prescribed.*

3 *BLACK LUNG DISABILITY TRUST FUND*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *Such sums as may be necessary from the Black Lung*
6 *Disability Trust Fund (the “Fund”), to remain available*
7 *until expended, for payment of all benefits authorized by*
8 *section 9501(d)(1), (2), (6), and (7) of the Internal Revenue*
9 *Code of 1986; and repayment of, and payment of interest*
10 *on advances, as authorized by section 9501(d)(4) of that*
11 *Act. In addition, the following amounts may be expended*
12 *from the Fund for fiscal year 2020 for expenses of operation*
13 *and administration of the Black Lung Benefits program,*
14 *as authorized by section 9501(d)(5): not to exceed*
15 *\$38,246,000 for transfer to the Office of Workers’ Compensa-*
16 *tion Programs, “Salaries and Expenses”; not to exceed*
17 *\$32,844,000 for transfer to Departmental Management,*
18 *“Salaries and Expenses”; not to exceed \$330,000 for trans-*
19 *fer to Departmental Management, “Office of Inspector Gen-*
20 *eral”; and not to exceed \$356,000 for payments into mis-*
21 *cellaneous receipts for the expenses of the Department of the*
22 *Treasury.*

1 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
2 SALARIES AND EXPENSES

3 *For necessary expenses for the Occupational Safety*
4 *and Health Administration, \$581,787,000, including not to*
5 *exceed \$108,575,000 which shall be the maximum amount*
6 *available for grants to States under section 23(g) of the Oc-*
7 *cupational Safety and Health Act (the “Act”), which grants*
8 *shall be no less than 50 percent of the costs of State occupa-*
9 *tional safety and health programs required to be incurred*
10 *under plans approved by the Secretary under section 18*
11 *of the Act; and, in addition, notwithstanding 31 U.S.C.*
12 *3302, the Occupational Safety and Health Administration*
13 *may retain up to \$499,000 per fiscal year of training insti-*
14 *tute course tuition and fees, otherwise authorized by law*
15 *to be collected, and may utilize such sums for occupational*
16 *safety and health training and education: Provided, That*
17 *notwithstanding 31 U.S.C. 3302, the Secretary is author-*
18 *ized, during the fiscal year ending September 30, 2020, to*
19 *collect and retain fees for services provided to Nationally*
20 *Recognized Testing Laboratories, and may utilize such*
21 *sums, in accordance with the provisions of 29 U.S.C. 9a,*
22 *to administer national and international laboratory rec-*
23 *ognition programs that ensure the safety of equipment and*
24 *products used by workers in the workplace: Provided fur-*
25 *ther, That none of the funds appropriated under this para-*

1 *graph shall be obligated or expended to prescribe, issue, ad-*
2 *minister, or enforce any standard, rule, regulation, or order*
3 *under the Act which is applicable to any person who is en-*
4 *gaged in a farming operation which does not maintain a*
5 *temporary labor camp and employs 10 or fewer employees:*
6 *Provided further, That no funds appropriated under this*
7 *paragraph shall be obligated or expended to administer or*
8 *enforce any standard, rule, regulation, or order under the*
9 *Act with respect to any employer of 10 or fewer employees*
10 *who is included within a category having a Days Away,*
11 *Restricted, or Transferred (“DART”) occupational injury*
12 *and illness rate, at the most precise industrial classification*
13 *code for which such data are published, less than the na-*
14 *tional average rate as such rates are most recently published*
15 *by the Secretary, acting through the Bureau of Labor Sta-*
16 *tistics, in accordance with section 24 of the Act, except—*
17 *(1) to provide, as authorized by the Act, con-*
18 *sultation, technical assistance, educational and train-*
19 *ing services, and to conduct surveys and studies;*
20 *(2) to conduct an inspection or investigation in*
21 *response to an employee complaint, to issue a citation*
22 *for violations found during such inspection, and to*
23 *assess a penalty for violations which are not corrected*
24 *within a reasonable abatement period and for any*
25 *willful violations found;*

1 (3) to take any action authorized by the Act with
2 respect to imminent dangers;

3 (4) to take any action authorized by the Act with
4 respect to health hazards;

5 (5) to take any action authorized by the Act with
6 respect to a report of an employment accident which
7 is fatal to one or more employees or which results in
8 hospitalization of two or more employees, and to take
9 any action pursuant to such investigation authorized
10 by the Act; and

11 (6) to take any action authorized by the Act with
12 respect to complaints of discrimination against em-
13 ployees for exercising rights under the Act:

14 *Provided further, That the foregoing proviso shall not apply*
15 *to any person who is engaged in a farming operation which*
16 *does not maintain a temporary labor camp and employs*
17 *10 or fewer employees: Provided further, That \$11,537,000*
18 *shall be available for Susan Harwood training grants, of*
19 *which not less than \$4,500,000 is for Susan Harwood*
20 *Training Capacity Building Developmental grants, as de-*
21 *scribed in Funding Opportunity Number SHTG-FY-16-*
22 *02 (referenced in the notice of availability of funds pub-*
23 *lished in the Federal Register on May 3, 2016 (81 Fed. Reg.*
24 *30568)) for program activities starting not later than Sep-*
25 *tember 30, 2020 and lasting for a period of 12 months: Pro-*

1 *vided further, That not less than \$3,500,000 shall be for*
2 *Voluntary Protection Programs.*

3 *MINE SAFETY AND HEALTH ADMINISTRATION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses for the Mine Safety and Health*
6 *Administration, \$379,816,000, including purchase and be-*
7 *stowal of certificates and trophies in connection with mine*
8 *rescue and first-aid work, and the hire of passenger motor*
9 *vehicles, including up to \$2,000,000 for mine rescue and*
10 *recovery activities and not less than \$10,537,000 for State*
11 *assistance grants: Provided, That notwithstanding 31*
12 *U.S.C. 3302, not to exceed \$750,000 may be collected by*
13 *the National Mine Health and Safety Academy for room,*
14 *board, tuition, and the sale of training materials, otherwise*
15 *authorized by law to be collected, to be available for mine*
16 *safety and health education and training activities: Pro-*
17 *vided further, That notwithstanding 31 U.S.C. 3302, the*
18 *Mine Safety and Health Administration is authorized to*
19 *collect and retain up to \$2,499,000 from fees collected for*
20 *the approval and certification of equipment, materials, and*
21 *explosives for use in mines, and may utilize such sums for*
22 *such activities: Provided further, That the Secretary is au-*
23 *thorized to accept lands, buildings, equipment, and other*
24 *contributions from public and private sources and to pros-*
25 *ecute projects in cooperation with other agencies, Federal,*

1 *State, or private: Provided further, That the Mine Safety*
2 *and Health Administration is authorized to promote health*
3 *and safety education and training in the mining commu-*
4 *nity through cooperative programs with States, industry,*
5 *and safety associations: Provided further, That the Sec-*
6 *retary is authorized to recognize the Joseph A. Holmes Safe-*
7 *ty Association as a principal safety association and, not-*
8 *withstanding any other provision of law, may provide*
9 *funds and, with or without reimbursement, personnel, in-*
10 *cluding service of Mine Safety and Health Administration*
11 *officials as officers in local chapters or in the national orga-*
12 *nization: Provided further, That any funds available to the*
13 *Department of Labor may be used, with the approval of*
14 *the Secretary, to provide for the costs of mine rescue and*
15 *survival operations in the event of a major disaster.*

16 *BUREAU OF LABOR STATISTICS*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses for the Bureau of Labor Statis-*
19 *tics, including advances or reimbursements to State, Fed-*
20 *eral, and local agencies and their employees for services ren-*
21 *dered, \$587,000,000, together with not to exceed \$68,000,000*
22 *which may be expended from the Employment Security Ad-*
23 *ministration account in the Unemployment Trust Fund.*

24 *Within this amount, \$27,000,000 to remain available*
25 *until September 30, 2024, for costs associated with the phys-*

1 ical move of the Bureau of Labor Statistics' headquarters,
2 including replication of space, furniture, fixtures, equip-
3 ment, and related costs, as well as relocation of the data
4 center to a shared facility.

5 OFFICE OF DISABILITY EMPLOYMENT POLICY

6 SALARIES AND EXPENSES

7 For necessary expenses for the Office of Disability Em-
8 ployment Policy to provide leadership, develop policy and
9 initiatives, and award grants furthering the objective of
10 eliminating barriers to the training and employment of
11 people with disabilities, \$38,500,000.

12 DEPARTMENTAL MANAGEMENT

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for Departmental Management,
16 including the hire of three passenger motor vehicles,
17 \$348,056,000, together with not to exceed \$308,000, which
18 may be expended from the Employment Security Adminis-
19 tration account in the Unemployment Trust Fund: Pro-
20 vided, That \$67,325,000 for the Bureau of International
21 Labor Affairs shall be available for obligation through De-
22 cember 31, 2020: Provided further, That funds available to
23 the Bureau of International Labor Affairs may be used to
24 administer or operate international labor activities, bilat-
25 eral and multilateral technical assistance, and micro-

1 *finance programs, by or through contracts, grants, sub-*
2 *grants and other arrangements: Provided further, That not*
3 *more than \$53,825,000 shall be for programs to combat ex-*
4 *plotative child labor internationally and not less than*
5 *\$13,500,000 shall be used to implement model programs*
6 *that address worker rights issues through technical assist-*
7 *ance in countries with which the United States has free*
8 *trade agreements or trade preference programs: Provided*
9 *further, That \$8,040,000 shall be used for program evalua-*
10 *tion and shall be available for obligation through September*
11 *30, 2021: Provided further, That funds available for pro-*
12 *gram evaluation may be used to administer grants for the*
13 *purpose of evaluation: Provided further, That grants made*
14 *for the purpose of evaluation shall be awarded through fair*
15 *and open competition: Provided further, That funds avail-*
16 *able for program evaluation may be transferred to any*
17 *other appropriate account in the Department for such pur-*
18 *pose: Provided further, That the Committees on Appropria-*
19 *tions of the House of Representatives and the Senate are*
20 *notified at least 15 days in advance of any transfer: Pro-*
21 *vided further, That the funds available to the Women's Bu-*
22 *reau may be used for grants to serve and promote the inter-*
23 *ests of women in the workforce: Provided further, That of*
24 *the amounts made available to the Women's Bureau, not*
25 *less than \$1,294,000 shall be used for grants authorized by*

1 *the Women in Apprenticeship and Nontraditional Occupa-*
2 *tions Act.*

3 *VETERANS EMPLOYMENT AND TRAINING*

4 *Not to exceed \$256,341,000 may be derived from the*
5 *Employment Security Administration account in the Un-*
6 *employment Trust Fund to carry out the provisions of*
7 *chapters 41, 42, and 43 of title 38, United States Code, of*
8 *which:*

9 *(1) \$180,000,000 is for Jobs for Veterans State*
10 *grants under 38 U.S.C. 4102A(b)(5) to support dis-*
11 *abled veterans' outreach program specialists under*
12 *section 4103A of such title and local veterans' employ-*
13 *ment representatives under section 4104(b) of such*
14 *title, and for the expenses described in section*
15 *4102A(b)(5)(C), which shall be available for obliga-*
16 *tion by the States through December 31, 2020, and*
17 *not to exceed 3 percent for the necessary Federal ex-*
18 *penditures for data systems and contract support to*
19 *allow for the tracking of participant and performance*
20 *information: Provided, That, in addition, such funds*
21 *may be used to support such specialists and rep-*
22 *resentatives in the provision of services to*
23 *transitioning members of the Armed Forces who have*
24 *participated in the Transition Assistance Program*
25 *and have been identified as in need of intensive serv-*

1 *ices, to members of the Armed Forces who are wound-*
2 *ed, ill, or injured and receiving treatment in military*
3 *treatment facilities or warrior transition units, and*
4 *to the spouses or other family caregivers of such*
5 *wounded, ill, or injured members;*

6 *(2) \$29,379,000 is for carrying out the Transi-*
7 *tion Assistance Program under 38 U.S.C. 4113 and*
8 *10 U.S.C. 1144;*

9 *(3) \$43,548,000 is for Federal administration of*
10 *chapters 41, 42, and 43 of title 38, and sections 2021,*
11 *2021A and 2023 of title 38, United States Code: Pro-*
12 *vided, That, up to \$500,000 may be used to carry out*
13 *the Hire VETS Act (division O of Public Law 115-*
14 *31); and*

15 *(4) \$3,414,000 is for the National Veterans' Em-*
16 *ployment and Training Services Institute under 38*
17 *U.S.C. 4109:*

18 *Provided, That the Secretary may reallocate among the ap-*
19 *propriations provided under paragraphs (1) through (4)*
20 *above an amount not to exceed 3 percent of the appropria-*
21 *tion from which such reallocation is made.*

22 *In addition, from the General Fund of the Treasury,*
23 *\$55,000,000 is for carrying out programs to assist homeless*
24 *veterans and veterans at risk of homelessness who are*
25 *transitioning from certain institutions under sections 2021,*

1 2021A, and 2023 of title 38, United States Code: Provided,
2 That notwithstanding subsections (c)(3) and (d) of section
3 2023, the Secretary may award grants through September
4 30, 2020, to provide services under such section: Provided
5 further, That services provided under sections 2021 or
6 under 2021A may include, in addition to services to home-
7 less veterans described in section 2002(a)(1), services to vet-
8 erans who were homeless at some point within the 60 days
9 prior to program entry or veterans who are at risk of home-
10 lessness within the next 60 days, and that services provided
11 under section 2023 may include, in addition to services to
12 the individuals described in subsection (e) of such section,
13 services to veterans recently released from incarceration who
14 are at risk of homelessness: Provided further, That notwith-
15 standing paragraph (3) under this heading, funds appro-
16 priated in this paragraph may be used for data systems
17 and contract support to allow for the tracking of partici-
18 pant and performance information: Provided further, That
19 notwithstanding sections 2021(e)(2) and 2021A(f)(2) of title
20 38, United States Code, such funds shall be available for
21 expenditure pursuant to 31 U.S.C. 1553.

22 In addition, fees may be assessed and deposited in the
23 HIRE Vets Medallion Award Fund pursuant to section 5(b)
24 of the HIRE Vets Act, and such amounts shall be available
25 to the Secretary to carry out the HIRE Vets Medallion

1 *Award Program, as authorized by such Act, and shall re-*
2 *main available until expended: Provided, That such sums*
3 *shall be in addition to any other funds available for such*
4 *purposes, including funds available under paragraph (3)*
5 *of this heading: Provided further, That section 2(d) of divi-*
6 *sion O of the Consolidated Appropriations Act, 2017 (Pub-*
7 *lic Law 115–31; 38 U.S.C. 4100 note) shall not apply.*

8 *IT MODERNIZATION*

9 *For necessary expenses for Department of Labor cen-*
10 *tralized infrastructure technology investment activities re-*
11 *lated to support systems and modernization, \$25,269,000,*
12 *which shall be available through September 30, 2021.*

13 *OFFICE OF INSPECTOR GENERAL*

14 *For salaries and expenses of the Office of Inspector*
15 *General in carrying out the provisions of the Inspector Gen-*
16 *eral Act of 1978, \$85,187,000, together with not to exceed*
17 *\$5,660,000 which may be expended from the Employment*
18 *Security Administration account in the Unemployment*
19 *Trust Fund.*

20 *GENERAL PROVISIONS*

21 *SEC. 101. None of the funds appropriated by this Act*
22 *for the Job Corps shall be used to pay the salary and bo-*
23 *nuses of an individual, either as direct costs or any prora-*
24 *tion as an indirect cost, at a rate in excess of Executive*
25 *Level II.*

(TRANSFER OF FUNDS)

1
2 *SEC. 102. Not to exceed 1 percent of any discretionary*
3 *funds (pursuant to the Balanced Budget and Emergency*
4 *Deficit Control Act of 1985) which are appropriated for the*
5 *current fiscal year for the Department of Labor in this Act*
6 *may be transferred between a program, project, or activity,*
7 *but no such program, project, or activity shall be increased*
8 *by more than 3 percent by any such transfer: Provided,*
9 *That the transfer authority granted by this section shall not*
10 *be used to create any new program or to fund any project*
11 *or activity for which no funds are provided in this Act:*
12 *Provided further, That the Committees on Appropriations*
13 *of the House of Representatives and the Senate are notified*
14 *at least 15 days in advance of any transfer.*

15 *SEC. 103. In accordance with Executive Order 13126,*
16 *none of the funds appropriated or otherwise made available*
17 *pursuant to this Act shall be obligated or expended for the*
18 *procurement of goods mined, produced, manufactured, or*
19 *harvested or services rendered, in whole or in part, by forced*
20 *or indentured child labor in industries and host countries*
21 *already identified by the United States Department of*
22 *Labor prior to enactment of this Act.*

23 *SEC. 104. Except as otherwise provided in this section,*
24 *none of the funds made available to the Department of*
25 *Labor for grants under section 414(c) of the American Com-*

1 *petitiveness and Workforce Improvement Act of 1998 (29*
2 *U.S.C. 2916a) may be used for any purpose other than com-*
3 *petitive grants for training individuals who are older than*
4 *16 years of age and are not currently enrolled in school*
5 *within a local educational agency in the occupations and*
6 *industries for which employers are using H-1B visas to*
7 *hire foreign workers, and the related activities necessary to*
8 *support such training.*

9 *SEC. 105. None of the funds made available by this*
10 *Act under the heading “Employment and Training Admin-*
11 *istration” shall be used by a recipient or subrecipient of*
12 *such funds to pay the salary and bonuses of an individual,*
13 *either as direct costs or indirect costs, at a rate in excess*
14 *of Executive Level II. This limitation shall not apply to*
15 *vendors providing goods and services as defined in Office*
16 *of Management and Budget Circular A-133. Where States*
17 *are recipients of such funds, States may establish a lower*
18 *limit for salaries and bonuses of those receiving salaries and*
19 *bonuses from subrecipients of such funds, taking into ac-*
20 *count factors including the relative cost-of-living in the*
21 *State, the compensation levels for comparable State or local*
22 *government employees, and the size of the organizations*
23 *that administer Federal programs involved including Em-*
24 *ployment and Training Administration programs.*

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 ap-
12 propriation made available to the Employment and Train-
13 ing Administration by this Act to “Program Administra-
14 tion” in order to carry out program integrity activities re-
15 lating to any of the programs or activities that are funded
16 under any such discretionary appropriations: Provided,
17 That notwithstanding section 102 and the preceding pro-
18 viso, the Secretary may transfer not more than 0.5 percent
19 of funds made available in paragraphs (1) and (2) of the
20 “Office of Job Corps” account to paragraph (3) of such ac-
21 count to carry out program integrity activities related to
22 the Job Corps program: Provided further, That funds trans-
23 ferred under the authority provided by this subsection shall
24 be available for obligation through September 30, 2021.

(TRANSFER OF FUNDS)

1
2 *SEC. 107. (a) The Secretary may reserve not more*
3 *than 0.75 percent from each appropriation made available*
4 *in this Act identified in subsection (b) in order to carry*
5 *out evaluations of any of the programs or activities that*
6 *are funded under such accounts. Any funds reserved under*
7 *this section shall be transferred to “Departmental Manage-*
8 *ment” for use by the Office of the Chief Evaluation Officer*
9 *within the Department of Labor, and shall be available for*
10 *obligation through September 30, 2021: Provided, That such*
11 *funds shall only be available if the Chief Evaluation Officer*
12 *of the Department of Labor submits a plan to the Commit-*
13 *tees on Appropriations of the House of Representatives and*
14 *the Senate describing the evaluations to be carried out 15*
15 *days in advance of any transfer.*

16 *(b) The accounts referred to in subsection (a) are:*
17 *“Training and Employment Services”, “Job Corps”, “Com-*
18 *munity Service Employment for Older Americans”, “State*
19 *Unemployment Insurance and Employment Service Oper-*
20 *ations”, “Employee Benefits Security Administration”,*
21 *“Office of Workers’ Compensation Programs”, “Wage and*
22 *Hour Division”, “Office of Federal Contract Compliance*
23 *Programs”, “Office of Labor Management Standards”, “Oc-*
24 *cupational Safety and Health Administration”, “Mine*
25 *Safety and Health Administration”, “Office of Disability*

1 *Employment Policy*”, funding made available to the “Bu-
2 *reau of International Labor Affairs*” and “*Women’s Bu-*
3 *reau*” within the “*Departmental Management, Salaries and*
4 *Expenses*” account, and “*Veterans Employment and Train-*
5 *ing*”.

6 *SEC. 108. (a) Section 7 of the Fair Labor Standards*
7 *Act of 1938 (29 U.S.C. 207) shall be applied as if the fol-*
8 *lowing text is part of such section:*

9 “(s)(1) *The provisions of this section shall not apply*
10 *for a period of 2 years after the occurrence of a major dis-*
11 *aster to any employee—*

12 “(A) *employed to adjust or evaluate claims re-*
13 *sulting from or relating to such major disaster, by an*
14 *employer not engaged, directly or through an affiliate,*
15 *in underwriting, selling, or marketing property, cas-*
16 *ualty, or liability insurance policies or contracts;*

17 “(B) *who receives from such employer on average*
18 *weekly compensation of not less than \$591.00 per*
19 *week or any minimum weekly amount established by*
20 *the Secretary, whichever is greater, for the number of*
21 *weeks such employee is engaged in any of the activi-*
22 *ties described in subparagraph (C); and*

23 “(C) *whose duties include any of the following:*

24 “(i) *interviewing insured individuals, indi-*
25 *viduals who suffered injuries or other damages or*

1 *losses arising from or relating to a disaster, wit-*
2 *nesses, or physicians;*

3 *“(ii) inspecting property damage or review-*
4 *ing factual information to prepare damage esti-*
5 *mates;*

6 *“(iii) evaluating and making recommenda-*
7 *tions regarding coverage or compensability of*
8 *claims or determining liability or value aspects*
9 *of claims;*

10 *“(iv) negotiating settlements; or*

11 *“(v) making recommendations regarding*
12 *litigation.*

13 *“(2) The exemption in this subsection shall not affect*
14 *the exemption provided by section 13(a)(1).*

15 *“(3) For purposes of this subsection—*

16 *“(A) the term ‘major disaster’ means any dis-*
17 *aster or catastrophe declared or designated by any*
18 *State or Federal agency or department;*

19 *“(B) the term ‘employee employed to adjust or*
20 *evaluate claims resulting from or relating to such*
21 *major disaster’ means an individual who timely se-*
22 *cured or secures a license required by applicable law*
23 *to engage in and perform the activities described in*
24 *clauses (i) through (v) of paragraph (1)(C) relating to*
25 *a major disaster, and is employed by an employer*

1 *that maintains worker compensation insurance cov-*
2 *erage or protection for its employees, if required by*
3 *applicable law, and withholds applicable Federal,*
4 *State, and local income and payroll taxes from the*
5 *wages, salaries and any benefits of such employees;*
6 *and*

7 “(C) *the term ‘affiliate’ means a company that,*
8 *by reason of ownership or control of 25 percent or*
9 *more of the outstanding shares of any class of voting*
10 *securities of one or more companies, directly or indi-*
11 *rectly, controls, is controlled by, or is under common*
12 *control with, another company.”.*

13 *(b) This section shall be effective on the date of enact-*
14 *ment of this Act.*

15 *SEC. 109. (a) FLEXIBILITY WITH RESPECT TO THE*
16 *CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE*
17 *SEAFOOD INDUSTRY.—*

18 *(1) IN GENERAL.—Subject to paragraph (2), if a*
19 *petition for H-2B nonimmigrants filed by an em-*
20 *ployer in the seafood industry is granted, the em-*
21 *ployer may bring the nonimmigrants described in the*
22 *petition into the United States at any time during*
23 *the 120-day period beginning on the start date for*
24 *which the employer is seeking the services of the non-*
25 *immigrants without filing another petition.*

1 (2) *REQUIREMENTS FOR CROSSINGS AFTER 90TH*
2 *DAY.—An employer in the seafood industry may not*
3 *bring H–2B nonimmigrants into the United States*
4 *after the date that is 90 days after the start date for*
5 *which the employer is seeking the services of the non-*
6 *immigrants unless the employer—*

7 (A) *completes a new assessment of the local*
8 *labor market by—*

9 (i) *listing job orders in local news-*
10 *papers on 2 separate Sundays; and*

11 (ii) *posting the job opportunity on the*
12 *appropriate Department of Labor Elec-*
13 *tronic Job Registry and at the employer’s*
14 *place of employment; and*

15 (B) *offers the job to an equally or better*
16 *qualified United States worker who—*

17 (i) *applies for the job; and*

18 (ii) *will be available at the time and*
19 *place of need.*

20 (3) *EXEMPTION FROM RULES WITH RESPECT TO*
21 *STAGGERING.—The Secretary of Labor shall not con-*
22 *sider an employer in the seafood industry who brings*
23 *H–2B nonimmigrants into the United States during*
24 *the 120-day period specified in paragraph (1) to be*
25 *staggering the date of need in violation of section*

1 655.20(d) of title 20, Code of Federal Regulations, or
2 any other applicable provision of law.

3 (b) *H-2B NONIMMIGRANTS DEFINED.*—In this section,
4 the term “*H-2B nonimmigrants*” means aliens admitted
5 to the United States pursuant to section
6 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
7 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

8 *SEC. 110. The determination of prevailing wage for*
9 *the purposes of the H-2B program shall be the greater of—*
10 *(1) the actual wage level paid by the employer to other em-*
11 *ployees with similar experience and qualifications for such*
12 *position in the same location; or (2) the prevailing wage*
13 *level for the occupational classification of the position in*
14 *the geographic area in which the H-2B nonimmigrant will*
15 *be employed, based on the best information available at the*
16 *time of filing the petition. In the determination of pre-*
17 *vailing wage for the purposes of the H-2B program, the*
18 *Secretary shall accept private wage surveys even in in-*
19 *stances where Occupational Employment Statistics survey*
20 *data are available unless the Secretary determines that the*
21 *methodology and data in the provided survey are not statis-*
22 *tically supported.*

23 *SEC. 111. None of the funds in this Act shall be used*
24 *to enforce the definition of corresponding employment found*
25 *in 20 CFR 655.5 or the three-fourths guarantee rule defini-*

1 *tion found in 20 CFR 655.20, or any references thereto.*
2 *Further, for the purpose of regulating admission of tem-*
3 *porary workers under the H-2B program, the definition of*
4 *temporary need shall be that provided in 8 CFR*
5 *214.2(h)(6)(ii)(B).*

6 *SEC. 112. Notwithstanding any other provision of law,*
7 *the Secretary may furnish through grants, cooperative*
8 *agreements, contracts, and other arrangements, up to*
9 *\$2,000,000 of excess personal property, at a value deter-*
10 *mined by the Secretary, to apprenticeship programs for the*
11 *purpose of training apprentices in those programs.*

12 *SEC. 113. (a) The Act entitled “An Act to create a*
13 *Department of Labor”, approved March 4, 1913 (37 Stat.*
14 *736, chapter 141) shall be applied as if the following text*
15 *is part of such Act:*

16 **“SEC. 12. SECURITY DETAIL.**

17 *“(a) IN GENERAL.—The Secretary of Labor is author-*
18 *ized to employ law enforcement officers or special agents*
19 *to—*

20 *“(1) provide protection for the Secretary of*
21 *Labor during the workday of the Secretary and dur-*
22 *ing any activity that is preliminary or postliminary*
23 *to the performance of official duties by the Secretary;*

24 *“(2) provide protection, incidental to the protec-*
25 *tion provided to the Secretary, to a member of the im-*

1 mediate family of the Secretary who is participating
2 in an activity or event relating to the official duties
3 of the Secretary;

4 “(3) provide continuous protection to the Sec-
5 retary (including during periods not described in
6 paragraph (1)) and to the members of the immediate
7 family of the Secretary if there is a unique and
8 articulable threat of physical harm, in accordance
9 with guidelines established by the Secretary; and

10 “(4) provide protection to the Deputy Secretary
11 of Labor or another senior officer representing the
12 Secretary of Labor at a public event if there is a
13 unique and articulable threat of physical harm, in
14 accordance with guidelines established by the Sec-
15 retary.

16 “(b) *AUTHORITIES.*—The Secretary of Labor may au-
17 thorize a law enforcement officer or special agent employed
18 under subsection (a), for the purpose of performing the du-
19 ties authorized under subsection (a), to—

20 “(1) carry firearms;

21 “(2) make arrests without a warrant for any of-
22 fense against the United States committed in the
23 presence of such officer or special agent;

24 “(3) perform protective intelligence work, includ-
25 ing identifying and mitigating potential threats and

1 *conducting advance work to review security matters*
2 *relating to sites and events;*

3 “(4) *coordinate with local law enforcement agen-*
4 *cies; and*

5 “(5) *initiate criminal and other investigations*
6 *into potential threats to the security of the Secretary,*
7 *in coordination with the Inspector General of the De-*
8 *partment of Labor.*

9 “(c) *COMPLIANCE WITH GUIDELINES.—A law enforce-*
10 *ment officer or special agent employed under subsection (a)*
11 *shall exercise any authority provided under this section in*
12 *accordance with any—*

13 “(1) *guidelines issued by the Attorney General;*
14 *and*

15 “(2) *guidelines prescribed by the Secretary of*
16 *Labor.”.*

17 “(b) *This section shall be effective on the date of enact-*
18 *ment of this Act.*

19 *SEC. 114. The Secretary is authorized to dispose of or*
20 *divest, by any means the Secretary determines appropriate,*
21 *including an agreement or partnership to construct a new*
22 *Job Corps center, all or a portion of the real property on*
23 *which the Treasure Island Job Corps Center is situated.*
24 *Any sale or other disposition will not be subject to any re-*
25 *quirement of any Federal law or regulation relating to the*

1 *disposition of Federal real property, including but not lim-*
2 *ited to subchapter III of chapter 5 of title 40 of the United*
3 *States Code and subchapter V of chapter 119 of title 42*
4 *of the United States Code. The net proceeds of such a sale*
5 *shall be transferred to the Secretary, which shall be avail-*
6 *able until expended to carry out the Job Corps Program*
7 *on Treasure Island.*

8 *(RESCISSION)*

9 *SEC. 115. Of the unobligated funds available under*
10 *section 286(s)(2) of the Immigration and Nationality Act*
11 *(8 U.S.C. 1356(s)(2)), \$150,000,000 are hereby rescinded.*

12 *SEC. 116. Funds made available in prior Acts under*
13 *the heading “Department of Labor—Employment and*
14 *Training Administration—State Unemployment Insurance*
15 *and Employment Service Operations” for fiscal years 2015*
16 *through 2019 for automation acquisitions that are being*
17 *carried out through consortia of States shall be available*
18 *for expenditure for 6 fiscal years after the final fiscal year*
19 *that such funds are available to incur new obligations.*

20 *SEC. 117. None of the funds made available by this*
21 *Act may be used to—*

22 *(1) alter or terminate the Interagency Agreement*
23 *between the United States Department of Labor and*
24 *the United States Department of Agriculture; or*

HEALTH WORKFORCE

1
2 *For carrying out titles III, VII, and VIII of the PHS*
3 *Act with respect to the health workforce, sections 1128E and*
4 *1921 of the Social Security Act, and the Health Care Qual-*
5 *ity Improvement Act of 1986, \$1,194,506,000, of which*
6 *\$138,916,000 shall remain available through September 30,*
7 *2021 to carry out sections 750, 755, 756, 760, 781, and*
8 *791 of the PHS Act: Provided, That sections 751(j)(2) and*
9 *762(k) of the PHS Act and the proportional funding*
10 *amounts in paragraphs (1) through (4) of section 756(f)*
11 *of the PHS Act shall not apply to funds made available*
12 *under this heading: Provided further, That for any program*
13 *operating under section 751 of the PHS Act on or before*
14 *January 1, 2009, the Secretary of Health and Human Serv-*
15 *ices (referred to in this title as the “Secretary”) may here-*
16 *after waive any of the requirements contained in sections*
17 *751(d)(2)(A) and 751(d)(2)(B) of such Act for the full*
18 *project period of a grant under such section: Provided fur-*
19 *ther, That no funds shall be available for section 340G–1*
20 *of the PHS Act: Provided further, That fees collected for*
21 *the disclosure of information under section 427(b) of the*
22 *Health Care Quality Improvement Act of 1986 and sections*
23 *1128E(d)(2) and 1921 of the Social Security Act shall be*
24 *sufficient to recover the full costs of operating the programs*
25 *authorized by such sections and shall remain available until*

1 expended for the National Practitioner Data Bank: Pro-
2 vided further, That funds transferred to this account to
3 carry out section 846 and subpart 3 of part D of title III
4 of the PHS Act may be used to make prior year adjustments
5 to awards made under such section and subpart: Provided
6 further, That \$120,000,000 shall remain available until ex-
7 pended for the purposes of providing primary health serv-
8 ices, assigning National Health Service Corps (“NHSC”)
9 members to expand the delivery of substance use disorder
10 treatment services, notwithstanding the assignment prior-
11 ities and limitations under sections 333(a)(1)(D), 333(b),
12 and 333A(a)(1)(B)(ii) of the PHS Act, and making pay-
13 ments under the NHSC Loan Repayment Program under
14 section 338B of such Act: Provided further, That, within
15 the amount made available in the previous proviso,
16 \$15,000,000 shall remain available until expended for the
17 purposes of making payments under the NHSC Loan Re-
18 payment Program under section 338B of the PHS Act to
19 individuals participating in such program who provide
20 primary health services in Indian Health Service facilities,
21 Tribally-Operated 638 Health Programs, and Urban In-
22 dian Health Programs (as those terms are defined by the
23 Secretary), notwithstanding the assignment priorities and
24 limitations under section 333(b) of such Act: Provided fur-
25 ther, That for purposes of the previous two provisos, section

1 331(a)(3)(D) of the PHS Act shall be applied as if the term
2 “primary health services” includes clinical substance use
3 disorder treatment services, including those provided by
4 masters level, licensed substance use disorder treatment
5 counselors: Provided further, That of the funds made avail-
6 able under this heading, \$5,000,000 shall be available to
7 make grants to establish or expand optional community-
8 based nurse practitioner fellowship programs that are ac-
9 credited or in the accreditation process, with a preference
10 for those in Federally Qualified Health Centers, for prac-
11 ticing postgraduate nurse practitioners in primary care or
12 behavioral health.

13 Of the funds made available under this heading,
14 \$50,000,000 shall remain available until expended for
15 grants to public institutions of higher education to expand
16 or support graduate education for physicians provided by
17 such institutions: Provided, That, in awarding such grants,
18 the Secretary shall give priority to public institutions of
19 higher education located in States with a projected primary
20 care provider shortage in 2025, as determined by the Sec-
21 retary: Provided further, That grants so awarded are lim-
22 ited to such public institutions of higher education in States
23 in the top quintile of States with a projected primary care
24 provider shortage in 2025, as determined by the Secretary:
25 Provided further, That the minimum amount of a grant

1 *so awarded to such an institution shall be not less than*
2 *\$1,000,000 per year: Provided further, That such a grant*
3 *may be awarded for a period not to exceed 5 years: Provided*
4 *further, That such a grant awarded with respect to a year*
5 *to such an institution shall be subject to a matching require-*
6 *ment of non-Federal funds in an amount that is not less*
7 *than 10 percent of the total amount of Federal funds pro-*
8 *vided in the grant to such institution with respect to such*
9 *year.*

10 *MATERNAL AND CHILD HEALTH*

11 *For carrying out titles III, XI, XII, and XIX of the*
12 *PHS Act with respect to maternal and child health and*
13 *title V of the Social Security Act, \$943,784,000: Provided,*
14 *That notwithstanding sections 502(a)(1) and 502(b)(1) of*
15 *the Social Security Act, not more than \$119,116,000 shall*
16 *be available for carrying out special projects of regional and*
17 *national significance pursuant to section 501(a)(2) of such*
18 *Act and \$10,276,000 shall be available for projects described*
19 *in subparagraphs (A) through (F) of section 501(a)(3) of*
20 *such Act.*

21 *RYAN WHITE HIV/AIDS PROGRAM*

22 *For carrying out title XXVI of the PHS Act with re-*
23 *spect to the Ryan White HIV/AIDS program,*
24 *\$2,388,781,000, of which \$1,970,881,000 shall remain*
25 *available to the Secretary through September 30, 2022, for*

1 *parts A and B of title XXVI of the PHS Act, and of which*
2 *not less than \$900,313,000 shall be for State AIDS Drug*
3 *Assistance Programs under the authority of section 2616*
4 *or 311(c) of such Act; and of which \$70,000,000, to remain*
5 *available until expended, shall be available to the Secretary*
6 *for carrying out a program of grants and contracts under*
7 *title XXVI or section 311(c) of such Act focused on ending*
8 *the nationwide HIV/AIDS epidemic, with any grants*
9 *issued under such section 311(c) administered in conjunc-*
10 *tion with title XXVI of the PHS Act, including the limita-*
11 *tion on administrative expenses.*

12 *HEALTH CARE SYSTEMS*

13 *For carrying out titles III and XII of the PHS Act*
14 *with respect to health care systems, and the Stem Cell*
15 *Therapeutic and Research Act of 2005, \$123,593,000, of*
16 *which \$122,000 shall be available until expended for facili-*
17 *ties renovations at the Gillis W. Long Hansen's Disease*
18 *Center.*

19 *RURAL HEALTH*

20 *For carrying out titles III and IV of the PHS Act with*
21 *respect to rural health, section 427(a) of the Federal Coal*
22 *Mine Health and Safety Act of 1969, and sections 711 and*
23 *1820 of the Social Security Act, \$318,294,000, of which*
24 *\$53,609,000 from general revenues, notwithstanding section*
25 *1820(j) of the Social Security Act, shall be available for*

1 *carrying out the Medicare rural hospital flexibility grants*
2 *program: Provided, That of the funds made available under*
3 *this heading for Medicare rural hospital flexibility grants,*
4 *\$19,942,000 shall be available for the Small Rural Hospital*
5 *Improvement Grant Program for quality improvement and*
6 *adoption of health information technology and up to*
7 *\$1,000,000 shall be to carry out section 1820(g)(6) of the*
8 *Social Security Act, with funds provided for grants under*
9 *section 1820(g)(6) available for the purchase and imple-*
10 *mentation of telehealth services, including pilots and dem-*
11 *onstrations on the use of electronic health records to coordi-*
12 *nate rural veterans care between rural providers and the*
13 *Department of Veterans Affairs electronic health record sys-*
14 *tem: Provided further, That notwithstanding section*
15 *338J(k) of the PHS Act, \$12,500,000 shall be available for*
16 *State Offices of Rural Health: Provided further, That*
17 *\$10,000,000 shall remain available through September 30,*
18 *2022, to support the Rural Residency Development Pro-*
19 *gram: Provided further, That \$110,000,000 shall be for the*
20 *Rural Communities Opioids Response Program.*

21 *FAMILY PLANNING*

22 *For carrying out the program under title X of the PHS*
23 *Act to provide for voluntary family planning projects,*
24 *\$286,479,000: Provided, That amounts provided to said*
25 *projects under such title shall not be expended for abortions,*

1 *that all pregnancy counseling shall be nondirective, and*
2 *that such amounts shall not be expended for any activity*
3 *(including the publication or distribution of literature) that*
4 *in any way tends to promote public support or opposition*
5 *to any legislative proposal or candidate for public office.*

6 *PROGRAM MANAGEMENT*

7 *For program support in the Health Resources and*
8 *Services Administration, \$155,300,000: Provided, That*
9 *funds made available under this heading may be used to*
10 *supplement program support funding provided under the*
11 *headings “Primary Health Care”, “Health Workforce”,*
12 *“Maternal and Child Health”, “Ryan White HIV/AIDS*
13 *Program”, “Health Care Systems”, and “Rural Health”.*

14 *VACCINE INJURY COMPENSATION PROGRAM TRUST FUND*

15 *For payments from the Vaccine Injury Compensation*
16 *Program Trust Fund (the “Trust Fund”), such sums as*
17 *may be necessary for claims associated with vaccine-related*
18 *injury or death with respect to vaccines administered after*
19 *September 30, 1988, pursuant to subtitle 2 of title XXI of*
20 *the PHS Act, to remain available until expended: Provided,*
21 *That for necessary administrative expenses, not to exceed*
22 *\$10,200,000 shall be available from the Trust Fund to the*
23 *Secretary.*

1 *CENTERS FOR DISEASE CONTROL AND PREVENTION*

2 *IMMUNIZATION AND RESPIRATORY DISEASES*

3 *For carrying out titles II, III, XVII, and XXI, and*
4 *section 2821 of the PHS Act, titles II and IV of the Immi-*
5 *gration and Nationality Act, and section 501 of the Refugee*
6 *Education Assistance Act, with respect to immunization*
7 *and respiratory diseases, \$433,105,000.*

8 *HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED*
9 *DISEASES, AND TUBERCULOSIS PREVENTION*

10 *For carrying out titles II, III, XVII, and XXIII of the*
11 *PHS Act with respect to HIV/AIDS, viral hepatitis, sexu-*
12 *ally transmitted diseases, and tuberculosis prevention,*
13 *\$1,273,556,000.*

14 *EMERGING AND ZOOONOTIC INFECTIOUS DISEASES*

15 *For carrying out titles II, III, and XVII, and section*
16 *2821 of the PHS Act, titles II and IV of the Immigration*
17 *and Nationality Act, and section 501 of the Refugee Edu-*
18 *cation Assistance Act, with respect to emerging and zoonotic*
19 *infectious diseases, \$570,372,000.*

20 *CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION*

21 *For carrying out titles II, III, XI, XV, XVII, and XIX*
22 *of the PHS Act with respect to chronic disease prevention*
23 *and health promotion, \$984,964,000: Provided, That funds*
24 *made available under this heading may be available for*
25 *making grants under section 1509 of the PHS Act for not*

1 *less than 21 States, tribes, or tribal organizations: Provided*
2 *further, That of the funds made available under this head-*
3 *ing, \$15,000,000 shall be available to continue and expand*
4 *community specific extension and outreach programs to*
5 *combat obesity in counties with the highest levels of obesity:*
6 *Provided further, That the proportional funding require-*
7 *ments under section 1503(a) of the PHS Act shall not apply*
8 *to funds made available under this heading.*

9 *BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,*
10 *DISABILITIES AND HEALTH*

11 *For carrying out titles II, III, XI, and XVII of the*
12 *PHS Act with respect to birth defects, developmental dis-*
13 *abilities, disabilities and health, \$160,810,000.*

14 *PUBLIC HEALTH SCIENTIFIC SERVICES*

15 *For carrying out titles II, III, and XVII of the PHS*
16 *Act with respect to health statistics, surveillance, health*
17 *informatics, and workforce development, \$555,497,000.*

18 *ENVIRONMENTAL HEALTH*

19 *For carrying out titles II, III, and XVII of the PHS*
20 *Act with respect to environmental health, \$196,850,000.*

21 *INJURY PREVENTION AND CONTROL*

22 *For carrying out titles II, III, and XVII of the PHS*
23 *Act with respect to injury prevention and control,*
24 *\$677,379,000.*

1 *Provided, That funds may be used for purchase and insur-*
2 *ance of official motor vehicles in foreign countries.*

3 *PUBLIC HEALTH PREPAREDNESS AND RESPONSE*

4 *For carrying out titles II, III, and XVII of the PHS*
5 *Act with respect to public health preparedness and response,*
6 *and for expenses necessary to support activities related to*
7 *countering potential biological, nuclear, radiological, and*
8 *chemical threats to civilian populations, \$850,200,000: Pro-*
9 *vided, That the Director of the Centers for Disease Control*
10 *and Prevention (referred to in this title as “CDC”) or the*
11 *Administrator of the Agency for Toxic Substances and Dis-*
12 *ease Registry may detail staff without reimbursement for*
13 *up to 180 days to support an activation of the CDC Emer-*
14 *gency Operations Center, so long as the Director or Admin-*
15 *istrator, as applicable, provides a notice to the Committees*
16 *on Appropriations of the House of Representatives and the*
17 *Senate within 15 days of the use of this authority and a*
18 *full report within 30 days after use of this authority which*
19 *includes the number of staff and funding level broken down*
20 *by the originating center and number of days detailed: Pro-*
21 *vided further, That funds appropriated under this heading*
22 *may be used to support a contract for the operation and*
23 *maintenance of an aircraft in direct support of activities*
24 *throughout CDC to ensure the agency is prepared to address*
25 *public health preparedness emergencies.*

1 *BUILDINGS AND FACILITIES*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For acquisition of real property, equipment, construc-*
4 *tion, installation, demolition, and renovation of facilities,*
5 *\$25,000,000, which shall remain available until September*
6 *30, 2024: Provided, That funds made available to this ac-*
7 *count in this or any prior Act that are available for the*
8 *acquisition of real property or for construction or improve-*
9 *ment of facilities shall be available to make improvements*
10 *on non-federally owned property, provided that any im-*
11 *provements that are not adjacent to federally owned prop-*
12 *erty do not exceed \$2,500,000, and that the primary benefit*
13 *of such improvements accrues to CDC: Provided further,*
14 *That funds previously set-aside by CDC for repair and up-*
15 *grade of the Lake Lynn Experimental Mine and Laboratory*
16 *shall be used to acquire a replacement mine safety research*
17 *facility: Provided further, That in addition, the prior year*
18 *unobligated balance of any amounts assigned to former em-*
19 *ployees in accounts of CDC made available for Individual*
20 *Learning Accounts shall be credited to and merged with the*
21 *amounts made available under this heading to support the*
22 *replacement of the mine safety research facility.*

1 *CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For carrying out titles II, III, XVII and XIX, and*
4 *section 2821 of the PHS Act and for cross-cutting activities*
5 *and program support for activities funded in other appro-*
6 *priations included in this Act for the Centers for Disease*
7 *Control and Prevention, \$198,570,000, of which up to*
8 *\$5,000,000 may be transferred to the reserve of the Working*
9 *Capital Fund authorized under this heading in division F*
10 *of Public Law 112-74: Provided, That paragraphs (1)*
11 *through (3) of subsection (b) of section 2821 of the PHS*
12 *Act shall not apply to funds appropriated under this head-*
13 *ing and in all other accounts of the CDC: Provided further,*
14 *That employees of CDC or the Public Health Service, both*
15 *civilian and commissioned officers, detailed to States, mu-*
16 *nicipalities, or other organizations under authority of sec-*
17 *tion 214 of the PHS Act, or in overseas assignments, shall*
18 *be treated as non-Federal employees for reporting purposes*
19 *only and shall not be included within any personnel ceiling*
20 *applicable to the Agency, Service, or HHS during the pe-*
21 *riod of detail or assignment: Provided further, That CDC*
22 *may use up to \$10,000 from amounts appropriated to CDC*
23 *in this Act for official reception and representation expenses*
24 *when specifically approved by the Director of CDC: Pro-*
25 *vided further, That in addition, such sums as may be de-*

1 rived from authorized user fees, which shall be credited to
2 the appropriation charged with the cost thereof: Provided
3 further, That with respect to the previous proviso, author-
4 ized user fees from the Vessel Sanitation Program and the
5 Respirator Certification Program shall be available through
6 September 30, 2021.

7 NATIONAL INSTITUTES OF HEALTH

8 NATIONAL CANCER INSTITUTE

9 For carrying out section 301 and title IV of the PHS
10 Act with respect to cancer, \$6,245,442,000, of which up to
11 \$30,000,000 may be used for facilities repairs and improve-
12 ments at the National Cancer Institute—Frederick Feder-
13 ally Funded Research and Development Center in Fred-
14 erick, Maryland.

15 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

16 For carrying out section 301 and title IV of the PHS
17 Act with respect to cardiovascular, lung, and blood diseases,
18 and blood and blood products, \$3,624,258,000.

19 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL

20 RESEARCH

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to dental and craniofacial diseases,
23 \$477,429,000.

1 *NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND*
2 *KIDNEY DISEASES*

3 *For carrying out section 301 and title IV of the PHS*
4 *Act with respect to diabetes and digestive and kidney dis-*
5 *ease, \$2,114,314,000.*

6 *NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND*
7 *STROKE*

8 *For carrying out section 301 and title IV of the PHS*
9 *Act with respect to neurological disorders and stroke,*
10 *\$2,374,687,000.*

11 *NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS*
12 *DISEASES*

13 *For carrying out section 301 and title IV of the PHS*
14 *Act with respect to allergy and infectious diseases,*
15 *\$5,885,470,000.*

16 *NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES*

17 *For carrying out section 301 and title IV of the PHS*
18 *Act with respect to general medical sciences,*
19 *\$2,937,218,000, of which \$1,230,821,000 shall be from funds*
20 *available under section 241 of the PHS Act: Provided, That*
21 *not less than \$386,573,000 is provided for the Institutional*
22 *Development Awards program.*

1 *EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD*
2 *HEALTH AND HUMAN DEVELOPMENT*

3 *For carrying out section 301 and title IV of the PHS*
4 *Act with respect to child health and human development,*
5 *\$1,556,879,000.*

6 *NATIONAL EYE INSTITUTE*

7 *For carrying out section 301 and title IV of the PHS*
8 *Act with respect to eye diseases and visual disorders,*
9 *\$824,090,000.*

10 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*
11 *SCIENCES*

12 *For carrying out section 301 and title IV of the PHS*
13 *Act with respect to environmental health sciences,*
14 *\$802,598,000.*

15 *NATIONAL INSTITUTE ON AGING*

16 *For carrying out section 301 and title IV of the PHS*
17 *Act with respect to aging, \$3,543,673,000.*

18 *NATIONAL INSTITUTE OF ARTHRITIS AND*
19 *MUSCULOSKELETAL AND SKIN DISEASES*

20 *For carrying out section 301 and title IV of the PHS*
21 *Act with respect to arthritis and musculoskeletal and skin*
22 *diseases, \$624,889,000.*

1 *senger motor vehicles for replacement only: Provided fur-*
2 *ther, That all funds credited to the NIH Management Fund*
3 *shall remain available for one fiscal year after the fiscal*
4 *year in which they are deposited: Provided further, That*
5 *\$180,000,000 shall be for the Environmental Influences on*
6 *Child Health Outcomes study: Provided further, That*
7 *\$626,511,000 shall be available for the Common Fund es-*
8 *tablished under section 402A(c)(1) of the PHS Act: Pro-*
9 *vided further, That of the funds provided, \$10,000 shall be*
10 *for official reception and representation expenses when spe-*
11 *cifically approved by the Director of the NIH: Provided fur-*
12 *ther, That the Office of AIDS Research within the Office*
13 *of the Director of the NIH may spend up to \$8,000,000*
14 *to make grants for construction or renovation of facilities*
15 *as provided for in section 2354(a)(5)(B) of the PHS Act:*
16 *Provided further, That \$50,000,000 shall be used to carry*
17 *out section 404I of the PHS Act (42 U.S.C. 283K), relating*
18 *to biomedical and behavioral research facilities: Provided*
19 *further, That \$5,000,000 shall be transferred to and merged*
20 *with the appropriation for the “Office of Inspector General”*
21 *for oversight of grant programs and operations of the NIH,*
22 *including agency efforts to ensure the integrity of its grant*
23 *application evaluation and selection processes, and shall be*
24 *in addition to funds otherwise made available for oversight*
25 *of the NIH: Provided further, That the funds provided in*

1 *the previous proviso may be transferred from one specified*
2 *activity to another with 15 days prior approval of the Com-*
3 *mittees on Appropriations of the House of Representatives*
4 *and the Senate: Provided further, That the Inspector Gen-*
5 *eral shall consult with the Committees on Appropriations*
6 *of the House of Representatives and the Senate before sub-*
7 *mitting to the Committees an audit plan for fiscal years*
8 *2020 and 2021 no later than 30 days after the date of enact-*
9 *ment of this Act: Provided further, That amounts available*
10 *under this heading are also available to establish, operate,*
11 *and support the Research Policy Board authorized by sec-*
12 *tion 2034(f) of the 21st Century Cures Act.*

13 *In addition to other funds appropriated for the Com-*
14 *mon Fund established under section 402A(c) of the PHS*
15 *Act, \$12,600,000 is appropriated to the Common Fund*
16 *from the 10-year Pediatric Research Initiative Fund de-*
17 *scribed in section 9008 of title 26, United States Code, for*
18 *the purpose of carrying out section 402(b)(7)(B)(ii) of the*
19 *PHS Act (relating to pediatric research), as authorized in*
20 *the Gabriella Miller Kids First Research Act.*

21 *BUILDINGS AND FACILITIES*

22 *For the study of, construction of, demolition of, renova-*
23 *tion of, and acquisition of equipment for, facilities of or*
24 *used by NIH, including the acquisition of real property,*

1 \$200,000,000, to remain available through September 30,
2 2024.

3 *NIH INNOVATION ACCOUNT, CURES ACT*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For necessary expenses to carry out the purposes de-*
6 *scribed in section 1001(b)(4) of the 21st Century Cures Act,*
7 *in addition to amounts available for such purposes in the*
8 *appropriations provided to the NIH in this Act,*
9 *\$492,000,000, to remain available until expended: Pro-*
10 *vided, That such amounts are appropriated pursuant to*
11 *section 1001(b)(3) of such Act, are to be derived from*
12 *amounts transferred under section 1001(b)(2)(A) of such*
13 *Act, and may be transferred by the Director of the National*
14 *Institutes of Health to other accounts of the National Insti-*
15 *tutes of Health solely for the purposes provided in such Act:*
16 *Provided further, That upon a determination by the Direc-*
17 *tor that funds transferred pursuant to the previous proviso*
18 *are not necessary for the purposes provided, such amounts*
19 *may be transferred back to the Account: Provided further,*
20 *That the transfer authority provided under this heading is*
21 *in addition to any other transfer authority provided by*
22 *law.*

1 *SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES*

2 *ADMINISTRATION*

3 *MENTAL HEALTH*

4 *For carrying out titles III, V, and XIX of the PHS*
5 *Act with respect to mental health, and the Protection and*
6 *Advocacy for Individuals with Mental Illness Act,*
7 *\$1,644,974,000: Provided, That of the funds made available*
8 *under this heading, \$68,887,000 shall be for the National*
9 *Child Traumatic Stress Initiative: Provided further, That*
10 *notwithstanding section 520A(f)(2) of the PHS Act, no*
11 *funds appropriated for carrying out section 520A shall be*
12 *available for carrying out section 1971 of the PHS Act:*
13 *Provided further, That in addition to amounts provided*
14 *herein, \$21,039,000 shall be available under section 241 of*
15 *the PHS Act to carry out subpart I of part B of title XIX*
16 *of the PHS Act to fund section 1920(b) technical assistance,*
17 *national data, data collection and evaluation activities,*
18 *and further that the total available under this Act for sec-*
19 *tion 1920(b) activities shall not exceed 5 percent of the*
20 *amounts appropriated for subpart I of part B of title XIX:*
21 *Provided further, That up to 10 percent of the amounts*
22 *made available to carry out the Children's Mental Health*
23 *Services program may be used to carry out demonstration*
24 *grants or contracts for early interventions with persons not*
25 *more than 25 years of age at clinical high risk of developing*

1 *a first episode of psychosis: Provided further, That section*
2 *520E(b)(2) of the PHS Act shall not apply to funds appro-*
3 *riated in this Act for fiscal year 2020: Provided further,*
4 *That States shall expend at least 10 percent of the amount*
5 *each receives for carrying out section 1911 of the PHS Act*
6 *to support evidence-based programs that address the needs*
7 *of individuals with early serious mental illness, including*
8 *psychotic disorders, regardless of the age of the individual*
9 *at onset: Provided further, That \$200,000,000 shall be*
10 *available until September 30, 2022 for grants to commu-*
11 *nities and community organizations who meet criteria for*
12 *Certified Community Behavioral Health Clinics pursuant*
13 *to section 223(a) of Public Law 113–93: Provided further,*
14 *That none of the funds provided for section 1911 of the PHS*
15 *Act shall be subject to section 241 of such Act: Provided*
16 *further, That of the funds made available under this head-*
17 *ing, \$19,000,000 shall be to carry out section 224 of the*
18 *Protecting Access to Medicare Act of 2014 (Public Law*
19 *113–93; 42 U.S.C. 290aa 22 note).*

20 *SUBSTANCE ABUSE TREATMENT*

21 *For carrying out titles III and V of the PHS Act with*
22 *respect to substance abuse treatment and title XIX of such*
23 *Act with respect to substance abuse treatment and preven-*
24 *tion, and the SUPPORT for Patients and Communities*
25 *Act, \$3,756,556,000: Provided, That \$1,500,000,000 shall be*

1 *for State Opioid Response Grants for carrying out activi-*
2 *ties pertaining to opioids and stimulants undertaken by the*
3 *State agency responsible for administering the substance*
4 *abuse prevention and treatment block grant under subpart*
5 *II of part B of title XIX of the PHS Act (42 U.S.C. 300x-*
6 *21 et seq.): Provided further, That of such amount*
7 *\$50,000,000 shall be made available to Indian Tribes or*
8 *tribal organizations: Provided further, That 15 percent of*
9 *the remaining amount shall be for the States with the high-*
10 *est mortality rate related to opioid use disorders: Provided*
11 *further, That of the amounts provided for State Opioid Re-*
12 *sponse Grants not more than 2 percent shall be available*
13 *for Federal administrative expenses, training, technical as-*
14 *sistance, and evaluation: Provided further, That of the*
15 *amount not reserved by the previous three provisos, the Sec-*
16 *retary shall make allocations to States, territories, and the*
17 *District of Columbia according to a formula using national*
18 *survey results that the Secretary determines are the most*
19 *objective and reliable measure of drug use and drug-related*
20 *deaths: Provided further, That the Secretary shall submit*
21 *the formula methodology to the Committees on Appropria-*
22 *tions of the House of Representatives and the Senate not*
23 *less than 15 days prior to publishing a Funding Oppor-*
24 *tunity Announcement: Provided further, That prevention*
25 *and treatment activities funded through such grants may*

1 *include education, treatment (including the provision of*
2 *medication), behavioral health services for individuals in*
3 *treatment programs, referral to treatment services, recovery*
4 *support, and medical screening associated with such treat-*
5 *ment: Provided further, That each State, as well as the Dis-*
6 *trict of Columbia, shall receive not less than \$4,000,000:*
7 *Provided further, That in addition to amounts provided*
8 *herein, the following amounts shall be available under sec-*
9 *tion 241 of the PHS Act: (1) \$79,200,000 to carry out sub-*
10 *part II of part B of title XIX of the PHS Act to fund section*
11 *1935(b) technical assistance, national data, data collection*
12 *and evaluation activities, and further that the total avail-*
13 *able under this Act for section 1935(b) activities shall not*
14 *exceed 5 percent of the amounts appropriated for subpart*
15 *II of part B of title XIX; and (2) \$2,000,000 to evaluate*
16 *substance abuse treatment programs: Provided further, That*
17 *none of the funds provided for section 1921 of the PHS Act*
18 *or State Opioid Response Grants shall be subject to section*
19 *241 of such Act.*

20 *SUBSTANCE ABUSE PREVENTION*

21 *For carrying out titles III and V of the PHS Act with*
22 *respect to substance abuse prevention, \$206,469,000.*

23 *HEALTH SURVEILLANCE AND PROGRAM SUPPORT*

24 *For program support and cross-cutting activities that*
25 *supplement activities funded under the headings “Mental*

1 *Health*”, “*Substance Abuse Treatment*”, and “*Substance*
2 *Abuse Prevention*” in carrying out titles III, V, and XIX
3 *of the PHS Act and the Protection and Advocacy for Indi-*
4 *viduals with Mental Illness Act in the Substance Abuse and*
5 *Mental Health Services Administration, \$128,830,000: Pro-*
6 *vided, That in addition to amounts provided herein,*
7 *\$31,428,000 shall be available under section 241 of the PHS*
8 *Act to supplement funds available to carry out national*
9 *surveys on drug abuse and mental health, to collect and*
10 *analyze program data, and to conduct public awareness*
11 *and technical assistance activities: Provided further, That,*
12 *in addition, fees may be collected for the costs of publica-*
13 *tions, data, data tabulations, and data analysis completed*
14 *under title V of the PHS Act and provided to a public or*
15 *private entity upon request, which shall be credited to this*
16 *appropriation and shall remain available until expended*
17 *for such purposes: Provided further, That amounts made*
18 *available in this Act for carrying out section 501(o) of the*
19 *PHS Act shall remain available through September 30,*
20 *2021: Provided further, That funds made available under*
21 *this heading may be used to supplement program support*
22 *funding provided under the headings “Mental Health”,*
23 *“Substance Abuse Treatment”, and “Substance Abuse Pre-*
24 *vention”.*

1 *AGENCY FOR HEALTHCARE RESEARCH AND QUALITY*2 *HEALTHCARE RESEARCH AND QUALITY*

3 *For carrying out titles III and IX of the PHS Act,*
4 *part A of title XI of the Social Security Act, and section*
5 *1013 of the Medicare Prescription Drug, Improvement, and*
6 *Modernization Act of 2003, \$338,000,000: Provided, That*
7 *section 947(c) of the PHS Act shall not apply in fiscal year*
8 *2020: Provided further, That in addition, amounts received*
9 *from Freedom of Information Act fees, reimbursable and*
10 *interagency agreements, and the sale of data shall be cred-*
11 *ited to this appropriation and shall remain available until*
12 *September 30, 2021.*

13 *CENTERS FOR MEDICARE & MEDICAID SERVICES*14 *GRANTS TO STATES FOR MEDICAID*

15 *For carrying out, except as otherwise provided, titles*
16 *XI and XIX of the Social Security Act, \$273,188,478,000,*
17 *to remain available until expended.*

18 *For making, after May 31, 2020, payments to States*
19 *under title XIX or in the case of section 1928 on behalf*
20 *of States under title XIX of the Social Security Act for the*
21 *last quarter of fiscal year 2020 for unanticipated costs in-*
22 *curred for the current fiscal year, such sums as may be nec-*
23 *essary.*

24 *For making payments to States or in the case of sec-*
25 *tion 1928 on behalf of States under title XIX of the Social*

1 *Security Act for the first quarter of fiscal year 2021,*
2 *\$139,903,075,000, to remain available until expended.*

3 *Payment under such title XIX may be made for any*
4 *quarter with respect to a State plan or plan amendment*
5 *in effect during such quarter, if submitted in or prior to*
6 *such quarter and approved in that or any subsequent quar-*
7 *ter.*

8 *PAYMENTS TO THE HEALTH CARE TRUST FUNDS*

9 *For payment to the Federal Hospital Insurance Trust*
10 *Fund and the Federal Supplementary Medical Insurance*
11 *Trust Fund, as provided under sections 217(g), 1844, and*
12 *1860D–16 of the Social Security Act, sections 103(c) and*
13 *111(d) of the Social Security Amendments of 1965, section*
14 *278(d)(3) of Public Law 97–248, and for administrative*
15 *expenses incurred pursuant to section 201(g) of the Social*
16 *Security Act, \$410,796,100,000.*

17 *In addition, for making matching payments under sec-*
18 *tion 1844 and benefit payments under section 1860D–16*
19 *of the Social Security Act that were not anticipated in*
20 *budget estimates, such sums as may be necessary.*

21 *PROGRAM MANAGEMENT*

22 *For carrying out, except as otherwise provided, titles*
23 *XI, XVIII, XIX, and XXI of the Social Security Act, titles*
24 *XIII and XXVII of the PHS Act, the Clinical Laboratory*
25 *Improvement Amendments of 1988, and other responsibil-*

1 *ities of the Centers for Medicare & Medicaid Services, not*
2 *to exceed \$3,669,744,000, to be transferred from the Federal*
3 *Hospital Insurance Trust Fund and the Federal Supple-*
4 *mentary Medical Insurance Trust Fund, as authorized by*
5 *section 201(g) of the Social Security Act; together with all*
6 *funds collected in accordance with section 353 of the PHS*
7 *Act and section 1857(e)(2) of the Social Security Act, funds*
8 *retained by the Secretary pursuant to section 1893(h) of*
9 *the Social Security Act, and such sums as may be collected*
10 *from authorized user fees and the sale of data, which shall*
11 *be credited to this account and remain available until ex-*
12 *pended: Provided, That all funds derived in accordance*
13 *with 31 U.S.C. 9701 from organizations established under*
14 *title XIII of the PHS Act shall be credited to and available*
15 *for carrying out the purposes of this appropriation: Pro-*
16 *vided further, That the Secretary is directed to collect fees*
17 *in fiscal year 2020 from Medicare Advantage organizations*
18 *pursuant to section 1857(e)(2) of the Social Security Act*
19 *and from eligible organizations with risk-sharing contracts*
20 *under section 1876 of that Act pursuant to section*
21 *1876(k)(4)(D) of that Act: Provided further, That amounts*
22 *available under this heading to support quality improve-*
23 *ment organizations (as defined in section 1152 of the Social*
24 *Security Act) shall not exceed the amount specifically pro-*
25 *vided for such purpose under this heading in division H*

1 *of the Consolidated Appropriations Act, 2018 (Public Law*
2 *115–141).*

3 *HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT*

4 *In addition to amounts otherwise available for pro-*
5 *gram integrity and program management, \$786,000,000, to*
6 *remain available through September 30, 2021, to be trans-*
7 *ferred from the Federal Hospital Insurance Trust Fund and*
8 *the Federal Supplementary Medical Insurance Trust Fund,*
9 *as authorized by section 201(g) of the Social Security Act,*
10 *of which \$610,000,000 shall be for the Centers for Medicare*
11 *& Medicaid Services program integrity activities, of which*
12 *\$93,000,000 shall be for the Department of Health and*
13 *Human Services Office of Inspector General to carry out*
14 *fraud and abuse activities authorized by section 1817(k)(3)*
15 *of such Act, and of which \$83,000,000 shall be for the De-*
16 *partment of Justice to carry out fraud and abuse activities*
17 *authorized by section 1817(k)(3) of such Act: Provided,*
18 *That the report required by section 1817(k)(5) of the Social*
19 *Security Act for fiscal year 2020 shall include measures of*
20 *the operational efficiency and impact on fraud, waste, and*
21 *abuse in the Medicare, Medicaid, and CHIP programs for*
22 *the funds provided by this appropriation: Provided further,*
23 *That of the amount provided under this heading,*
24 *\$311,000,000 is provided to meet the terms of section*
25 *251(b)(2)(C)(ii) of the Balanced Budget and Emergency*

1 *Deficit Control Act of 1985, as amended, and \$475,000,000*
2 *is additional new budget authority specified for purposes*
3 *of section 251(b)(2)(C) of such Act: Provided further, That*
4 *the Secretary shall provide not less than \$18,000,000 for*
5 *the Senior Medicare Patrol program to combat health care*
6 *fraud and abuse from the funds provided to this account.*

7 *ADMINISTRATION FOR CHILDREN AND FAMILIES*

8 *PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT*

9 *AND FAMILY SUPPORT PROGRAMS*

10 *For carrying out, except as otherwise provided, titles*
11 *I, IV–D, X, XI, XIV, and XVI of the Social Security Act*
12 *and the Act of July 5, 1960, \$2,890,000,000, to remain*
13 *available until expended; and for such purposes for the first*
14 *quarter of fiscal year 2021, \$1,400,000,000, to remain*
15 *available until expended.*

16 *For carrying out, after May 31 of the current fiscal*
17 *year, except as otherwise provided, titles I, IV–D, X, XI,*
18 *XIV, and XVI of the Social Security Act and the Act of*
19 *July 5, 1960, for the last 3 months of the current fiscal*
20 *year for unanticipated costs, incurred for the current fiscal*
21 *year, such sums as may be necessary.*

22 *LOW INCOME HOME ENERGY ASSISTANCE*

23 *For making payments under subsections (b) and (d)*
24 *of section 2602 of the Low-Income Home Energy Assistance*
25 *Act of 1981 (42 U.S.C. 8621 et seq.), \$3,740,304,000: Pro-*

1 *vided, That notwithstanding section 2609A(a) of such Act,*
2 *not more than \$2,988,000 may be reserved by the Secretary*
3 *of Health and Human Services for technical assistance,*
4 *training, and monitoring of program activities for compli-*
5 *ance with internal controls, policies and procedures and the*
6 *Secretary may, in addition to the authorities provided in*
7 *section 2609A(a)(1), use such funds through contracts with*
8 *private entities that do not qualify as nonprofit organiza-*
9 *tions: Provided further, That all but \$753,000,000 of the*
10 *amount appropriated under this heading shall be allocated*
11 *as though the total appropriation for such payments for fis-*
12 *cal year 2020 was less than \$1,975,000,000: Provided fur-*
13 *ther, That, after applying all applicable provisions of sec-*
14 *tion 2604 of such Act and the previous proviso, each State*
15 *or territory that would otherwise receive an allocation that*
16 *is less than 97 percent of the amount that it received under*
17 *this heading for fiscal year 2019 from amounts appro-*
18 *riated in Public Law 115–245 shall have its allocation*
19 *increased to that 97 percent level, with the portions of other*
20 *States’ and territories’ allocations that would exceed 100*
21 *percent of the amounts they respectively received in such*
22 *fashion for fiscal year 2019 being ratably reduced.*

1 *REFUGEE AND ENTRANT ASSISTANCE*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For necessary expenses for refugee and entrant assist-*
4 *ance activities authorized by section 414 of the Immigration*
5 *and Nationality Act and section 501 of the Refugee Edu-*
6 *cation Assistance Act of 1980, and for carrying out section*
7 *462 of the Homeland Security Act of 2002, section 235 of*
8 *the William Wilberforce Trafficking Victims Protection Re-*
9 *authorization Act of 2008, the Trafficking Victims Protec-*
10 *tion Act of 2000 (“TVPA”), and the Torture Victims Relief*
11 *Act of 1998, \$1,908,201,000, of which \$1,864,446,000 shall*
12 *remain available through September 30, 2022 for carrying*
13 *out such sections 414, 501, 462, and 235: Provided, That*
14 *amounts available under this heading to carry out the*
15 *TVPA shall also be available for research and evaluation*
16 *with respect to activities under such Act: Provided further,*
17 *That not less than \$160,000,000 shall be used for legal serv-*
18 *ices, child advocates, and post-release services: Provided fur-*
19 *ther, That the limitation in section 205 of this Act regard-*
20 *ing transfers increasing any appropriation shall apply to*
21 *transfers to appropriations under this heading by sub-*
22 *stituting “15 percent” for “3 percent”.*

1 *paragraph for a State to carry out State programs pursu-*
2 *ant to title XX–A of such Act shall be 10 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, the*
6 *Every Student Succeeds Act, the Child Abuse Prevention*
7 *and Treatment Act, sections 303 and 313 of the Family*
8 *Violence Prevention and Services Act, the Native American*
9 *Programs Act of 1974, title II of the Child Abuse Prevention*
10 *and Treatment and Adoption Reform Act of 1978 (adoption*
11 *opportunities), part B–1 of title IV and sections 429, 473A,*
12 *477(i), 1110, 1114A, and 1115 of the Social Security Act,*
13 *and the Community Services Block Grant Act (“CSBG*
14 *Act”); and for necessary administrative expenses to carry*
15 *out titles I, IV, V, X, XI, XIV, XVI, and XX–A of the Social*
16 *Security Act, the Act of July 5, 1960, the Low-Income*
17 *Home Energy Assistance Act of 1981, the Child Care and*
18 *Development Block Grant Act of 1990, the Assets for Inde-*
19 *pendence Act, title IV of the Immigration and Nationality*
20 *Act, and section 501 of the Refugee Education Assistance*
21 *Act of 1980, \$12,876,652,000, of which \$75,000,000, to re-*
22 *main available through September 30, 2021, shall be for*
23 *grants to States for adoption and legal guardianship incen-*
24 *tive payments, as defined by section 473A of the Social Se-*
25 *curity Act and may be made for adoptions and legal*

1 *guardianships completed before September 30, 2020: Pro-*
2 *vided, That \$10,613,095,000 shall be for making payments*
3 *under the Head Start Act, including for Early Head Start-*
4 *Child Care Partnerships, and, of which, notwithstanding*
5 *section 640 of such Act:*

6 (1) *\$193,000,000 shall be available for a cost of*
7 *living adjustment, and with respect to any continuing*
8 *appropriations act, funding available for a cost of liv-*
9 *ing adjustment shall not be construed as an authority*
10 *or condition under this Act;*

11 (2) *\$25,000,000 shall be available for allocation*
12 *by the Secretary to supplement activities described in*
13 *paragraphs (7)(B) and (9) of section 641(c) of the*
14 *Head Start Act under the Designation Renewal Sys-*
15 *tem, established under the authority of sections*
16 *641(c)(7), 645A(b)(12), and 645A(d) of such Act, and*
17 *such funds shall not be included in the calculation of*
18 *“base grant” in subsequent fiscal years, as such term*
19 *is used in section 640(a)(7)(A) of such Act;*

20 (3) *\$100,000,000, in addition to funds otherwise*
21 *available under such section 640 for such purposes,*
22 *shall be available through March 31, 2021 for new*
23 *grants to entities defined as eligible under section*
24 *645A(d) of such Act for Early Head Start programs*
25 *as described in section 645A of such Act, conversion*

1 *of Head Start services to Early Head Start services*
2 *as described in section 645(a)(5)(A) of such Act, and*
3 *high quality infant and toddler care through Early*
4 *Head Start-Child Care Partnerships, and for train-*
5 *ing and technical assistance for such activities;*

6 (4) *\$250,000,000 shall be available for quality*
7 *improvement consistent with section 640(a)(5) of such*
8 *Act except that any amount of the funds may be used*
9 *on any of the activities in such section (5);*

10 (5) *\$4,000,000 shall be available for the purposes*
11 *of re-establishing the Tribal Colleges and Universities*
12 *Head Start Partnership Program consistent with sec-*
13 *tion 648(g) of such Act; and*

14 (6) *\$19,000,000 shall be available to supplement*
15 *funding otherwise available for research, evaluation,*
16 *and Federal administrative costs:*

17 *Provided further, That the Secretary may reduce the res-*
18 *ervation of funds under section 640(a)(2)(C) of such Act*
19 *in lieu of reducing the reservation of funds under sections*
20 *640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such Act:*

21 *Provided further, That \$275,000,000 shall be available until*
22 *December 31, 2020 for carrying out sections 9212 and 9213*
23 *of the Every Student Succeeds Act: Provided further, That*
24 *up to 3 percent of the funds in the preceding proviso shall*
25 *be available for technical assistance and evaluation related*

1 to grants awarded under such section 9212: Provided fur-
2 ther, That \$770,383,000 shall be for making payments
3 under the CSBG Act: Provided further, That \$30,383,000
4 shall be for section 680 of the CSBG Act, of which not less
5 than \$20,383,000 shall be for section 680(a)(2) and not less
6 than \$10,000,000 shall be for section 680(a)(3)(B) of such
7 Act: Provided further, That, notwithstanding section
8 675C(a)(3) of such Act, to the extent Community Services
9 Block Grant funds are distributed as grant funds by a State
10 to an eligible entity as provided under such Act, and have
11 not been expended by such entity, they shall remain with
12 such entity for carryover into the next fiscal year for ex-
13 penditure by such entity consistent with program purposes:
14 Provided further, That the Secretary shall establish proce-
15 dures regarding the disposition of intangible assets and pro-
16 gram income that permit such assets acquired with, and
17 program income derived from, grant funds authorized
18 under section 680 of the CSBG Act to become the sole prop-
19 erty of such grantees after a period of not more than 12
20 years after the end of the grant period for any activity con-
21 sistent with section 680(a)(2)(A) of the CSBG Act: Provided
22 further, That intangible assets in the form of loans, equity
23 investments and other debt instruments, and program in-
24 come may be used by grantees for any eligible purpose con-
25 sistent with section 680(a)(2)(A) of the CSBG Act: Provided

1 further, That these procedures shall apply to such grant
2 funds made available after November 29, 1999: Provided
3 further, That funds appropriated for section 680(a)(2) of
4 the CSBG Act shall be available for financing construction
5 and rehabilitation and loans or investments in private
6 business enterprises owned by community development cor-
7 porations: Provided further, That \$175,000,000 shall be for
8 carrying out section 303(a) of the Family Violence Preven-
9 tion and Services Act, of which \$7,000,000 shall be allocated
10 notwithstanding section 303(a)(2) of such Act for carrying
11 out section 309 of such Act: Provided further, That the per-
12 centages specified in section 112(a)(2) of the Child Abuse
13 Prevention and Treatment Act shall not apply to funds ap-
14 propriated under this heading: Provided further, That
15 \$1,864,000 shall be for a human services case management
16 system for federally declared disasters, to include a com-
17 prehensive national case management contract and Federal
18 costs of administering the system: Provided further, That
19 up to \$2,000,000 shall be for improving the Public Assist-
20 ance Reporting Information System, including grants to
21 States to support data collection for a study of the system's
22 effectiveness.

23 *PROMOTING SAFE AND STABLE FAMILIES*

24 *For carrying out, except as otherwise provided, section*
25 *436 of the Social Security Act, \$345,000,000 and, for car-*

1 *rying out, except as otherwise provided, section 437 of such*
2 *Act, \$92,515,000: Provided, That of the funds available to*
3 *carry out section 437, \$59,765,000 shall be allocated con-*
4 *sistent with subsections (b) through (d) of such section: Pro-*
5 *vided further, That of the funds available to carry out sec-*
6 *tion 437, to assist in meeting the requirements described*
7 *in section 471(e)(4)(C), \$20,000,000 shall be for grants to*
8 *each State, territory, and Indian tribe operating title IV-*
9 *E plans for developing, enhancing, or evaluating kinship*
10 *navigator programs, as described in section 427(a)(1) of*
11 *such Act, \$10,000,000, in addition to funds otherwise ap-*
12 *propriated in section 436 for such purposes, shall be for*
13 *competitive grants to regional partnerships as described in*
14 *section 437(f), and \$2,750,000, in addition to funds other-*
15 *wise appropriated in section 476 for such purposes, for the*
16 *Family First Clearinghouse: Provided further, That section*
17 *437(b)(1) shall be applied to amounts in the previous pro-*
18 *viso by substituting “5 percent” for “3.3 percent”, and not-*
19 *withstanding section 436(b)(1), such reserved amounts may*
20 *be used for identifying, establishing, and disseminating*
21 *practices to meet the criteria specified in section*
22 *471(e)(4)(C): Provided further, That the reservation in sec-*
23 *tion 437(b)(2) and the limitations in section 437(d) shall*
24 *not apply to funds specified in the second proviso: Provided*
25 *further, That the minimum grant award for kinship navi-*

1 *gator programs in the case of States and territories shall*
 2 *be \$200,000, and, in the case of tribes, shall be \$25,000.*

3 *PAYMENTS FOR FOSTER CARE AND PERMANENCY*

4 *For carrying out, except as otherwise provided, title*
 5 *IV–E of the Social Security Act, \$5,744,000,000.*

6 *For carrying out, except as otherwise provided, title*
 7 *IV–E of the Social Security Act, for the first quarter of fis-*
 8 *cal year 2021, \$3,000,000,000.*

9 *For carrying out, after May 31 of the current fiscal*
 10 *year, except as otherwise provided, section 474 of title IV–*
 11 *E of the Social Security Act, for the last 3 months of the*
 12 *current fiscal year for unanticipated costs, incurred for the*
 13 *current fiscal year, such sums as may be necessary.*

14 *ADMINISTRATION FOR COMMUNITY LIVING*

15 *AGING AND DISABILITY SERVICES PROGRAMS*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For carrying out, to the extent not otherwise provided,*
 18 *the Older Americans Act of 1965 (“OAA”), the RAISE*
 19 *Family Caregivers Act, the Supporting Grandparents Rais-*
 20 *ing Grandchildren Act, titles III and XXIX of the PHS*
 21 *Act, sections 1252 and 1253 of the PHS Act, section 119*
 22 *of the Medicare Improvements for Patients and Providers*
 23 *Act of 2008, title XX–B of the Social Security Act, the De-*
 24 *velopmental Disabilities Assistance and Bill of Rights Act,*
 25 *parts 2 and 5 of subtitle D of title II of the Help America*

1 *Vote Act of 2002, the Assistive Technology Act of 1998, titles*
2 *II and VII (and section 14 with respect to such titles) of*
3 *the Rehabilitation Act of 1973, and for Department-wide*
4 *coordination of policy and program activities that assist*
5 *individuals with disabilities, \$2,171,000,000, together with*
6 *\$52,115,000 to be transferred from the Federal Hospital In-*
7 *surance Trust Fund and the Federal Supplementary Med-*
8 *ical Insurance Trust Fund to carry out section 4360 of the*
9 *Omnibus Budget Reconciliation Act of 1990: Provided,*
10 *That amounts appropriated under this heading may be*
11 *used for grants to States under section 361 of the OAA only*
12 *for disease prevention and health promotion programs and*
13 *activities which have been demonstrated through rigorous*
14 *evaluation to be evidence-based and effective: Provided fur-*
15 *ther, That of amounts made available under this heading*
16 *to carry out sections 311, 331, and 336 of the OAA, up*
17 *to one percent of such amounts shall be available for devel-*
18 *oping and implementing evidence-based practices for en-*
19 *hancing senior nutrition, including medically-tailored*
20 *meals: Provided further, That notwithstanding any other*
21 *provision of this Act, funds made available under this head-*
22 *ing to carry out section 311 of the OAA may be transferred*
23 *to the Secretary of Agriculture in accordance with such sec-*
24 *tion: Provided further, That \$2,000,000 shall be for com-*
25 *petitive grants to support alternative financing programs*

1 *that provide for the purchase of assistive technology devices,*
2 *such as a low-interest loan fund; an interest buy-down pro-*
3 *gram; a revolving loan fund; a loan guarantee; or an insur-*
4 *ance program: Provided further, That applicants shall pro-*
5 *vide an assurance that, and information describing the*
6 *manner in which, the alternative financing program will*
7 *expand and emphasize consumer choice and control: Pro-*
8 *vided further, That State agencies and community-based*
9 *disability organizations that are directed by and operated*
10 *for individuals with disabilities shall be eligible to compete:*
11 *Provided further, That none of the funds made available*
12 *under this heading may be used by an eligible system (as*
13 *defined in section 102 of the Protection and Advocacy for*
14 *Individuals with Mental Illness Act (42 U.S.C. 10802)) to*
15 *continue to pursue any legal action in a Federal or State*
16 *court on behalf of an individual or group of individuals*
17 *with a developmental disability (as defined in section*
18 *102(8)(A) of the Developmental Disabilities and Assistance*
19 *and Bill of Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that*
20 *is attributable to a mental impairment (or a combination*
21 *of mental and physical impairments), that has as the re-*
22 *quested remedy the closure of State operated intermediate*
23 *care facilities for people with intellectual or developmental*
24 *disabilities, unless reasonable public notice of the action has*
25 *been provided to such individuals (or, in the case of mental*

1 *incapacitation, the legal guardians who have been specifi-*
2 *cally awarded authority by the courts to make healthcare*
3 *and residential decisions on behalf of such individuals) who*
4 *are affected by such action, within 90 days of instituting*
5 *such legal action, which informs such individuals (or such*
6 *legal guardians) of their legal rights and how to exercise*
7 *such rights consistent with current Federal Rules of Civil*
8 *Procedure: Provided further, That the limitations in the im-*
9 *mediately preceding proviso shall not apply in the case of*
10 *an individual who is neither competent to consent nor has*
11 *a legal guardian, nor shall the proviso apply in the case*
12 *of individuals who are a ward of the State or subject to*
13 *public guardianship.*

14 *OFFICE OF THE SECRETARY*

15 *GENERAL DEPARTMENTAL MANAGEMENT*

16 *For necessary expenses, not otherwise provided, for*
17 *general departmental management, including hire of six*
18 *passenger motor vehicles, and for carrying out titles III,*
19 *XVII, XXI, and section 229 of the PHS Act, the United*
20 *States-Mexico Border Health Commission Act, and research*
21 *studies under section 1110 of the Social Security Act,*
22 *\$479,629,000, together with \$64,828,000 from the amounts*
23 *available under section 241 of the PHS Act to carry out*
24 *national health or human services research and evaluation*
25 *activities: Provided, That of this amount, \$53,900,000 shall*

1 *be for minority AIDS prevention and treatment activities:*
2 *Provided further, That of the funds made available under*
3 *this heading, \$101,000,000 shall be for making competitive*
4 *contracts and grants to public and private entities to fund*
5 *medically accurate and age appropriate programs that re-*
6 *duce teen pregnancy and for the Federal costs associated*
7 *with administering and evaluating such contracts and*
8 *grants, of which not more than 10 percent of the available*
9 *funds shall be for training and technical assistance, evalua-*
10 *tion, outreach, and additional program support activities,*
11 *and of the remaining amount 75 percent shall be for repli-*
12 *cating programs that have been proven effective through rig-*
13 *orous evaluation to reduce teenage pregnancy, behavioral*
14 *risk factors underlying teenage pregnancy, or other associ-*
15 *ated risk factors, and 25 percent shall be available for re-*
16 *search and demonstration grants to develop, replicate, re-*
17 *fine, and test additional models and innovative strategies*
18 *for preventing teenage pregnancy: Provided further, That*
19 *of the amounts provided under this heading from amounts*
20 *available under section 241 of the PHS Act, \$6,800,000*
21 *shall be available to carry out evaluations (including longi-*
22 *tudinal evaluations) of teenage pregnancy prevention ap-*
23 *proaches: Provided further, That of the funds made avail-*
24 *able under this heading, \$35,000,000 shall be for making*
25 *competitive grants which exclusively implement education*

1 *in sexual risk avoidance (defined as voluntarily refraining*
2 *from non-marital sexual activity): Provided further, That*
3 *funding for such competitive grants for sexual risk avoid-*
4 *ance shall use medically accurate information referenced to*
5 *peer-reviewed publications by educational, scientific, gov-*
6 *ernmental, or health organizations; implement an evidence-*
7 *based approach integrating research findings with practical*
8 *implementation that aligns with the needs and desired out-*
9 *comes for the intended audience; and teach the benefits asso-*
10 *ciated with self-regulation, success sequencing for poverty*
11 *prevention, healthy relationships, goal setting, and resisting*
12 *sexual coercion, dating violence, and other youth risk behav-*
13 *iors such as underage drinking or illicit drug use without*
14 *normalizing teen sexual activity: Provided further, That no*
15 *more than 10 percent of the funding for such competitive*
16 *grants for sexual risk avoidance shall be available for tech-*
17 *nical assistance and administrative costs of such programs:*
18 *Provided further, That funds provided in this Act for em-*
19 *bryo adoption activities may be used to provide to individ-*
20 *uals adopting embryos, through grants and other mecha-*
21 *nisms, medical and administrative services deemed nec-*
22 *essary for such adoptions: Provided further, That such serv-*
23 *ices shall be provided consistent with 42 CFR 59.5(a)(4):*
24 *Provided further, That of the funds made available under*
25 *this heading, \$5,000,000 shall be for carrying out prize*

1 *competitions sponsored by the Office of the Secretary to ac-*
2 *celerate innovation in the prevention, diagnosis, and treat-*
3 *ment of kidney diseases (as authorized by section 24 of the*
4 *Stevenson-Wydler Technology Innovation Act of 1980 (15*
5 *U.S.C. 3719)).*

6 *MEDICARE HEARINGS AND APPEALS*

7 *For expenses necessary for Medicare hearings and ap-*
8 *peals in the Office of the Secretary, \$191,881,000 shall re-*
9 *main available until September 30, 2021, to be transferred*
10 *in appropriate part from the Federal Hospital Insurance*
11 *Trust Fund and the Federal Supplementary Medical Insur-*
12 *ance Trust Fund.*

13 *OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH*

14 *INFORMATION TECHNOLOGY*

15 *For expenses necessary for the Office of the National*
16 *Coordinator for Health Information Technology, including*
17 *grants, contracts, and cooperative agreements for the devel-*
18 *opment and advancement of interoperable health informa-*
19 *tion technology, \$60,367,000.*

20 *OFFICE OF INSPECTOR GENERAL*

21 *For expenses necessary for the Office of Inspector Gen-*
22 *eral, including the hire of passenger motor vehicles for in-*
23 *vestigations, in carrying out the provisions of the Inspector*
24 *General Act of 1978, \$80,000,000: Provided, That of such*
25 *amount, necessary sums shall be available for providing*

1 *protective services to the Secretary and investigating non-*
2 *payment of child support cases for which non-payment is*
3 *a Federal offense under 18 U.S.C. 228.*

4 *OFFICE FOR CIVIL RIGHTS*

5 *For expenses necessary for the Office for Civil Rights,*
6 *\$38,798,000.*

7 *RETIREMENT PAY AND MEDICAL BENEFITS FOR*

8 *COMMISSIONED OFFICERS*

9 *For retirement pay and medical benefits of Public*
10 *Health Service Commissioned Officers as authorized by law,*
11 *for payments under the Retired Serviceman's Family Pro-*
12 *tection Plan and Survivor Benefit Plan, and for medical*
13 *care of dependents and retired personnel under the Depend-*
14 *ents' Medical Care Act, such amounts as may be required*
15 *during the current fiscal year.*

16 *PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*

17 *For expenses necessary to support activities related to*
18 *countering potential biological, nuclear, radiological, chem-*
19 *ical, and cybersecurity threats to civilian populations, and*
20 *for other public health emergencies, \$1,037,458,000, of*
21 *which \$561,700,000 shall remain available through Sep-*
22 *tember 30, 2021, for expenses necessary to support advanced*
23 *research and development pursuant to section 319L of the*
24 *PHS Act and other administrative expenses of the Bio-*
25 *medical Advanced Research and Development Authority:*

1 *Provided, That funds provided under this heading for the*
2 *purpose of acquisition of security countermeasures shall be*
3 *in addition to any other funds available for such purpose:*
4 *Provided further, That products purchased with funds pro-*
5 *vided under this heading may, at the discretion of the Sec-*
6 *retary, be deposited in the Strategic National Stockpile pur-*
7 *suant to section 319F–2 of the PHS Act: Provided further,*
8 *That \$5,000,000 of the amounts made available to support*
9 *emergency operations shall remain available through Sep-*
10 *tember 30, 2022.*

11 *For expenses necessary for procuring security counter-*
12 *measures (as defined in section 319F–2(c)(1)(B) of the PHS*
13 *Act), \$735,000,000, to remain available until expended.*

14 *For expenses necessary to carry out section 319F–2(a)*
15 *of the PHS Act, \$705,000,000, to remain available until*
16 *expended.*

17 *For an additional amount for expenses necessary to*
18 *prepare for or respond to an influenza pandemic,*
19 *\$260,000,000; of which \$225,000,000 shall be available*
20 *until expended, for activities including the development and*
21 *purchase of vaccine, antivirals, necessary medical supplies,*
22 *diagnostics, and other surveillance tools: Provided, That*
23 *notwithstanding section 496(b) of the PHS Act, funds may*
24 *be used for the construction or renovation of privately*
25 *owned facilities for the production of pandemic influenza*

1 *vaccines and other biologics, if the Secretary finds such con-*
2 *struction or renovation necessary to secure sufficient sup-*
3 *plies of such vaccines or biologics.*

4 *GENERAL PROVISIONS*

5 *SEC. 201. Funds appropriated in this title shall be*
6 *available for not to exceed \$50,000 for official reception and*
7 *representation expenses when specifically approved by the*
8 *Secretary.*

9 *SEC. 202. None of the funds appropriated in this title*
10 *shall be used to pay the salary of an individual, through*
11 *a grant or other extramural mechanism, at a rate in excess*
12 *of Executive Level II: Provided, That none of the funds ap-*
13 *propriated in this title shall be used to prevent the NIH*
14 *from paying up to 100 percent of the salary of an indi-*
15 *vidual at this rate.*

16 *SEC. 203. None of the funds appropriated in this Act*
17 *may be expended pursuant to section 241 of the PHS Act,*
18 *except for funds specifically provided for in this Act, or for*
19 *other taps and assessments made by any office located in*
20 *HHS, prior to the preparation and submission of a report*
21 *by the Secretary to the Committees on Appropriations of*
22 *the House of Representatives and the Senate detailing the*
23 *planned uses of such funds.*

24 *SEC. 204. Notwithstanding section 241(a) of the PHS*
25 *Act, such portion as the Secretary shall determine, but not*

1 *more than 2.5 percent, of any amounts appropriated for*
2 *programs authorized under such Act shall be made available*
3 *for the evaluation (directly, or by grants or contracts) and*
4 *the implementation and effectiveness of programs funded in*
5 *this title.*

6 *(TRANSFER OF FUNDS)*

7 *SEC. 205. Not to exceed 1 percent of any discretionary*
8 *funds (pursuant to the Balanced Budget and Emergency*
9 *Deficit Control Act of 1985) which are appropriated for the*
10 *current fiscal year for HHS in this Act may be transferred*
11 *between appropriations, but no such appropriation shall be*
12 *increased by more than 3 percent by any such transfer: Pro-*
13 *vided, That the transfer authority granted by this section*
14 *shall not be used to create any new program or to fund*
15 *any project or activity for which no funds are provided in*
16 *this Act: Provided further, That the Committees on Appro-*
17 *priations of the House of Representatives and the Senate*
18 *are notified at least 15 days in advance of any transfer.*

19 *SEC. 206. In lieu of the timeframe specified in section*
20 *338E(c)(2) of the PHS Act, terminations described in such*
21 *section may occur up to 60 days after the effective date of*
22 *a contract awarded in fiscal year 2020 under section 338B*
23 *of such Act, or at any time if the individual who has been*
24 *awarded such contract has not received funds due under the*
25 *contract.*

1 *SEC. 207. None of the funds appropriated in this Act*
2 *may be made available to any entity under title X of the*
3 *PHS Act unless the applicant for the award certifies to the*
4 *Secretary that it encourages family participation in the de-*
5 *cision of minors to seek family planning services and that*
6 *it provides counseling to minors on how to resist attempts*
7 *to coerce minors into engaging in sexual activities.*

8 *SEC. 208. Notwithstanding any other provision of law,*
9 *no provider of services under title X of the PHS Act shall*
10 *be exempt from any State law requiring notification or the*
11 *reporting of child abuse, child molestation, sexual abuse,*
12 *rape, or incest.*

13 *SEC. 209. None of the funds appropriated by this Act*
14 *(including funds appropriated to any trust fund) may be*
15 *used to carry out the Medicare Advantage program if the*
16 *Secretary denies participation in such program to an other-*
17 *wise eligible entity (including a Provider Sponsored Orga-*
18 *nization) because the entity informs the Secretary that it*
19 *will not provide, pay for, provide coverage of, or provide*
20 *referrals for abortions: Provided, That the Secretary shall*
21 *make appropriate prospective adjustments to the capitation*
22 *payment to such an entity (based on an actuarially sound*
23 *estimate of the expected costs of providing the service to such*
24 *entity's enrollees): Provided further, That nothing in this*
25 *section shall be construed to change the Medicare program's*

1 coverage for such services and a Medicare Advantage orga-
2 nization described in this section shall be responsible for
3 informing enrollees where to obtain information about all
4 Medicare covered services.

5 *SEC. 210. None of the funds made available in this*
6 *title may be used, in whole or in part, to advocate or pro-*
7 *mote gun control.*

8 *SEC. 211. The Secretary shall make available through*
9 *assignment not more than 60 employees of the Public*
10 *Health Service to assist in child survival activities and to*
11 *work in AIDS programs through and with funds provided*
12 *by the Agency for International Development, the United*
13 *Nations International Children's Emergency Fund or the*
14 *World Health Organization.*

15 *SEC. 212. In order for HHS to carry out international*
16 *health activities, including HIV/AIDS and other infectious*
17 *disease, chronic and environmental disease, and other*
18 *health activities abroad during fiscal year 2020:*

19 (1) *The Secretary may exercise authority equiva-*
20 *lent to that available to the Secretary of State in sec-*
21 *tion 2(c) of the State Department Basic Authorities*
22 *Act of 1956. The Secretary shall consult with the Sec-*
23 *retary of State and relevant Chief of Mission to en-*
24 *sure that the authority provided in this section is ex-*
25 *ercised in a manner consistent with section 207 of the*

1 *Foreign Service Act of 1980 and other applicable stat-*
2 *utes administered by the Department of State.*

3 (2) *The Secretary is authorized to provide such*
4 *funds by advance or reimbursement to the Secretary*
5 *of State as may be necessary to pay the costs of ac-*
6 *quisition, lease, alteration, renovation, and manage-*
7 *ment of facilities outside of the United States for the*
8 *use of HHS. The Department of State shall cooperate*
9 *fully with the Secretary to ensure that HHS has se-*
10 *cure, safe, functional facilities that comply with ap-*
11 *plicable regulation governing location, setback, and*
12 *other facilities requirements and serve the purposes*
13 *established by this Act. The Secretary is authorized,*
14 *in consultation with the Secretary of State, through*
15 *grant or cooperative agreement, to make available to*
16 *public or nonprofit private institutions or agencies in*
17 *participating foreign countries, funds to acquire,*
18 *lease, alter, or renovate facilities in those countries as*
19 *necessary to conduct programs of assistance for inter-*
20 *national health activities, including activities relating*
21 *to HIV/AIDS and other infectious diseases, chronic*
22 *and environmental diseases, and other health activi-*
23 *ties abroad.*

24 (3) *The Secretary is authorized to provide to*
25 *personnel appointed or assigned by the Secretary to*

(TRANSFER OF FUNDS)

1
2 *SEC. 214. Of the amounts made available in this Act*
3 *for NIH, the amount for research related to the human im-*
4 *munodeficiency virus, as jointly determined by the Director*
5 *of NIH and the Director of the Office of AIDS Research,*
6 *shall be made available to the “Office of AIDS Research”*
7 *account. The Director of the Office of AIDS Research shall*
8 *transfer from such account amounts necessary to carry out*
9 *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 re-*
19 *view 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 in*
23 *lieu of the peer review and advisory council review proce-*
24 *dures that would otherwise be required under sections*

1 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and
2 494 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 Na-
5 tional Institutes of Health may be used for alteration, re-
6 pair, or improvement of facilities, as necessary for the prop-
7 er and efficient conduct of the activities authorized herein,
8 at not to exceed \$3,500,000 per project.

9 (TRANSFER OF FUNDS)

10 SEC. 217. Of the amounts made available for NIH, 1
11 percent of the amount made available for National Research
12 Service Awards (“NRSA”) shall be made available to the
13 Administrator of the Health Resources and Services Admin-
14 istration to make NRSA awards for research in primary
15 medical care to individuals affiliated with entities who have
16 received grants or contracts under sections 736, 739, or 747
17 of the PHS Act, and 1 percent of the amount made avail-
18 able for NRSA shall be made available to the Director of
19 the Agency for Healthcare Research and Quality to make
20 NRSA awards for health service research.

21 SEC. 218. (a) The Biomedical Advanced Research and
22 Development Authority (“BARDA”) may enter into a con-
23 tract, for more than one but no more than 10 program
24 years, for purchase of research services or of security coun-
25 termeasures, 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 for*
5 *the first fiscal year in which the contract is in*
6 *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 re-*
19 *quirement stated in subsection (d) of such section.*

20 *SEC. 219. (a) The Secretary shall publish in the fiscal*
21 *year 2021 budget justification and on Departmental Web*
22 *sites information concerning the employment of full-time*
23 *equivalent Federal employees or contractors for the purposes*
24 *of implementing, administering, enforcing, or otherwise*
25 *carrying out the provisions of the ACA, and the amend-*

1 *ments made by that Act, in the proposed fiscal year and*
2 *each fiscal year since the enactment of the ACA.*

3 *(b) With respect to employees or contractors supported*
4 *by all funds appropriated for purposes of carrying out the*
5 *ACA (and the amendments made by that Act), the Secretary*
6 *shall include, at a minimum, the following information:*

7 *(1) For each such fiscal year, the section of such*
8 *Act under which such funds were appropriated, a*
9 *statement indicating the program, project, or activity*
10 *receiving such funds, the Federal operating division*
11 *or office that administers such program, and the*
12 *amount of funding received in discretionary or man-*
13 *datory appropriations.*

14 *(2) For each such fiscal year, the number of full-*
15 *time equivalent employees or contracted employees as-*
16 *signed to each authorized and funded provision de-*
17 *tailed in accordance with paragraph (1).*

18 *(c) In carrying out this section, the Secretary may ex-*
19 *clude from the report employees or contractors who—*

20 *(1) are supported through appropriations en-*
21 *acted in laws other than the ACA and work on pro-*
22 *grams that existed prior to the passage of the ACA;*

23 *(2) spend less than 50 percent of their time on*
24 *activities funded by or newly authorized in the ACA;*

25 *or*

1 (3) *work on contracts for which FTE reporting*
2 *is not a requirement of their contract, such as fixed-*
3 *price contracts.*

4 *SEC. 220. The Secretary shall publish, as part of the*
5 *fiscal year 2021 budget of the President submitted under*
6 *section 1105(a) of title 31, United States Code, information*
7 *that details the uses of all funds used by the Centers for*
8 *Medicare & Medicaid Services specifically for Health Insur-*
9 *ance Exchanges for each fiscal year since the enactment of*
10 *the ACA and the proposed uses for such funds for fiscal year*
11 *2021. Such information shall include, for each such fiscal*
12 *year, the amount of funds used for each activity specified*
13 *under the heading “Health Insurance Exchange Trans-*
14 *parency” in the explanatory statement described in section*
15 *4 (in the matter preceding division A of this consolidated*
16 *Act).*

17 *SEC. 221. None of the funds made available by this*
18 *Act from the Federal Hospital Insurance Trust Fund or*
19 *the Federal Supplemental Medical Insurance Trust Fund,*
20 *or transferred from other accounts funded by this Act to*
21 *the “Centers for Medicare & Medicaid Services—Program*
22 *Management” account, may be used for payments under*
23 *section 1342(b)(1) of Public Law 111–148 (relating to risk*
24 *corridors).*

(TRANSFER OF FUNDS)

1
2 *SEC. 222. (a) Within 45 days of enactment of this Act,*
3 *the Secretary shall transfer funds appropriated under sec-*
4 *tion 4002 of the ACA to the accounts specified, in the*
5 *amounts specified, and for the activities specified under the*
6 *heading “Prevention and Public Health Fund” in the ex-*
7 *planatory statement described in section 4 (in the matter*
8 *preceding division A of this consolidated Act).*

9 *(b) Notwithstanding section 4002(c) of the ACA, the*
10 *Secretary may not further transfer these amounts.*

11 *(c) Funds transferred for activities authorized under*
12 *section 2821 of the PHS Act shall be made available with-*
13 *out reference to section 2821(b) of such Act.*

14 *SEC. 223. Effective during the period beginning on No-*
15 *vember 1, 2015 and ending January 1, 2022, any provision*
16 *of law that refers (including through cross-reference to an-*
17 *other provision of law) to the current recommendations of*
18 *the United States Preventive Services Task Force with re-*
19 *spect to breast cancer screening, mammography, and pre-*
20 *vention shall be administered by the Secretary involved as*
21 *if—*

22 *(1) such reference to such current recommenda-*
23 *tions were a reference to the recommendations of such*
24 *Task Force with respect to breast cancer screening,*

1 *mammography, and prevention last issued before*
2 *2009; and*

3 *(2) such recommendations last issued before 2009*
4 *applied to any screening mammography modality*
5 *under section 1861(jj) of the Social Security Act (42*
6 *U.S.C. 1395x(jj)).*

7 *SEC. 224. In making Federal financial assistance, the*
8 *provisions relating to indirect costs in part 75 of title 45,*
9 *Code of Federal Regulations, including with respect to the*
10 *approval of deviations from negotiated rates, shall continue*
11 *to apply to the National Institutes of Health to the same*
12 *extent and in the same manner as such provisions were ap-*
13 *plied in the third quarter of fiscal year 2017. None of the*
14 *funds appropriated in this or prior Acts or otherwise made*
15 *available to the Department of Health and Human Services*
16 *or to any department or agency may be used to develop*
17 *or implement a modified approach to such provisions, or*
18 *to intentionally or substantially expand the fiscal effect of*
19 *the approval of such deviations from negotiated rates be-*
20 *yond the proportional effect of such approvals in such quar-*
21 *ter.*

22 *(TRANSFER OF FUNDS)*

23 *SEC. 225. The NIH Director may transfer funds spe-*
24 *cifically appropriated for opioid addiction, opioid alter-*
25 *natives, pain management, and addiction treatment to*

1 *other Institutes and Centers of the NIH to be used for the*
2 *same purpose 15 days after notifying the Committees on*
3 *Appropriations: Provided, That the transfer authority pro-*
4 *vided in the previous proviso is in addition to any other*
5 *transfer authority provided by law.*

6 *SEC. 226. (a) The Secretary shall provide to the Com-*
7 *mittees on Appropriations of the House of Representatives*
8 *and the Senate:*

9 *(1) Detailed monthly enrollment figures from the*
10 *Exchanges established under the Patient Protection*
11 *and Affordable Care Act of 2010 pertaining to enroll-*
12 *ments during the open enrollment period; and*

13 *(2) Notification of any new or competitive grant*
14 *awards, including supplements, authorized under sec-*
15 *tion 330 of the Public Health Service Act.*

16 *(b) The Committees on Appropriations of the House*
17 *and Senate must be notified at least 2 business days in*
18 *advance of any public release of enrollment information or*
19 *the award of such grants.*

20 *SEC. 227. In addition to the amounts otherwise avail-*
21 *able for “Centers for Medicare & Medicaid Services, Pro-*
22 *gram Management”, the Secretary of Health and Human*
23 *Services may transfer up to \$305,000,000 to such account*
24 *from the Federal Hospital Insurance Trust Fund and the*
25 *Federal Supplementary Medical Insurance Trust Fund to*

1 *support program management activity related to the Medi-*
2 *care Program: Provided, That except for the foregoing pur-*
3 *pose, such funds may not be used to support any provision*
4 *of Public Law 111–148 or Public Law 111–152 (or any*
5 *amendment made by either such Public Law) or to supplant*
6 *any other amounts within such account.*

7 *SEC. 228. The Department of Health and Human*
8 *Services shall provide the Committees on Appropriations of*
9 *the House of Representatives and Senate a biannual report*
10 *30 days after enactment of this Act on staffing described*
11 *in the explanatory statement described in section 4 (in the*
12 *matter preceding division A of this consolidated Act).*

13 *SEC. 229. Funds appropriated in this Act that are*
14 *available for salaries and expenses of employees of the De-*
15 *partment of Health and Human Services shall also be*
16 *available to pay travel and related expenses of such an em-*
17 *ployee or of a member of his or her family, when such em-*
18 *ployee is assigned to duty, in the United States or in a*
19 *U.S. territory, during a period and in a location that are*
20 *the subject of a determination of a public health emergency*
21 *under section 319 of the Public Health Service Act and such*
22 *travel is necessary to obtain medical care for an illness,*
23 *injury, or medical condition that cannot be adequately ad-*
24 *dressed in that location at that time. For purposes of this*
25 *section, the term “U.S. territory” means Guam, the Com-*

1 *monwealth of Puerto Rico, the Northern Mariana Islands,*
2 *the Virgin Islands, American Samoa, or the Trust Territory*
3 *of the Pacific Islands.*

4 *SEC. 230. The Department of Health and Human*
5 *Services may accept donations from the private sector, non-*
6 *governmental organizations, and other groups independent*
7 *of the Federal Government for the care of unaccompanied*
8 *alien children (as defined in section 462(g)(2) of the Home-*
9 *land Security Act of 2002 (6 U.S.C. 279(g)(2))) in the care*
10 *of the Office of Refugee Resettlement of the Administration*
11 *for Children and Families, including medical goods and*
12 *services, which may include early childhood developmental*
13 *screenings, school supplies, toys, clothing, and any other*
14 *items intended to promote the wellbeing of such children.*

15 *SEC. 231. (a) None of the funds provided by this or*
16 *any prior appropriations Act may be used to reverse*
17 *changes in procedures made by operational directives issued*
18 *to providers by the Office of Refugee Resettlement on Decem-*
19 *ber 18, 2018, March 23, 2019, and June 10, 2019 regarding*
20 *the Memorandum of Agreement on Information Sharing ex-*
21 *ecuted April 13, 2018.*

22 *(b) Notwithstanding subsection (a), the Secretary may*
23 *make changes to such operational directives upon making*
24 *a determination that such changes are necessary to prevent*
25 *unaccompanied alien children from being placed in danger,*

1 *and the Secretary shall provide a written justification to*
2 *Congress and the Inspector General of the Department of*
3 *Health and Human Services in advance of implementing*
4 *such changes.*

5 *(c) Within 15 days of the Secretary’s communication*
6 *of the justification, the Inspector General of the Department*
7 *of Health and Human Services shall provide an assessment,*
8 *in writing, to the Secretary and to Committees on Appro-*
9 *priations of the House of Representatives and the Senate*
10 *of whether such changes to operational directives are nec-*
11 *essary to prevent unaccompanied children from being*
12 *placed in danger.*

13 *SEC. 232. None of the funds made available in this*
14 *Act under the heading “Department of Health and Human*
15 *Services—Administration for Children and Families—Ref-*
16 *ugee and Entrant Assistance” may be obligated to a grantee*
17 *or contractor to house unaccompanied alien children (as*
18 *such term is defined in section 462(g)(2) of the Homeland*
19 *Security Act of 2002 (6 U.S.C. 279(g)(2))) in any facility*
20 *that is not State-licensed for the care of unaccompanied*
21 *alien children, except in the case that the Secretary deter-*
22 *mines that housing unaccompanied alien children in such*
23 *a facility is necessary on a temporary basis due to an influx*
24 *of such children or an emergency, provided that—*

1 (1) *the terms of the grant or contract for the op-*
2 *erations of any such facility that remains in oper-*
3 *ation for more than six consecutive months shall re-*
4 *quire compliance with—*

5 (A) *the same requirements as licensed place-*
6 *ments, as listed in Exhibit 1 of the Flores Settle-*
7 *ment Agreement that the Secretary determines*
8 *are applicable to non-State licensed facilities;*
9 *and*

10 (B) *staffing ratios of one (1) on-duty Youth*
11 *Care Worker for every eight (8) children or youth*
12 *during waking hours, one (1) on-duty Youth*
13 *Care Worker for every sixteen (16) children or*
14 *youth during sleeping hours, and clinician ratios*
15 *to children (including mental health providers)*
16 *as required in grantee cooperative agreements;*

17 (2) *the Secretary may grant a 60-day waiver for*
18 *a contractor's or grantee's non-compliance with para-*
19 *graph (1) if the Secretary certifies and provides a re-*
20 *port to Congress on the contractor's or grantee's good-*
21 *faith efforts and progress towards compliance;*

22 (3) *not more than four consecutive waivers under*
23 *paragraph (2) may be granted to a contractor or*
24 *grantee with respect to a specific facility;*

1 (4) *ORR shall ensure full adherence to the moni-*
2 *toring requirements set forth in section 5.5 of its Poli-*
3 *cies and Procedures Guide as of May 15, 2019;*

4 (5) *for any such unlicensed facility in operation*
5 *for more than three consecutive months, ORR shall*
6 *conduct a minimum of one comprehensive monitoring*
7 *visit during the first three months of operation, with*
8 *quarterly monitoring visits thereafter; and*

9 (6) *not later than 60 days after the date of en-*
10 *actment of this Act, ORR shall brief the Committees*
11 *on Appropriations of the House of Representatives*
12 *and the Senate outlining the requirements of ORR for*
13 *influx facilities including any requirement listed in*
14 *paragraph (1)(A) that the Secretary has determined*
15 *are not applicable to non-State licensed facilities.*

16 *SEC. 233. In addition to the existing Congressional no-*
17 *tification for formal site assessments of potential influx fa-*
18 *cilities, the Secretary shall notify the Committees on Appro-*
19 *priations of the House of Representatives and the Senate*
20 *at least 15 days before operationalizing an unlicensed facil-*
21 *ity, and shall (1) specify whether the facility is hard-sided*
22 *or soft-sided, and (2) provide analysis that indicates that,*
23 *in the absence of the influx facility, the likely outcome is*
24 *that unaccompanied alien children will remain in the cus-*
25 *tody of the Department of Homeland Security for longer*

1 *than 72 hours or that unaccompanied alien children will*
2 *be otherwise placed in danger. Within 60 days of bringing*
3 *such a facility online, and monthly thereafter, the Secretary*
4 *shall provide to the Committees on Appropriations of the*
5 *House of Representatives and the Senate a report detailing*
6 *the total number of children in care at the facility, the aver-*
7 *age length of stay and average length of care of children*
8 *at the facility, and, for any child that has been at the facil-*
9 *ity for more than 60 days, their length of stay and reason*
10 *for delay in release.*

11 *SEC. 234. None of the funds made available in this*
12 *Act may be used to prevent a United States Senator or*
13 *Member of the House of Representatives from entering, for*
14 *the purpose of conducting oversight, any facility in the*
15 *United States used for the purpose of maintaining custody*
16 *of, or otherwise housing, unaccompanied alien children (as*
17 *defined in section 462(g)(2) of the Homeland Security Act*
18 *of 2002 (6 U.S.C. 279(g)(2))), provided that such Senator*
19 *or Member has coordinated the oversight visit with the Of-*
20 *fice of Refugee Resettlement not less than two business days*
21 *in advance to ensure that such visit would not interfere*
22 *with the operations (including child welfare and child safe-*
23 *ty operations) of such facility.*

24 *SEC. 235. Not later than 14 days after the date of en-*
25 *actment of this Act, and monthly thereafter, the Secretary*

1 shall submit to the Committees on Appropriations of the
2 House of Representatives and the Senate, and make pub-
3 licly available online, a report with respect to children who
4 were separated from their parents or legal guardians by the
5 Department of Homeland Security (DHS) (regardless of
6 whether or not such separation was pursuant to an option
7 selected by the children, parents, or guardians), subse-
8 quently classified as unaccompanied alien children, and
9 transferred to the care and custody of ORR during the pre-
10 vious month. Each report shall contain the following infor-
11 mation:

12 (1) the number and ages of children so separated
13 subsequent to apprehension at or between ports of
14 entry, to be reported by sector where separation oc-
15 curred; and

16 (2) the documented cause of separation, as re-
17 ported by DHS when each child was referred.

18 SEC. 236. Funds appropriated in this Act that are
19 available for salaries and expenses of employees of the Cen-
20 ters for Disease Control and Prevention shall also be avail-
21 able for the primary and secondary schooling of eligible de-
22 pendants of personnel stationed in a U.S. territory as de-
23 fined in section 229 of this Act at costs not in excess of
24 those paid for or reimbursed by the Department of Defense.

1 *SEC. 237. Of the unobligated balances available in the*
2 *“Nonrecurring Expenses Fund” established in section 223*
3 *of division G of Public Law 110–161, \$225,000,000, in ad-*
4 *dition to any funds otherwise made available for such pur-*
5 *pose in this or subsequent fiscal years, shall be available*
6 *for buildings and facilities at the National Institutes of*
7 *Health.*

8 *SEC. 238. Of the unobligated balances available in the*
9 *“Nonrecurring Expenses Fund” established in section 223*
10 *of division G of Public Law 110–161, \$225,000,000, shall*
11 *be available for acquisition of real property, equipment,*
12 *construction, demolition, installation, renovation of facili-*
13 *ties, and related infrastructure improvements for the Cen-*
14 *ters for Disease Control and Prevention’s Chamblee Cam-*
15 *pus.*

16 *SEC. 239. Of the funds provided under the heading*
17 *“CDC-Wide Activities and Program Support”,*
18 *\$85,000,000, to remain available until expended, shall be*
19 *available to the Director of the CDC for deposit in the Infec-*
20 *tious Diseases Rapid Response Reserve Fund established by*
21 *section 231 of division B of Public Law 115–245: Provided,*
22 *That such amount may be available for Ebola preparedness*
23 *and response activities without regard to the limitations in*
24 *the third proviso in such section 231.*

1 (RESCISSION)

2 SEC. 240. Of the unobligated balances in the “Non-
3 recurring Expenses Fund” established in section 223 of di-
4 vision G of Public Law 110–161, \$350,000,000 are hereby
5 rescinded not later than September 30, 2020.

6 This title may be cited as the “Department of Health
7 and Human Services Appropriations Act, 2020”.

8 TITLE III

9 DEPARTMENT OF EDUCATION

10 EDUCATION FOR THE DISADVANTAGED

11 For carrying out title I and subpart 2 of part B of
12 title II of the Elementary and Secondary Education Act
13 of 1965 (referred to in this Act as “ESEA”) and section
14 418A of the Higher Education Act of 1965 (referred to in
15 this Act as “HEA”), \$16,996,790,000, of which
16 \$6,077,990,000 shall become available on July 1, 2020, and
17 shall remain available through September 30, 2021, and of
18 which \$10,841,177,000 shall become available on October 1,
19 2020, and shall remain available through September 30,
20 2021, for academic year 2020–2021: Provided, That
21 \$6,459,401,000 shall be for basic grants under section 1124
22 of the ESEA: Provided further, That up to \$5,000,000 of
23 these funds shall be available to the Secretary of Education
24 (referred to in this title as “Secretary”) on October 1, 2019,
25 to obtain annually updated local educational agency-level

1 *census poverty data from the Bureau of the Census: Pro-*
2 *vided further, That \$1,362,301,000 shall be for concentra-*
3 *tion grants under section 1124A of the ESEA: Provided fur-*
4 *ther, That \$4,244,050,000 shall be for targeted grants under*
5 *section 1125 of the ESEA: Provided further, That*
6 *\$4,244,050,000 shall be for education finance incentive*
7 *grants under section 1125A of the ESEA: Provided further,*
8 *That \$219,000,000 shall be for carrying out subpart 2 of*
9 *part B of title II: Provided further, That \$45,623,000 shall*
10 *be for carrying out section 418A of the HEA.*

11 *IMPACT AID*

12 *For carrying out programs of financial assistance to*
13 *federally affected schools authorized by title VII of the*
14 *ESEA, \$1,486,112,000, of which \$1,340,242,000 shall be for*
15 *basic support payments under section 7003(b), \$48,316,000*
16 *shall be for payments for children with disabilities under*
17 *section 7003(d), \$17,406,000 shall be for construction under*
18 *section 7007(a), \$75,313,000 shall be for Federal property*
19 *payments under section 7002, and \$4,835,000, to remain*
20 *available until expended, shall be for facilities maintenance*
21 *under section 7008: Provided, That for purposes of com-*
22 *puting the amount of a payment for an eligible local edu-*
23 *cational agency under section 7003(a) for school year 2019–*
24 *2020, children enrolled in a school of such agency that*
25 *would otherwise be eligible for payment under section*

1 7003(a)(1)(B) of such Act, but due to the deployment of both
2 parents or legal guardians, or a parent or legal guardian
3 having sole custody of such children, or due to the death
4 of a military parent or legal guardian while on active duty
5 (so long as such children reside on Federal property as de-
6 scribed in section 7003(a)(1)(B)), are no longer eligible
7 under such section, shall be considered as eligible students
8 under such section, provided such students remain in aver-
9 age daily attendance at a school in the same local edu-
10 cational agency they attended prior to their change in eligi-
11 bility status.

12 *SCHOOL IMPROVEMENT PROGRAMS*

13 *For carrying out school improvement activities author-*
14 *ized by part B of title I, part A of title II, subpart 1 of*
15 *part A of title IV, part B of title IV, part B of title V,*
16 *and parts B and C of title VI of the ESEA; the McKinney-*
17 *Vento Homeless Assistance Act; section 203 of the Edu-*
18 *cational Technical Assistance Act of 2002; the Compact of*
19 *Free Association Amendments Act of 2003; and the Civil*
20 *Rights Act of 1964, \$5,404,967,000, of which*
21 *\$3,575,402,000 shall become available on July 1, 2020, and*
22 *remain available through September 30, 2021, and of which*
23 *\$1,681,441,000 shall become available on October 1, 2020,*
24 *and shall remain available through September 30, 2021, for*
25 *academic year 2020–2021: Provided, That \$378,000,000*

1 *shall be for part B of title I: Provided further, That*
2 *\$1,249,673,000 shall be for part B of title IV: Provided fur-*
3 *ther, That \$36,897,000 shall be for part B of title VI, which*
4 *may be used for construction, renovation, and moderniza-*
5 *tion of any public elementary school, secondary school, or*
6 *structure related to a public elementary school or secondary*
7 *school that serves a predominantly Native Hawaiian stu-*
8 *dent body, and that the 5 percent limitation in section*
9 *6205(b) of the ESEA on the use of funds for administrative*
10 *purposes shall apply only to direct administrative costs:*
11 *Provided further, That \$35,953,000 shall be for part C of*
12 *title VI, which shall be awarded on a competitive basis, and*
13 *may be used for construction, and that the 5 percent limita-*
14 *tion in section 6305 of the ESEA on the use of funds for*
15 *administrative purposes shall apply only to direct adminis-*
16 *trative costs: Provided further, That \$52,000,000 shall be*
17 *available to carry out section 203 of the Educational Tech-*
18 *nical Assistance Act of 2002 and the Secretary shall make*
19 *such arrangements as determined to be necessary to ensure*
20 *that the Bureau of Indian Education has access to services*
21 *provided under this section: Provided further, That*
22 *\$16,699,000 shall be available to carry out the Supple-*
23 *mental Education Grants program for the Federated States*
24 *of Micronesia and the Republic of the Marshall Islands:*
25 *Provided further, That the Secretary may reserve up to 5*

1 percent of the amount referred to in the previous proviso
2 to provide technical assistance in the implementation of
3 these grants: Provided further, That \$185,840,000 shall be
4 for part B of title V: Provided further, That \$1,210,000,000
5 shall be available for grants under subpart 1 of part A of
6 title IV.

7 *INDIAN EDUCATION*

8 *For expenses necessary to carry out, to the extent not*
9 *otherwise provided, title VI, part A of the ESEA,*
10 *\$180,739,000, of which \$67,993,000 shall be for subpart 2*
11 *of part A of title VI and \$7,365,000 shall be for subpart*
12 *3 of part A of title VI: Provided, That the 5 percent limita-*
13 *tion in sections 6115(d), 6121(e), and 6133(g) of the ESEA*
14 *on the use of funds for administrative purposes shall apply*
15 *only to direct administrative costs.*

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, D, and E and*
19 *subparts 1 and 4 of part F of title IV of the ESEA,*
20 *\$1,103,815,000: Provided, That \$284,815,000 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 \$629,000,000 shall be for parts*
24 *C, D, and E and subpart 4 of part F of title IV, and shall*
25 *be made available without regard to sections 4311, 4409(a),*

1 *and 4601 of the ESEA: Provided further, That section*
2 *4303(d)(3)(A)(i) shall not apply to the funds available for*
3 *part C of title IV: Provided further, That of the funds avail-*
4 *able for part C of title IV, the Secretary shall use*
5 *\$60,000,000 to carry out section 4304, of which not more*
6 *than \$10,000,000 shall be available to carry out section*
7 *4304(k), \$140,000,000, to remain available through March*
8 *31, 2021, to carry out section 4305(b), and not more than*
9 *\$15,000,000 to carry out the activities in section*
10 *4305(a)(3): Provided further, That notwithstanding section*
11 *4601(b), \$190,000,000 shall be available through December*
12 *31, 2020 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, \$210,000,000: Pro-*
16 *vided, That \$105,000,000 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: Provided fur-*
20 *ther, That \$25,000,000 shall be available for section 4625:*
21 *Provided further, That \$80,000,000 shall be available*
22 *through December 31, 2020, for section 4624, of which*
23 *\$6,000,000 shall be for additional two-year extension*
24 *awards to grantees that received such awards in fiscal year*
25 *2018.*

1 *ENGLISH LANGUAGE ACQUISITION*

2 *For carrying out part A of title III of the ESEA,*
3 *\$787,400,000, which shall become available on July 1, 2020,*
4 *and shall remain available through September 30, 2021, ex-*
5 *cept that 6.5 percent of such amount shall be available on*
6 *October 1, 2019, and shall remain available through Sep-*
7 *tember 30, 2021, to carry out activities under section*
8 *3111(c)(1)(C).*

9 *SPECIAL EDUCATION*

10 *For carrying out the Individuals with Disabilities*
11 *Education Act (IDEA) and the Special Olympics Sport*
12 *and Empowerment Act of 2004, \$13,885,228,000, of which*
13 *\$4,352,129,000 shall become available on July 1, 2020, and*
14 *shall remain available through September 30, 2021, and of*
15 *which \$9,283,383,000 shall become available on October 1,*
16 *2020, and shall remain available through September 30,*
17 *2021, for academic year 2020–2021: Provided, That the*
18 *amount for section 611(b)(2) of the IDEA shall be equal*
19 *to the lesser of the amount available for that activity during*
20 *fiscal year 2019, increased by the amount of inflation as*
21 *specified in section 619(d)(2)(B) of the IDEA, or the per-*
22 *cent change in the funds appropriated under section 611(i)*
23 *of the IDEA, but not less than the amount for that activity*
24 *during fiscal year 2019: Provided further, That the Sec-*
25 *retary shall, without regard to section 611(d) of the IDEA,*

1 *distribute to all other States (as that term is defined in*
2 *section 611(g)(2)), subject to the third proviso, any amount*
3 *by which a State's allocation under section 611, from funds*
4 *appropriated under this heading, is reduced under section*
5 *612(a)(18)(B), according to the following: 85 percent on the*
6 *basis of the States' relative populations of children aged 3*
7 *through 21 who are of the same age as children with disabil-*
8 *ities for whom the State ensures the availability of a free*
9 *appropriate public education under this part, and 15 per-*
10 *cent to States on the basis of the States' relative populations*
11 *of those children who are living in poverty: Provided fur-*
12 *ther, That the Secretary may not distribute any funds*
13 *under the previous proviso to any State whose reduction*
14 *in allocation from funds appropriated under this heading*
15 *made funds available for such a distribution: Provided fur-*
16 *ther, That the States shall allocate such funds distributed*
17 *under the second proviso to local educational agencies in*
18 *accordance with section 611(f): Provided further, That the*
19 *amount by which a State's allocation under section 611(d)*
20 *of the IDEA is reduced under section 612(a)(18)(B) and*
21 *the amounts distributed to States under the previous pro-*
22 *visos in fiscal year 2012 or any subsequent year shall not*
23 *be considered in calculating the awards under section*
24 *611(d) for fiscal year 2013 or for any subsequent fiscal*
25 *years: Provided further, That, notwithstanding the provi-*

1 sion in section 612(a)(18)(B) regarding the fiscal year in
2 which a State's allocation under section 611(d) is reduced
3 for failure to comply with the requirement of section
4 612(a)(18)(A), the Secretary may apply the reduction spec-
5 ified in section 612(a)(18)(B) over a period of consecutive
6 fiscal years, not to exceed five, until the entire reduction
7 is applied: Provided further, That the Secretary may, in
8 any fiscal year in which a State's allocation under section
9 611 is reduced in accordance with section 612(a)(18)(B),
10 reduce the amount a State may reserve under section
11 611(e)(1) by an amount that bears the same relation to the
12 maximum amount described in that paragraph as the re-
13 duction under section 612(a)(18)(B) bears to the total allo-
14 cation the State would have received in that fiscal year
15 under section 611(d) in the absence of the reduction: Pro-
16 vided further, That the Secretary shall either reduce the al-
17 location of funds under section 611 for any fiscal year fol-
18 lowing the fiscal year for which the State fails to comply
19 with the requirement of section 612(a)(18)(A) as authorized
20 by section 612(a)(18)(B), or seek to recover funds under sec-
21 tion 452 of the General Education Provisions Act (20
22 U.S.C. 1234a): Provided further, That the funds reserved
23 under 611(e) of the IDEA may be used to provide technical
24 assistance to States to improve the capacity of the States
25 to meet the data collection requirements of sections 616 and

1 618 and to administer and carry out other services and ac-
2 tivities to improve data collection, coordination, quality,
3 and use under parts B and C of the IDEA: Provided fur-
4 ther, That the Secretary may use funds made available for
5 the State Personnel Development Grants program under
6 part D, subpart 1 of IDEA to evaluate program perform-
7 ance under such subpart: Provided further, That States
8 may use funds reserved for other State-level activities under
9 sections 611(e)(2) and 619(f) of the IDEA to make sub-
10 grants to local educational agencies, institutions of higher
11 education, other public agencies, and private non-profit or-
12 ganizations to carry out activities authorized by those sec-
13 tions: Provided further, That, notwithstanding section
14 643(e)(2)(A) of the IDEA, if 5 or fewer States apply for
15 grants pursuant to section 643(e) of such Act, the Secretary
16 shall provide a grant to each State in an amount equal
17 to the maximum amount described in section 643(e)(2)(B)
18 of such Act: Provided further, That if more than 5 States
19 apply for grants pursuant to section 643(e) of the IDEA,
20 the Secretary shall award funds to those States on the basis
21 of the States' relative populations of infants and toddlers
22 except that no such State shall receive a grant in excess
23 of the amount described in section 643(e)(2)(B) of such Act.

REHABILITATION SERVICES

1
2 *For carrying out, to the extent not otherwise provided,*
3 *the Rehabilitation Act of 1973 and the Helen Keller Na-*
4 *tional Center Act, \$3,747,739,000, of which \$3,610,040,000*
5 *shall be for grants for vocational rehabilitation services*
6 *under title I of the Rehabilitation Act: Provided, That the*
7 *Secretary may use amounts provided in this Act that re-*
8 *main available subsequent to the reallocation of funds to*
9 *States pursuant to section 110(b) of the Rehabilitation Act*
10 *for innovative activities aimed at improving the outcomes*
11 *of individuals with disabilities as defined in section*
12 *7(20)(B) of the Rehabilitation Act, including activities*
13 *aimed at improving the education and post-school outcomes*
14 *of children receiving Supplemental Security Income*
15 *(“SSI”) and their families that may result in long-term*
16 *improvement in the SSI child recipient’s economic status*
17 *and self-sufficiency: Provided further, That States may*
18 *award subgrants for a portion of the funds to other public*
19 *and private, nonprofit entities: Provided further, That any*
20 *funds made available subsequent to reallocation for innova-*
21 *tive activities aimed at improving the outcomes of individ-*
22 *uals with disabilities shall remain available until Sep-*
23 *tember 30, 2021.*

1 *SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES*2 *AMERICAN PRINTING HOUSE FOR THE BLIND*

3 *For carrying out the Act to Promote the Education*
4 *of the Blind of March 3, 1879, \$32,431,000.*

5 *NATIONAL TECHNICAL INSTITUTE FOR THE DEAF*

6 *For the National Technical Institute for the Deaf*
7 *under titles I and II of the Education of the Deaf Act of*
8 *1986, \$79,500,000: Provided, That from the total amount*
9 *available, the Institute may at its discretion use funds for*
10 *the endowment program as authorized under section 207*
11 *of such Act.*

12 *GALLAUDET UNIVERSITY*

13 *For the Kendall Demonstration Elementary School,*
14 *the Model Secondary School for the Deaf, and the partial*
15 *support of Gallaudet University under titles I and II of*
16 *the Education of the Deaf Act of 1986, \$137,361,000: Pro-*
17 *vided, That from the total amount available, the University*
18 *may at its discretion use funds for the endowment program*
19 *as authorized under section 207 of such Act.*

20 *CAREER, TECHNICAL, AND ADULT EDUCATION*

21 *For carrying out, to the extent not otherwise provided,*
22 *the Carl D. Perkins Career and Technical Education Act*
23 *of 2006 (“Perkins Act”) and the Adult Education and Fam-*
24 *ily Literacy Act (“AEFLA”), \$1,960,686,000, of which*
25 *\$1,169,686,000 shall become available on July 1, 2020, and*

1 *shall remain available through September 30, 2021, and of*
2 *which \$791,000,000 shall become available on October 1,*
3 *2020, and shall remain available through September 30,*
4 *2021: Provided, That of the amounts made available for*
5 *AEFLA, \$13,712,000 shall be for national leadership activi-*
6 *ties under section 242.*

7 *STUDENT FINANCIAL ASSISTANCE*

8 *For carrying out subparts 1, 3, and 10 of part A, and*
9 *part C of title IV of the HEA, \$24,520,352,000 which shall*
10 *remain available through September 30, 2021.*

11 *The maximum Pell Grant for which a student shall*
12 *be eligible during award year 2020–2021 shall be \$5,285.*

13 *STUDENT AID ADMINISTRATION*

14 *For Federal administrative expenses to carry out part*
15 *D of title I, and subparts 1, 3, 9, and 10 of part A, and*
16 *parts B, C, D, and E of title IV of the HEA, and subpart*
17 *1 of part A of title VII of the Public Health Service Act,*
18 *\$1,768,943,000, to remain available through September 30,*
19 *2021: Provided, That the Secretary shall allocate new stu-*
20 *dent loan borrower accounts to eligible student loan*
21 *servicers on the basis of their past performance compared*
22 *to all loan servicers utilizing established common metrics,*
23 *and on the basis of the capacity of each servicer to process*
24 *new and existing accounts: Provided further, That for stu-*
25 *dent loan contracts awarded prior to October 1, 2017, the*

1 *Secretary shall allow student loan borrowers who are con-*
2 *solidating Federal student loans to select from any student*
3 *loan servicer to service their new consolidated student loan:*
4 *Provided further, That in order to promote accountability*
5 *and high-quality service to borrowers, the Secretary shall*
6 *not award funding for any contract solicitation for a new*
7 *Federal student loan servicing environment, including the*
8 *solicitation for the Federal Student Aid (FSA) Next Gen-*
9 *eration Processing and Servicing Environment, unless such*
10 *an environment provides for the participation of multiple*
11 *student loan servicers that contract directly with the De-*
12 *partment of Education to manage a unique portfolio of bor-*
13 *rower accounts and the full life-cycle of loans from disburse-*
14 *ment to pay-off with certain limited exceptions, and allo-*
15 *cates student loan borrower accounts to eligible student loan*
16 *servicers based on performance: Provided further, That the*
17 *Department shall re-allocate accounts from servicers for re-*
18 *curing non-compliance with FSA guidelines, contractual*
19 *requirements, and applicable laws, including for failure to*
20 *sufficiently inform borrowers of available repayment op-*
21 *tions: Provided further, That such servicers shall be evalu-*
22 *ated based on their ability to meet contract requirements*
23 *(including an understanding of Federal and State law), fu-*
24 *ture performance on the contracts, and history of compli-*
25 *ance with applicable consumer protections laws: Provided*

1 further, That to the extent FSA permits student loan serv-
2 icing subcontracting, FSA shall hold prime contractors ac-
3 countable for meeting the requirements of the contract, and
4 the performance and expectations of subcontractors shall be
5 accounted for in the prime contract and in the overall per-
6 formance of the prime contractor: Provided further, That
7 FSA shall ensure that the Next Generation Processing and
8 Servicing Environment, or any new Federal loan servicing
9 environment, incentivize more support to borrowers at risk
10 of delinquency or default: Provided further, That FSA shall
11 ensure that in such environment contractors have the capac-
12 ity to meet and are held accountable for performance on
13 service levels; are held accountable for and have a history
14 of compliance with applicable consumer protection laws;
15 and have relevant experience and demonstrated effective-
16 ness: Provided further, That the Secretary shall provide
17 quarterly briefings to the Committees on Appropriations
18 and Education and Labor of the House of Representatives
19 and the Committees on Appropriations and Health, Edu-
20 cation, Labor, and Pensions of the Senate on general
21 progress related to solicitations for Federal student loan
22 servicing contracts: Provided further, That FSA shall
23 strengthen transparency through expanded publication of
24 aggregate data on student loan and servicer performance.

HIGHER EDUCATION

1
2 *For carrying out, to the extent not otherwise provided,*
3 *titles II, III, IV, V, VI, VII, and VIII of the HEA, the Mu-*
4 *tual Educational and Cultural Exchange Act of 1961, and*
5 *section 117 of the Perkins Act, \$2,475,792,000, of which*
6 *\$24,500,000 shall remain available through December 31,*
7 *2020: Provided, That notwithstanding any other provision*
8 *of law, funds made available in this Act to carry out title*
9 *VI of the HEA and section 102(b)(6) of the Mutual Edu-*
10 *cational and Cultural Exchange Act of 1961 may be used*
11 *to support visits and study in foreign countries by individ-*
12 *uals who are participating in advanced foreign language*
13 *training and international studies in areas that are vital*
14 *to United States national security and who plan to apply*
15 *their language skills and knowledge of these countries in*
16 *the fields of government, the professions, or international*
17 *development: Provided further, That of the funds referred*
18 *to in the preceding proviso up to 1 percent may be used*
19 *for program evaluation, national outreach, and informa-*
20 *tion dissemination activities: Provided further, That up to*
21 *1.5 percent of the funds made available under chapter 2*
22 *of subpart 2 of part A of title IV of the HEA may be used*
23 *for evaluation.*

1 *In addition, \$16,000,000 shall be made available to*
2 *provide for the deferment of loans made under part D of*
3 *title III of the HEA to eligible institutions that are private*
4 *Historically Black Colleges and Universities, which apply*
5 *for the deferment of such a loan and demonstrate financial*
6 *need for such deferment by having a score of 2.6 or less*
7 *on the Department of Education’s financial responsibility*
8 *test: Provided, That the loan has not been paid in full and*
9 *is not paid in full during the period of deferment: Provided*
10 *further, That during the period of deferment of such a loan,*
11 *interest on the loan will not accrue or be capitalized, and*
12 *the period of deferment shall be for at least a period of 3-*
13 *fiscal years and not more than 6-fiscal years: Provided fur-*
14 *ther, That funds available under this paragraph shall be*
15 *used to fund eligible deferment requests submitted for this*
16 *purpose in fiscal year 2018: Provided further, That the Sec-*
17 *retary shall create and execute an outreach plan to work*
18 *with States and the Capital Financing Advisory Board to*
19 *improve outreach to States and help additional public His-*
20 *torically Black Colleges and Universities participate in the*
21 *program.*

22 *In addition, \$10,000,000 shall be made available to*
23 *provide for the deferment of loans made under part D of*
24 *title III of the HEA to eligible institutions that are public*
25 *Historically Black Colleges and Universities, which apply*

1 *for the deferment of such a loan and demonstrate financial*
2 *need for such deferment, which shall be determined by the*
3 *Secretary of Education based on factors including, but not*
4 *limited to, equal to or greater than 5 percent of the school's*
5 *operating revenue relative to its annual debt service pay-*
6 *ment: Provided, That during the period of deferment of such*
7 *a loan, interest on the loan will not accrue or be capitalized,*
8 *and the period of deferment shall be for at least a period*
9 *of 3-fiscal years and not more than 6-fiscal years.*

10 *In addition, for administrative expenses to carry out*
11 *the Historically Black College and University Capital Fi-*
12 *nancing Program entered into pursuant to part D of title*
13 *III of the HEA, \$334,000.*

14 *INSTITUTE OF EDUCATION SCIENCES*

15 *For carrying out activities authorized by the Edu-*
16 *cation Sciences Reform Act of 2002, the National Assess-*
17 *ment of Educational Progress Authorization Act, section*
18 *208 of the Educational Technical Assistance Act of 2002,*
19 *and section 664 of the Individuals with Disabilities Edu-*
20 *cation Act, \$623,462,000, which shall remain available*
21 *through September 30, 2021: Provided, That funds available*
22 *to carry out section 208 of the Educational Technical As-*
23 *sistance Act may be used to link Statewide elementary and*
24 *secondary data systems with early childhood, postsec-*
25 *ondary, and workforce data systems, or to further develop*

1 *such systems: Provided further, That up to \$6,000,000 of*
2 *the funds available to carry out section 208 of the Edu-*
3 *cational Technical Assistance Act may be used for awards*
4 *to public or private organizations or agencies to support*
5 *activities to improve data coordination, quality, and use*
6 *at the local, State, and national levels.*

7 *DEPARTMENTAL MANAGEMENT*

8 *PROGRAM ADMINISTRATION*

9 *For carrying out, to the extent not otherwise provided,*
10 *the Department of Education Organization Act, including*
11 *rental of conference rooms in the District of Columbia and*
12 *hire of three passenger motor vehicles, \$430,000,000: Pro-*
13 *vided, That, notwithstanding any other provision of law,*
14 *none of the funds provided by this Act or provided by pre-*
15 *vious Appropriations Acts to the Department of Education*
16 *available for obligation or expenditure in the current fiscal*
17 *year may be used for any activity relating to implementing*
18 *a reorganization that decentralizes, reduces the staffing*
19 *level, or alters the responsibilities, structure, authority, or*
20 *functionality of the Budget Service of the Department of*
21 *Education, relative to the organization and operation of the*
22 *Budget Service as in effect on January 1, 2018.*

1 *SEC. 303. Funds appropriated in this Act and consoli-*
2 *dated for evaluation purposes under section 8601(c) of the*
3 *ESEA shall be available from July 1, 2020, through Sep-*
4 *tember 30, 2021.*

5 *SEC. 304. (a) An institution of higher education that*
6 *maintains an endowment fund supported with funds appro-*
7 *priated for title III or V of the HEA for fiscal year 2020*
8 *may use the income from that fund to award scholarships*
9 *to students, subject to the limitation in section*
10 *331(c)(3)(B)(i) of the HEA. The use of such income for such*
11 *purposes, prior to the enactment of this Act, shall be consid-*
12 *ered to have been an allowable use of that income, subject*
13 *to that limitation.*

14 *(b) Subsection (a) shall be in effect until titles III and*
15 *V of the HEA are reauthorized.*

16 *SEC. 305. Section 114(f) of the HEA (20 U.S.C.*
17 *1011c(f)) is amended by striking “2019” and inserting*
18 *“2020”.*

19 *SEC. 306. Section 458(a) of the HEA (20 U.S.C.*
20 *1087h(a)) is amended in paragraph (4) by striking “2019”*
21 *and inserting “2020”.*

22 *SEC. 307. Funds appropriated in this Act under the*
23 *heading “Student Aid Administration” may be available*
24 *for payments for student loan servicing to an institution*
25 *of higher education that services outstanding Federal Per-*

1 *kins Loans under part E of title IV of the Higher Education*
2 *Act of 1965 (20 U.S.C. 1087aa et seq.).*

3 *(RESCISSION)*

4 *SEC. 308. Of the unobligated balances available under*
5 *the heading “Student Financial Assistance” for carrying*
6 *out subpart 1 of part A of title IV of the HEA, \$500,000,000*
7 *are hereby rescinded.*

8 *SEC. 309. Of the amounts appropriated under Section*
9 *401(b)(7)(A)(iv)(X) of the Higher Education Act of 1965*
10 *(20 U.S.C. 1070a(b)(7)(A)(iv)(X)), \$50,000,000 are hereby*
11 *rescinded.*

12 *SEC. 310. The Elementary and Secondary Education*
13 *Act of 1965 (20 U.S.C. 6301 et seq) is amended—(1) in*
14 *the part heading for part B of title IV, by inserting “NITA*
15 *M. LOWEY” before “21ST”; and (2) in the table of contents*
16 *of that Act, by striking the part heading for part B of title*
17 *IV and inserting the following: “PART B—NITA M.*
18 *LOWEY 21ST CENTURY COMMUNITY LEARNING*
19 *CENTERS”.*

20 *SEC. 311. (a) IN GENERAL.—For the purpose of car-*
21 *rying out 34 CFR §668.206(a)(1), the Secretary of Edu-*
22 *cation may waive the requirements under 34 CFR*
23 *§668.213(b)(1) for an institution of higher education that*
24 *offers an associate degree, is a public institution, and is*
25 *located in an economically distressed county, defined as a*

1 county with a poverty rate of at least 25 percent based on
2 the U.S. Census Bureau's Small Area Income and Poverty
3 Estimate program data for 2017 that was impacted by
4 Hurricane Matthew.

5 (b) *APPLICABILITY.*—Subsection (a) shall apply to an
6 institution of higher education that otherwise would be in-
7 eligible to participate in a program under part D of title
8 IV of the Higher Education Act of 1965 on or after the
9 date of enactment of this Act due to the application of 34
10 CFR §668.206(a)(1).

11 (c) *COVERAGE.*—This section shall be in effect for the
12 period covered by this Act and for the succeeding fiscal year.

13 *SEC. 312.* Of the amounts made available under this
14 title under the heading “Student Aid Administration”,
15 \$2,300,000 shall be used by the Secretary of Education to
16 conduct outreach to borrowers of loans made under part D
17 of title IV of the Higher Education Act of 1965 who may
18 intend to qualify for loan cancellation under section 455(m)
19 of such Act (20 U.S.C. 1087e(m)), to ensure that borrowers
20 are meeting the terms and conditions of such loan cancella-
21 tion: Provided, That the Secretary shall specifically conduct
22 outreach to assist borrowers who would qualify for loan can-
23 cellation under section 455(m) of such Act except that the
24 borrower has made some, or all, of the 120 required pay-
25 ments under a repayment plan that is not described under

1 *section 455(m)(A) of such Act, to encourage borrowers to*
2 *enroll in a qualifying repayment plan: Provided further,*
3 *That the Secretary shall also communicate to all Direct*
4 *Loan borrowers the full requirements of section 455(m) of*
5 *such Act and improve the filing of employment certification*
6 *by providing improved outreach and information such as*
7 *outbound calls, electronic communications, ensuring promi-*
8 *nent access to program requirements and benefits on each*
9 *servicer’s website, and creating an option for all borrowers*
10 *to complete the entire payment certification process elec-*
11 *tronically and on a centralized website.*

12 *SEC. 313. None of the funds made available by this*
13 *Act may be used in contravention of section 203 of the De-*
14 *partment of Education Organization Act (20 U.S.C. 3413).*

15 *SEC. 314. For an additional amount for “Department*
16 *of Education—Federal Direct Student Loan Program Ac-*
17 *count”, \$50,000,000, to remain available until expended,*
18 *shall be for the cost, as defined under section 502 of the*
19 *Congressional Budget Act of 1974, of the Secretary of Edu-*
20 *cation providing loan cancellation in the same manner as*
21 *under section 455(m) of the Higher Education Act of 1965*
22 *(20 U.S.C. 1087e(m)), for borrowers of loans made under*
23 *part D of title IV of such Act who would qualify for loan*
24 *cancellation under section 455(m) except some, or all, of*
25 *the 120 required payments under section 455(m)(1)(A) do*

1 *not qualify for purposes of the program because they were*
2 *monthly payments made in accordance with graduated or*
3 *extended repayment plans as described under subparagraph*
4 *(B) or (C) of section 455(d)(1) or the corresponding repay-*
5 *ment plan for a consolidation loan made under section*
6 *455(g) and that were less than the amount calculated under*
7 *section 455(d)(1)(A), based on a 10-year repayment period:*
8 *Provided, That the monthly payment made 12 months be-*
9 *fore the borrower applied for loan cancellation as described*
10 *in the matter preceding this proviso and the most recent*
11 *monthly payment made by the borrower at the time of such*
12 *application were each not less than the monthly amount*
13 *that would be calculated under, and for which the borrower*
14 *would otherwise qualify for, clause (i) or (iv) of section*
15 *455(m)(1)(A) regarding income-based or income-contingent*
16 *repayment plans, with exception for a borrower who would*
17 *have otherwise been eligible under this section but dem-*
18 *onstrates an unusual fluctuation of income over the past*
19 *5 years: Provided further, That the total loan volume, in-*
20 *cluding outstanding principal, fees, capitalized interest, or*
21 *accrued interest, at application that is eligible for such loan*
22 *cancellation by such borrowers shall not exceed \$75,000,000:*
23 *Provided further, That the Secretary shall develop and*
24 *make available a simple method for borrowers to apply for*
25 *loan cancellation under this section within 60 days of en-*

1 *actment of this Act: Provided further, That the Secretary*
2 *shall provide loan cancellation under this section to eligible*
3 *borrowers on a first-come, first-serve basis, based on the date*
4 *of application and subject to both the limitation on total*
5 *loan volume at application for such loan cancellation speci-*
6 *fied in the second proviso and the availability of appropri-*
7 *ations under this section: Provided further, That no borrower*
8 *may, for the same service, receive a reduction of loan obliga-*
9 *tions under both this section and section 428J, 428K, 428L,*
10 *or 460 of such Act.*

11 *This title may be cited as the “Department of Edu-*
12 *cation Appropriations Act, 2020”.*

13 *TITLE IV*

14 *RELATED AGENCIES*

15 *COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE*

16 *BLIND OR SEVERELY DISABLED*

17 *SALARIES AND EXPENSES*

18 *For expenses necessary for the Committee for Purchase*
19 *From People Who Are Blind or Severely Disabled (referred*
20 *to in this title as “the Committee”) established under sec-*
21 *tion 8502 of title 41, United States Code, \$10,000,000: Pro-*
22 *vided, That in order to authorize any central nonprofit*
23 *agency designated pursuant to section 8503(c) of title 41,*
24 *United States Code, to perform requirements of the Com-*
25 *mittee as prescribed under section 51–3.2 of title 41, Code*

1 *of Federal Regulations, the Committee shall enter into a*
2 *written agreement with any such central nonprofit agency:*
3 *Provided further, That such agreement shall contain such*
4 *auditing, oversight, and reporting provisions as necessary*
5 *to implement chapter 85 of title 41, United States Code:*
6 *Provided further, That such agreement shall include the ele-*
7 *ments listed under the heading “Committee For Purchase*
8 *From People Who Are Blind or Severely Disabled—Written*
9 *Agreement Elements” in the explanatory statement de-*
10 *scribed in section 4 of Public Law 114–113 (in the matter*
11 *preceding division A of that consolidated Act): Provided*
12 *further, That any such central nonprofit agency may not*
13 *charge a fee under section 51–3.5 of title 41, Code of Federal*
14 *Regulations, prior to executing a written agreement with*
15 *the Committee: Provided further, That no less than*
16 *\$1,650,000 shall be available for the Office of Inspector Gen-*
17 *eral.*

18 *CORPORATION FOR NATIONAL AND COMMUNITY SERVICE*

19 *OPERATING EXPENSES*

20 *For necessary expenses for the Corporation for Na-*
21 *tional and Community Service (referred to in this title as*
22 *“CNCS”) to carry out the Domestic Volunteer Service Act*
23 *of 1973 (referred to in this title as “1973 Act”) and the*
24 *National and Community Service Act of 1990 (referred to*
25 *in this title as “1990 Act”), \$806,529,000, notwithstanding*

1 *sections 198B(b)(3), 198S(g), 501(a)(4)(C), and*
2 *501(a)(4)(F) of the 1990 Act: Provided, That of the amounts*
3 *provided under this heading: (1) up to 1 percent of program*
4 *grant funds may be used to defray the costs of conducting*
5 *grant application reviews, including the use of outside peer*
6 *reviewers and electronic management of the grants cycle;*
7 *(2) \$17,538,000 shall be available to provide assistance to*
8 *State commissions on national and community service,*
9 *under section 126(a) of the 1990 Act and notwithstanding*
10 *section 501(a)(5)(B) of the 1990 Act; (3) \$32,500,000 shall*
11 *be available to carry out subtitle E of the 1990 Act; and*
12 *(4) \$6,400,000 shall be available for expenses authorized*
13 *under section 501(a)(4)(F) of the 1990 Act, which, notwith-*
14 *standing the provisions of section 198P shall be awarded*
15 *by CNCS on a competitive basis: Provided further, That*
16 *for the purposes of carrying out the 1990 Act, satisfying*
17 *the requirements in section 122(c)(1)(D) may include a de-*
18 *termination of need by the local community.*

19 *PAYMENT TO THE NATIONAL SERVICE TRUST*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For payment to the National Service Trust established*
22 *under subtitle D of title I of the 1990 Act, \$208,342,000,*
23 *to remain available until expended: Provided, That CNCS*
24 *may transfer additional funds from the amount provided*
25 *within “Operating Expenses” allocated to grants under sub-*

1 *title C of title I of the 1990 Act to the National Service*
2 *Trust upon determination that such transfer is necessary*
3 *to support the activities of national service participants*
4 *and after notice is transmitted to the Committees on Appro-*
5 *priations of the House of Representatives and the Senate:*
6 *Provided further, That amounts appropriated for or trans-*
7 *ferred to the National Service Trust may be invested under*
8 *section 145(b) of the 1990 Act without regard to the require-*
9 *ment to apportion funds under 31 U.S.C. 1513(b).*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses of administration as provided*
12 *under section 501(a)(5) of the 1990 Act and under section*
13 *504(a) of the 1973 Act, including payment of salaries, au-*
14 *thorized travel, hire of passenger motor vehicles, the rental*
15 *of conference rooms in the District of Columbia, the employ-*
16 *ment of experts and consultants authorized under 5 U.S.C.*
17 *3109, and not to exceed \$2,500 for official reception and*
18 *representation expenses, \$83,737,000.*

19 *OFFICE OF INSPECTOR GENERAL*

20 *For necessary expenses of the Office of Inspector Gen-*
21 *eral in carrying out the Inspector General Act of 1978,*
22 *\$5,750,000.*

23 *ADMINISTRATIVE PROVISIONS*

24 *SEC. 401. CNCS shall make any significant changes*
25 *to program requirements, service delivery or policy only*

1 *through public notice and comment rulemaking. For fiscal*
2 *year 2020, during any grant selection process, an officer*
3 *or employee of CNCS shall not knowingly disclose any cov-*
4 *ered grant selection information regarding such selection,*
5 *directly or indirectly, to any person other than an officer*
6 *or employee of CNCS that is authorized by CNCS to receive*
7 *such information.*

8 *SEC. 402. AmeriCorps programs receiving grants*
9 *under the National Service Trust program shall meet an*
10 *overall minimum share requirement of 24 percent for the*
11 *first 3 years that they receive AmeriCorps funding, and*
12 *thereafter shall meet the overall minimum share require-*
13 *ment as provided in section 2521.60 of title 45, Code of*
14 *Federal Regulations, without regard to the operating costs*
15 *match requirement in section 121(e) or the member support*
16 *Federal share limitations in section 140 of the 1990 Act,*
17 *and subject to partial waiver consistent with section*
18 *2521.70 of title 45, Code of Federal Regulations.*

19 *SEC. 403. Donations made to CNCS under section 196*
20 *of the 1990 Act for the purposes of financing programs and*
21 *operations under titles I and II of the 1973 Act or subtitle*
22 *B, C, D, or E of title I of the 1990 Act shall be used to*
23 *supplement and not supplant current programs and oper-*
24 *ations.*

1 *SEC. 404. In addition to the requirements in section*
2 *146(a) of the 1990 Act, use of an educational award for*
3 *the purpose described in section 148(a)(4) shall be limited*
4 *to individuals who are veterans as defined under section*
5 *101 of the Act.*

6 *SEC. 405. For the purpose of carrying out section*
7 *189D of the 1990 Act—*

8 *(1) entities described in paragraph (a) of such*
9 *section shall be considered “qualified entities” under*
10 *section 3 of the National Child Protection Act of 1993*
11 *(“NCPA”);*

12 *(2) individuals described in such section shall be*
13 *considered “volunteers” under section 3 of NCPA; and*

14 *(3) State Commissions on National and Commu-*
15 *nity Service established pursuant to section 178 of the*
16 *1990 Act, are authorized to receive criminal history*
17 *record information, consistent with Public Law 92–*
18 *544.*

19 *SEC. 406. Notwithstanding sections 139(b), 146 and*
20 *147 of the 1990 Act, an individual who successfully com-*
21 *pletes a term of service of not less than 1,200 hours during*
22 *a period of not more than one year may receive a national*
23 *service education award having a value of 70 percent of*
24 *the value of a national service education award determined*
25 *under section 147(a) of the Act.*

1 *CORPORATION FOR PUBLIC BROADCASTING*

2 *For payment to the Corporation for Public Broad-*
3 *casting (“CPB”), as authorized by the Communications Act*
4 *of 1934, an amount which shall be available within limita-*
5 *tions specified by that Act, for the fiscal year 2022,*
6 *\$465,000,000: Provided, That none of the funds made avail-*
7 *able to CPB by this Act shall be used to pay for receptions,*
8 *parties, or similar forms of entertainment for Government*
9 *officials or employees: Provided further, That none of the*
10 *funds made available to CPB by this Act shall be available*
11 *or used to aid or support any program or activity from*
12 *which any person is excluded, or is denied benefits, or is*
13 *discriminated against, on the basis of race, color, national*
14 *origin, religion, or sex: Provided further, That none of the*
15 *funds made available to CPB by this Act shall be used to*
16 *apply any political test or qualification in selecting, ap-*
17 *pointing, promoting, or taking any other personnel action*
18 *with respect to officers, agents, and employees of CPB.*

19 *In addition, for the costs associated with replacing and*
20 *upgrading the public broadcasting interconnection system*
21 *and other technologies and services that create infrastruc-*
22 *ture and efficiencies within the public media system,*
23 *\$20,000,000.*

1 *FEDERAL MEDIATION AND CONCILIATION SERVICE*2 *SALARIES AND EXPENSES*

3 *For expenses necessary for the Federal Mediation and*
4 *Conciliation Service (“Service”) to carry out the functions*
5 *vested in it by the Labor-Management Relations Act, 1947,*
6 *including hire of passenger motor vehicles; for expenses nec-*
7 *essary for the Labor-Management Cooperation Act of 1978;*
8 *and for expenses necessary for the Service to carry out the*
9 *functions vested in it by the Civil Service Reform Act,*
10 *\$47,200,000, including up to \$900,000 to remain available*
11 *through September 30, 2021, for activities authorized by the*
12 *Labor-Management Cooperation Act of 1978: Provided,*
13 *That notwithstanding 31 U.S.C. 3302, fees charged, up to*
14 *full-cost recovery, for special training activities and other*
15 *conflict resolution services and technical assistance, includ-*
16 *ing those provided to foreign governments and international*
17 *organizations, and for arbitration services shall be credited*
18 *to and merged with this account, and shall remain avail-*
19 *able until expended: Provided further, That fees for arbitra-*
20 *tion services shall be available only for education, training,*
21 *and professional development of the agency workforce: Pro-*
22 *vided further, That the Director of the Service is authorized*
23 *to accept and use on behalf of the United States gifts of*
24 *services and real, personal, or other property in the aid of*
25 *any projects or functions within the Director’s jurisdiction.*

1 *FEDERAL MINE SAFETY AND HEALTH REVIEW*

2 *COMMISSION*

3 *SALARIES AND EXPENSES*

4 *For expenses necessary for the Federal Mine Safety*
5 *and Health Review Commission, \$17,184,000.*

6 *INSTITUTE OF MUSEUM AND LIBRARY SERVICES*

7 *OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND*

8 *ADMINISTRATION*

9 *For carrying out the Museum and Library Services*
10 *Act of 1996 and the National Museum of African American*
11 *History and Culture Act, \$252,000,000.*

12 *MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION*

13 *SALARIES AND EXPENSES*

14 *For expenses necessary to carry out section 1900 of the*
15 *Social Security Act, \$8,780,000.*

16 *MEDICARE PAYMENT ADVISORY COMMISSION*

17 *SALARIES AND EXPENSES*

18 *For expenses necessary to carry out section 1805 of the*
19 *Social Security Act, \$12,545,000, to be transferred to this*
20 *appropriation from the Federal Hospital Insurance Trust*
21 *Fund and the Federal Supplementary Medical Insurance*
22 *Trust Fund.*

1 *NATIONAL COUNCIL ON DISABILITY*2 *SALARIES AND EXPENSES*

3 *For expenses necessary for the National Council on*
4 *Disability as authorized by title IV of the Rehabilitation*
5 *Act of 1973, \$3,350,000.*

6 *NATIONAL LABOR RELATIONS BOARD*7 *SALARIES AND EXPENSES*

8 *For expenses necessary for the National Labor Rela-*
9 *tions Board to carry out the functions vested in it by the*
10 *Labor-Management Relations Act, 1947, and other laws,*
11 *\$274,224,000: Provided, That no part of this appropriation*
12 *shall be available to organize or assist in organizing agri-*
13 *cultural laborers or used in connection with investigations,*
14 *hearings, directives, or orders concerning bargaining units*
15 *composed of agricultural laborers as referred to in section*
16 *2(3) of the Act of July 5, 1935, and as amended by the*
17 *Labor-Management Relations Act, 1947, and as defined in*
18 *section 3(f) of the Act of June 25, 1938, and including in*
19 *said definition employees engaged in the maintenance and*
20 *operation of ditches, canals, reservoirs, and waterways*
21 *when maintained or operated on a mutual, nonprofit basis*
22 *and at least 95 percent of the water stored or supplied there-*
23 *by is used for farming purposes.*

1 *ADMINISTRATIVE PROVISIONS*

2 *SEC. 407. None of the funds provided by this Act or*
3 *previous Acts making appropriations for the National*
4 *Labor Relations Board may be used to issue any new ad-*
5 *ministrative directive or regulation that would provide em-*
6 *ployees any means of voting through any electronic means*
7 *in an election to determine a representative for the purposes*
8 *of collective bargaining.*

9 *NATIONAL MEDIATION BOARD*10 *SALARIES AND EXPENSES*

11 *For expenses necessary to carry out the provisions of*
12 *the Railway Labor Act, including emergency boards ap-*
13 *pointed by the President, \$14,050,000.*

14 *OCCUPATIONAL SAFETY AND HEALTH REVIEW*15 *COMMISSION*16 *SALARIES AND EXPENSES*

17 *For expenses necessary for the Occupational Safety*
18 *and Health Review Commission, \$13,225,000.*

19 *RAILROAD RETIREMENT BOARD*20 *DUAL BENEFITS PAYMENTS ACCOUNT*

21 *For payment to the Dual Benefits Payments Account,*
22 *authorized under section 15(d) of the Railroad Retirement*
23 *Act of 1974, \$16,000,000, which shall include amounts be-*
24 *coming available in fiscal year 2020 pursuant to section*
25 *224(c)(1)(B) of Public Law 98-76; and in addition, an*

1 amount, not to exceed 2 percent of the amount provided
2 herein, shall be available proportional to the amount by
3 which the product of recipients and the average benefit re-
4 ceived exceeds the amount available for payment of vested
5 dual benefits: Provided, That the total amount provided
6 herein shall be credited in 12 approximately equal amounts
7 on the first day of each month in the fiscal year.

8 *FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT*

9 *ACCOUNTS*

10 *For payment to the accounts established in the Treas-*
11 *ury for the payment of benefits under the Railroad Retire-*
12 *ment Act for interest earned on unnegotiated checks,*
13 *\$150,000, to remain available through September 30, 2021,*
14 *which shall be the maximum amount available for payment*
15 *pursuant to section 417 of Public Law 98–76.*

16 *LIMITATION ON ADMINISTRATION*

17 *For necessary expenses for the Railroad Retirement*
18 *Board (“Board”) for administration of the Railroad Retire-*
19 *ment Act and the Railroad Unemployment Insurance Act,*
20 *\$123,500,000, to be derived in such amounts as determined*
21 *by the Board from the railroad retirement accounts and*
22 *from moneys credited to the railroad unemployment insur-*
23 *ance administration fund: Provided, That notwithstanding*
24 *section 7(b)(9) of the Railroad Retirement Act this limita-*
25 *tion may be used to hire attorneys only through the excepted*

1 *service: Provided further, That the previous proviso shall*
2 *not change the status under Federal employment laws of*
3 *any attorney hired by the Railroad Retirement Board prior*
4 *to January 1, 2013: Provided further, That notwith-*
5 *standing section 7(b)(9) of the Railroad Retirement Act,*
6 *this limitation may be used to hire students attending*
7 *qualifying educational institutions or individuals who have*
8 *recently completed qualifying educational programs using*
9 *current excepted hiring authorities established by the Office*
10 *of Personnel Management: Provided further, That*
11 *\$10,000,000, to remain available until expended, shall be*
12 *used to supplement, not supplant, existing resources devoted*
13 *to operations and improvements for the Board's Informa-*
14 *tion Technology Investment Initiatives.*

15 *LIMITATION ON THE OFFICE OF INSPECTOR GENERAL*

16 *For expenses necessary for the Office of Inspector Gen-*
17 *eral for audit, investigatory and review activities, as au-*
18 *thorized by the Inspector General Act of 1978, not more*
19 *than \$11,000,000, 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 In-*
25 *surance Trust Fund and the Federal Disability Insurance*

1 *Trust Fund, as provided under sections 201(m) and*
2 *1131(b)(2) of the Social Security Act, \$11,000,000.*

3 *SUPPLEMENTAL SECURITY INCOME PROGRAM*

4 *For carrying out titles XI and XVI of the Social Secu-*
5 *rity Act, section 401 of Public Law 92-603, section 212*
6 *of Public Law 93-66, as amended, and section 405 of Public*
7 *Law 95-216, including payment to the Social Security*
8 *trust funds for administrative expenses incurred pursuant*
9 *to section 201(g)(1) of the Social Security Act,*
10 *\$41,714,889,000, 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 \$101,000,000 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, 2022.*

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 2021,*
24 *\$19,900,000,000, to remain available until expended.*

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 official*
4 *reception and representation expenses, not more than*
5 *\$12,739,945,000 may be expended, as authorized by section*
6 *201(g)(1) of the Social Security Act, from any one or all*
7 *of the trust funds referred to in such section: Provided, That*
8 *not less than \$2,500,000 shall be for the Social Security*
9 *Advisory Board: Provided further, That \$45,000,000 shall*
10 *remain available until expended for information technology*
11 *modernization, including related hardware and software*
12 *infrastructure and equipment, and for administrative ex-*
13 *penses directly associated with information technology mod-*
14 *ernization: Provided further, That \$100,000,000 shall re-*
15 *main available through September 30, 2021, for activities*
16 *to address the disability hearings backlog within the Office*
17 *of Hearings Operations: Provided further, That unobligated*
18 *balances of funds provided under this paragraph at the end*
19 *of fiscal year 2020 not needed for fiscal year 2020 shall*
20 *remain available until expended to invest in the Social Se-*
21 *curity Administration information technology and tele-*
22 *communications hardware and software infrastructure, in-*
23 *cluding related equipment and non-payroll administrative*
24 *expenses associated solely with this information technology*
25 *and telecommunications infrastructure: Provided further,*

1 *That the Commissioner of Social Security shall notify the*
2 *Committees on Appropriations of the House of Representa-*
3 *tives and the Senate prior to making unobligated balances*
4 *available under the authority in the previous proviso: Pro-*
5 *vided further, That reimbursement to the trust funds under*
6 *this heading for expenditures for official time for employees*
7 *of the Social Security Administration pursuant to 5 U.S.C.*
8 *7131, and for facilities or support services for labor organi-*
9 *zations pursuant to policies, regulations, or procedures re-*
10 *ferred to in section 7135(b) of such title shall be made by*
11 *the Secretary of the Treasury, with interest, from amounts*
12 *in the general fund not otherwise appropriated, as soon as*
13 *possible after such expenditures are made.*

14 *Of the total amount made available in the first para-*
15 *graph under this heading, not more than \$1,582,000,000,*
16 *to remain available through March 31, 2021, is for the costs*
17 *associated with continuing disability reviews under titles*
18 *II and XVI of the Social Security Act, including work-re-*
19 *lated continuing disability reviews to determine whether*
20 *earnings derived from services demonstrate an individual's*
21 *ability to engage in substantial gainful activity, for the cost*
22 *associated with conducting redeterminations of eligibility*
23 *under title XVI of the Social Security Act, for the cost of*
24 *co-operative disability investigation units, and for the cost*
25 *associated with the prosecution of fraud in the programs*

1 *and operations of the Social Security Administration by*
2 *Special Assistant United States Attorneys: Provided, That,*
3 *of such amount, \$273,000,000 is provided to meet the terms*
4 *of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and*
5 *Emergency Deficit Control Act of 1985, as amended, and*
6 *\$1,309,000,000 is additional new budget authority specified*
7 *for purposes of section 251(b)(2)(B) of such Act: Provided*
8 *further, That, of the additional new budget authority de-*
9 *scribed in the preceding proviso, up to \$10,000,000 may*
10 *be transferred to the “Office of Inspector General”, Social*
11 *Security Administration, for the cost of jointly operated co-*
12 *operative disability investigation units: Provided further,*
13 *That such transfer authority is in addition to any other*
14 *transfer authority provided by law: Provided further, That*
15 *the Commissioner shall provide to the Congress (at the con-*
16 *clusion of the fiscal year) a report on the obligation and*
17 *expenditure of these funds, similar to the reports that were*
18 *required by section 103(d)(2) of Public Law 104–121 for*
19 *fiscal years 1996 through 2002.*

20 *In addition, \$130,000,000 to be derived from adminis-*
21 *tration fees in excess of \$5.00 per supplementary payment*
22 *collected pursuant to section 1616(d) of the Social Security*
23 *Act or section 212(b)(3) of Public Law 93–66, which shall*
24 *remain available until expended: Provided, That to the ex-*
25 *tent that the amounts collected pursuant to such sections*

1 *in fiscal year 2020 exceed \$130,000,000, the amounts shall*
2 *be available in fiscal year 2021 only to the extent provided*
3 *in advance in appropriations Acts.*

4 *In addition, up to \$1,000,000 to be derived from fees*
5 *collected pursuant to section 303(c) of the Social Security*
6 *Protection Act, which shall remain available until ex-*
7 *pended.*

8 *OFFICE OF INSPECTOR GENERAL*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For expenses necessary for the Office of Inspector Gen-*
11 *eral in carrying out the provisions of the Inspector General*
12 *Act of 1978, \$30,000,000, together with not to exceed*
13 *\$75,500,000, to be transferred and expended as authorized*
14 *by section 201(g)(1) of the Social Security Act from the*
15 *Federal Old-Age and Survivors Insurance Trust Fund and*
16 *the Federal Disability Insurance Trust Fund.*

17 *In addition, an amount not to exceed 3 percent of the*
18 *total provided in this appropriation may be transferred*
19 *from the “Limitation on Administrative Expenses”, Social*
20 *Security Administration, to be merged with this account,*
21 *to be available for the time and purposes for which this*
22 *account is available: Provided, That notice of such transfers*
23 *shall be transmitted promptly to the Committees on Appro-*
24 *priations of the House of Representatives and the Senate*
25 *at least 15 days in advance of any transfer.*

TITLE V

GENERAL PROVISIONS

(TRANSFER OF FUNDS)

1
2
3
4 *SEC. 501. The Secretaries of Labor, Health and*
5 *Human Services, and Education are authorized to transfer*
6 *unexpended balances of prior appropriations to accounts*
7 *corresponding to current appropriations provided in this*
8 *Act. Such transferred balances shall be used for the same*
9 *purpose, and for the same periods of time, for which they*
10 *were originally appropriated.*

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

14 *SEC. 503. (a) No part of any appropriation contained*
15 *in this Act or transferred pursuant to section 4002 of Public*
16 *Law 111–148 shall be used, other than for normal and rec-*
17 *ognized executive-legislative relationships, for publicity or*
18 *propaganda purposes, for the preparation, distribution, or*
19 *use of any kit, pamphlet, booklet, publication, electronic*
20 *communication, radio, television, or video presentation de-*
21 *signed to support or defeat the enactment of legislation be-*
22 *fore the Congress or any State or local legislature or legisla-*
23 *tive body, except in presentation to the Congress or any*
24 *State or local legislature itself, or designed to support or*
25 *defeat any proposed or pending regulation, administrative*

1 *action, or order issued by the executive branch of any State*
2 *or local government, except in presentation to the executive*
3 *branch of any State or local government itself.*

4 **(b)** *No part of any appropriation contained in this*
5 *Act or transferred pursuant to section 4002 of Public Law*
6 *111–148 shall be used to pay the salary or expenses of any*
7 *grant or contract recipient, or agent acting for such recipi-*
8 *ent, related to any activity designed to influence the enact-*
9 *ment of legislation, appropriations, regulation, administra-*
10 *tive action, or Executive order proposed or pending before*
11 *the Congress or any State government, State legislature or*
12 *local legislature or legislative body, other than for normal*
13 *and recognized executive-legislative relationships or partici-*
14 *pation by an agency or officer of a State, local or tribal*
15 *government in policymaking and administrative processes*
16 *within the executive branch of that government.*

17 **(c)** *The prohibitions in subsections (a) and (b) shall*
18 *include any activity to advocate or promote any proposed,*
19 *pending or future Federal, State or local tax increase, or*
20 *any proposed, pending, or future requirement or restriction*
21 *on any legal consumer product, including its sale or mar-*
22 *keting, including but not limited to the advocacy or pro-*
23 *motion of gun control.*

24 **SEC. 504.** *The Secretaries of Labor and Education are*
25 *authorized to make available not to exceed \$28,000 and*

1 \$20,000, respectively, from funds available for salaries and
2 expenses under titles I and III, respectively, for official re-
3 ception and representation expenses; the Director of the
4 Federal Mediation and Conciliation Service is authorized
5 to make available for official reception and representation
6 expenses not to exceed \$5,000 from the funds available for
7 “Federal Mediation and Conciliation Service, Salaries and
8 Expenses”; and the Chairman of the National Mediation
9 Board is authorized to make available for official reception
10 and representation expenses not to exceed \$5,000 from funds
11 available for “National Mediation Board, Salaries and Ex-
12 penses”.

13 *SEC. 505. When issuing statements, press releases, re-*
14 *quests for proposals, bid solicitations and other documents*
15 *describing projects or programs funded in whole or in part*
16 *with Federal money, all grantees receiving Federal funds*
17 *included in this Act, including but not limited to State and*
18 *local governments and recipients of Federal research grants,*
19 *shall clearly state—*

20 (1) *the percentage of the total costs of the pro-*
21 *gram or project which will be financed with Federal*
22 *money;*

23 (2) *the dollar amount of Federal funds for the*
24 *project or program; and*

1 (3) percentage and dollar amount of the total
2 costs of the project or program that will be financed
3 by non-governmental sources.

4 SEC. 506. (a) None of the funds appropriated in this
5 Act, and none of the funds in any trust fund to which funds
6 are appropriated in this Act, shall be expended for any
7 abortion.

8 (b) None of the funds appropriated in this Act, and
9 none of the funds in any trust fund to which funds are
10 appropriated in this Act, shall be expended for health bene-
11 fits coverage that includes coverage of abortion.

12 (c) The term “health benefits coverage” means the
13 package of services covered by a managed care provider or
14 organization pursuant to a contract or other arrangement.

15 SEC. 507. (a) The limitations established in the pre-
16 ceding section shall not apply to an abortion—

17 (1) if the pregnancy is the result of an act of
18 rape or incest; or

19 (2) in the case where a woman suffers from a
20 physical disorder, physical injury, or physical illness,
21 including a life-endangering physical condition
22 caused by or arising from the pregnancy itself, that
23 would, as certified by a physician, place the woman
24 in danger of death unless an abortion is performed.

1 (b) *Nothing in the preceding section shall be construed*
2 *as prohibiting the expenditure by a State, locality, entity,*
3 *or private person of State, local, or private funds (other*
4 *than a State’s or locality’s contribution of Medicaid match-*
5 *ing funds).*

6 (c) *Nothing in the preceding section shall be construed*
7 *as restricting the ability of any managed care provider*
8 *from offering abortion coverage or the ability of a State or*
9 *locality to contract separately with such a provider for such*
10 *coverage with State funds (other than a State’s or locality’s*
11 *contribution of Medicaid matching funds).*

12 (d)(1) *None of the funds made available in this Act*
13 *may be made available to a Federal agency or program,*
14 *or to a State or local government, if such agency, program,*
15 *or government subjects any institutional or individual*
16 *health care entity to discrimination on the basis that the*
17 *health care entity does not provide, pay for, provide cov-*
18 *erage of, or refer for abortions.*

19 (2) *In this subsection, the term “health care entity”*
20 *includes an individual physician or other health care pro-*
21 *fessional, a hospital, a provider-sponsored organization, a*
22 *health maintenance organization, a health insurance plan,*
23 *or any other kind of health care facility, organization, or*
24 *plan.*

1 *SEC. 508. (a) None of the funds made available in this*
2 *Act may be used for—*

3 *(1) the creation of a human embryo or embryos*
4 *for research purposes; or*

5 *(2) research in which a human embryo or em-*
6 *bryos are destroyed, discarded, or knowingly subjected*
7 *to risk of injury or death greater than that allowed*
8 *for research on fetuses in utero under 45 CFR*
9 *46.204(b) and section 498(b) of the Public Health*
10 *Service Act (42 U.S.C. 289g(b)).*

11 *(b) For purposes of this section, the term “human em-*
12 *bryo or embryos” includes any organism, not protected as*
13 *a human subject under 45 CFR 46 as of the date of the*
14 *enactment of this Act, that is derived by fertilization, par-*
15 *thenogenesis, cloning, or any other means from one or more*
16 *human gametes or human diploid cells.*

17 *SEC. 509. (a) None of the funds made available in this*
18 *Act may be used for any activity that promotes the legaliza-*
19 *tion of any drug or other substance included in schedule*
20 *I of the schedules of controlled substances established under*
21 *section 202 of the Controlled Substances Act except for nor-*
22 *mal and recognized executive-congressional communica-*
23 *tions.*

24 *(b) The limitation in subsection (a) shall not apply*
25 *when there is significant medical evidence of a therapeutic*

1 *advantage to the use of such drug or other substance or that*
2 *federally sponsored clinical trials are being conducted to de-*
3 *termine therapeutic advantage.*

4 *SEC. 510. None of the funds made available in this*
5 *Act may be used to promulgate or adopt any final standard*
6 *under section 1173(b) of the Social Security Act providing*
7 *for, or providing for the assignment of, a unique health*
8 *identifier for an individual (except in an individual's ca-*
9 *capacity as an employer or a health care provider), until leg-*
10 *islation is enacted specifically approving the standard.*

11 *SEC. 511. None of the funds made available in this*
12 *Act may be obligated or expended to enter into or renew*
13 *a contract with an entity if—*

14 *(1) such entity is otherwise a contractor with the*
15 *United States and is subject to the requirement in 38*
16 *U.S.C. 4212(d) regarding submission of an annual*
17 *report to the Secretary of Labor concerning employ-*
18 *ment of certain veterans; and*

19 *(2) such entity has not submitted a report as re-*
20 *quired by that section for the most recent year for*
21 *which such requirement was applicable to such entity.*

22 *SEC. 512. None of the funds made available in this*
23 *Act may be transferred to any department, agency, or in-*
24 *strumentality of the United States Government, except pur-*

1 *suant to a transfer made by, or transfer authority provided*
2 *in, this Act or any other appropriation Act.*

3 *SEC. 513. None of the funds made available by this*
4 *Act to carry out the Library Services and Technology Act*
5 *may be made available to any library covered by paragraph*
6 *(1) of section 224(f) of such Act, as amended by the Chil-*
7 *dren’s Internet Protection Act, unless such library has made*
8 *the certifications required by paragraph (4) of such section.*

9 *SEC. 514. (a) None of the funds provided under this*
10 *Act, or provided under previous appropriations Acts to the*
11 *agencies funded by this Act that remain available for obli-*
12 *gation or expenditure in fiscal year 2020, or provided from*
13 *any accounts in the Treasury of the United States derived*
14 *by the collection of fees available to the agencies funded by*
15 *this Act, shall be available for obligation or expenditure*
16 *through a reprogramming of funds that—*

17 *(1) creates new programs;*

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

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

22 *(4) relocates an office or employees;*

23 *(5) reorganizes or renames offices;*

24 *(6) reorganizes programs or activities; or*

1 (7) contracts out or privatizes any functions or
2 activities presently performed by Federal employees;
3 unless the Committees on Appropriations of the House of
4 Representatives and the Senate are consulted 15 days in
5 advance of such reprogramming or of an announcement of
6 intent relating to such reprogramming, whichever occurs
7 earlier, and are notified in writing 10 days in advance of
8 such reprogramming.

9 (b) None of the funds provided under this Act, or pro-
10 vided under previous appropriations Acts to the agencies
11 funded by this Act that remain available for obligation or
12 expenditure in fiscal year 2020, or provided from any ac-
13 counts in the Treasury of the United States derived by the
14 collection of fees available to the agencies funded by this
15 Act, shall be available for obligation or expenditure through
16 a reprogramming of funds in excess of \$500,000 or 10 per-
17 cent, whichever is less, that—

18 (1) augments existing programs, projects (in-
19 cluding construction projects), or activities;

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

23 (3) results from any general savings from a re-
24 duction in personnel which would result in a change

1 *in existing programs, activities, or projects as ap-*
2 *proved by Congress;*
3 *unless the Committees on Appropriations of the House of*
4 *Representatives and the Senate are consulted 15 days in*
5 *advance of such reprogramming or of an announcement of*
6 *intent relating to such reprogramming, whichever occurs*
7 *earlier, and are notified in writing 10 days in advance of*
8 *such reprogramming.*

9 *SEC. 515. (a) None of the funds made available in this*
10 *Act may be used to request that a candidate for appoint-*
11 *ment to a Federal scientific advisory committee disclose the*
12 *political affiliation or voting history of the candidate or*
13 *the position that the candidate holds with respect to polit-*
14 *ical issues not directly related to and necessary for the work*
15 *of the committee involved.*

16 *(b) None of the funds made available in this Act may*
17 *be used to disseminate information that is deliberately false*
18 *or misleading.*

19 *SEC. 516. Within 45 days of enactment of this Act,*
20 *each department and related agency funded through this*
21 *Act shall submit an operating plan that details at the pro-*
22 *gram, project, and activity level any funding allocations*
23 *for fiscal year 2020 that are different than those specified*
24 *in this Act, the accompanying detailed table in the explana-*
25 *tory statement described in section 4 (in the matter pre-*

1 *ceding division A of this consolidated Act) or the fiscal year*
2 *2020 budget request.*

3 *SEC. 517. The Secretaries of Labor, Health and*
4 *Human Services, and Education shall each prepare and*
5 *submit to the Committees on Appropriations of the House*
6 *of Representatives and the Senate a report on the number*
7 *and amount of contracts, grants, and cooperative agree-*
8 *ments exceeding \$500,000, individually or in total for a*
9 *particular project, activity, or programmatic initiative, in*
10 *value and awarded by the Department on a non-competitive*
11 *basis during each quarter of fiscal year 2020, but not to*
12 *include grants awarded on a formula basis or directed by*
13 *law. Such report shall include the name of the contractor*
14 *or grantee, the amount of funding, the governmental pur-*
15 *pose, including a justification for issuing the award on a*
16 *non-competitive basis. Such report shall be transmitted to*
17 *the Committees within 30 days after the end of the quarter*
18 *for which the report is submitted.*

19 *SEC. 518. None of the funds appropriated in this Act*
20 *shall be expended or obligated by the Commissioner of So-*
21 *cial Security, for purposes of administering Social Security*
22 *benefit payments under title II of the Social Security Act,*
23 *to process any claim for credit for a quarter of coverage*
24 *based on work performed under a social security account*
25 *number that is not the claimant's number and the perform-*

1 *ance of such work under such number has formed the basis*
2 *for a conviction of the claimant of a violation of section*
3 *208(a)(6) or (7) of the Social Security Act.*

4 *SEC. 519. None of the funds appropriated by this Act*
5 *may be used by the Commissioner of Social Security or the*
6 *Social Security Administration to pay the compensation of*
7 *employees of the Social Security Administration to admin-*
8 *ister Social Security benefit payments, under any agree-*
9 *ment between the United States and Mexico establishing to-*
10 *talization arrangements between the social security system*
11 *established by title II of the Social Security Act and the*
12 *social security system of Mexico, which would not otherwise*
13 *be payable but for such agreement.*

14 *SEC. 520. (a) None of the funds made available in this*
15 *Act may be used to maintain or establish a computer net-*
16 *work unless such network blocks the viewing, downloading,*
17 *and exchanging of pornography.*

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

22 *SEC. 521. None of the funds made available under this*
23 *or any other Act, or any prior Appropriations Act, may*
24 *be provided to the Association of Community Organizations*

1 *for Reform Now (ACORN), or any of its affiliates, subsidi-*
2 *aries, allied organizations, or successors.*

3 *SEC. 522. For purposes of carrying out Executive*
4 *Order 13589, Office of Management and Budget Memo-*
5 *randum M-12-12 dated May 11, 2012, and requirements*
6 *contained in the annual appropriations bills relating to*
7 *conference attendance and expenditures:*

8 *(1) the operating divisions of HHS shall be con-*
9 *sidered independent agencies; and*

10 *(2) attendance at and support for scientific con-*
11 *ferences shall be tabulated separately from and not*
12 *included in agency totals.*

13 *SEC. 523. Federal agencies funded under this Act shall*
14 *clearly state within the text, audio, or video used for adver-*
15 *tising or educational purposes, including emails or Internet*
16 *postings, that the communication is printed, published, or*
17 *produced and disseminated at U.S. taxpayer expense. The*
18 *funds used by a Federal agency to carry out this require-*
19 *ment shall be derived from amounts made available to the*
20 *agency for advertising or other communications regarding*
21 *the programs and activities of the agency.*

22 *SEC. 524. (a) Federal agencies may use Federal discre-*
23 *tionary funds that are made available in this Act to carry*
24 *out up to 10 Performance Partnership Pilots. Such Pilots*
25 *shall be governed by the provisions of section 526 of division*

1 *H of Public Law 113–76, except that in carrying out such*
2 *Pilots section 526 shall be applied by substituting “Fiscal*
3 *Year 2020” for “Fiscal Year 2014” in the title of subsection*
4 *(b) and by substituting “September 30, 2024” for “Sep-*
5 *tember 30, 2018” each place it appears: Provided, That*
6 *such pilots shall include communities that have experienced*
7 *civil unrest.*

8 *(b) In addition, Federal agencies may use Federal dis-*
9 *cretionary funds that are made available in this Act to par-*
10 *ticipate in Performance Partnership Pilots that are being*
11 *carried out pursuant to the authority provided by section*
12 *526 of division H of Public Law 113–76, section 524 of*
13 *division G of Public Law 113–235, section 525 of division*
14 *H of Public Law 114–113, section 525 of division H of Pub-*
15 *lic Law 115–31, and section 525 of division H of Public*
16 *Law 115–141.*

17 *(c) Pilot sites selected under authorities in this Act and*
18 *prior appropriations Acts may be granted by relevant agen-*
19 *cies up to an additional 5 years to operate under such au-*
20 *thorities.*

21 *SEC. 525. Not later than 30 days after the end of each*
22 *calendar quarter, beginning with the first month of fiscal*
23 *year 2020, the Departments of Labor, Health and Human*
24 *Services and Education and the Social Security Adminis-*
25 *tration shall provide the Committees on Appropriations of*

1 *the House of Representatives and Senate a report on the*
2 *status of balances of appropriations: Provided, That for bal-*
3 *ances that are unobligated and uncommitted, committed,*
4 *and obligated but unexpended, the monthly reports shall*
5 *separately identify the amounts attributable to each source*
6 *year of appropriation (beginning with fiscal year 2012, or,*
7 *to the extent feasible, earlier fiscal years) from which bal-*
8 *ances were derived.*

9 *SEC. 526. The Departments of Labor, Health and*
10 *Human Services, or Education shall provide to the Com-*
11 *mittees on Appropriations of the House of Representatives*
12 *and the Senate a comprehensive list of any new or competi-*
13 *tive grant award notifications, including supplements,*
14 *issued at the discretion of such Departments not less than*
15 *3 full business days before any entity selected to receive a*
16 *grant award is announced by the Department or its offices*
17 *(other than emergency response grants at any time of the*
18 *year or for grant awards made during the last 10 business*
19 *days of the fiscal year, or if applicable, of the program*
20 *year).*

21 *SEC. 527. Notwithstanding any other provision of this*
22 *Act, no funds appropriated in this Act shall be used to pur-*
23 *chase sterile needles or syringes for the hypodermic injection*
24 *of any illegal drug: Provided, That such limitation does not*
25 *apply to the use of funds for elements of a program other*

1 *miscellaneous supplies and expenses not otherwise provided*
2 *for and necessary for the practical and efficient work of the*
3 *Department: Provided, That funds made available by this*
4 *Act to an agency in the Administration mission area for*
5 *salaries and expenses are available to fund up to one ad-*
6 *ministrative support staff for the Office; not to exceed*
7 *\$3,869,000 shall be available for the Office of Assistant Sec-*
8 *retary for Congressional Relations and Intergovernmental*
9 *Affairs to carry out the programs funded by this Act, in-*
10 *cluding programs involving intergovernmental affairs and*
11 *liaison within the executive branch; and not to exceed*
12 *\$7,261,000 shall be available for the Office of Communica-*
13 *tions: Provided further, That the Secretary of Agriculture*
14 *is authorized to transfer funds appropriated for any office*
15 *of the Office of the Secretary to any other office of the Office*
16 *of the Secretary: Provided further, That no appropriation*
17 *for any office shall be increased or decreased by more than*
18 *5 percent: Provided further, That not to exceed \$22,000 of*
19 *the amount made available under this paragraph for the*
20 *immediate Office of the Secretary shall be available for offi-*
21 *cial reception and representation expenses, not otherwise*
22 *provided for, as determined by the Secretary: Provided fur-*
23 *ther, That the amount made available under this heading*
24 *for Departmental Administration shall be reimbursed from*
25 *applicable appropriations in this Act for travel expenses in-*

1 cident to the holding of hearings as required by 5 U.S.C.
2 551–558: Provided further, That funds made available
3 under this heading for the Office of the Assistant Secretary
4 for Congressional Relations and Intergovernmental Affairs
5 may be transferred to agencies of the Department of Agri-
6 culture funded by this Act to maintain personnel at the
7 agency level: Provided further, That no funds made avail-
8 able under this heading for the Office of Assistant Secretary
9 for Congressional Relations may be obligated after 30 days
10 from the date of enactment of this Act, unless the Secretary
11 has notified the Committees on Appropriations of both
12 Houses of Congress on the allocation of these funds by
13 USDA agency: Provided further, That of the funds made
14 available under this heading, funding shall be made avail-
15 able to the Office of the Secretary to carry out the duties
16 of the working group established under section 770 of the
17 Agriculture, Rural Development, Food and Drug Adminis-
18 tration, and Related Agencies Appropriations Act, 2019
19 (Public Law 116–6; 133 Stat. 89): Provided further, That
20 during any 30 day notification period referenced in section
21 716 of this Act, the Secretary of Agriculture, the Secretary
22 of Health and Human Services or the Chairman of the
23 Commodity Futures Trading Commission, (as the case may
24 be) shall take no action to begin implementation of the pro-
25 posal or make any public announcement in any form.

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

3 *OFFICE OF CIVIL RIGHTS*

4 *For necessary expenses of the Office of Civil Rights,*
5 *\$24,206,000.*

6 *AGRICULTURE BUILDINGS AND FACILITIES*

7 *(INCLUDING TRANSFERS OF FUNDS)*

8 *For payment of space rental and related costs pursu-*
9 *ant to Public Law 92–313, including authorities pursuant*
10 *to the 1984 delegation of authority from the Administrator*
11 *of General Services to the Department of Agriculture under*
12 *40 U.S.C. 121, for programs and activities of the Depart-*
13 *ment which are included in this Act, and for alterations*
14 *and other actions needed for the Department and its agen-*
15 *cies to consolidate unneeded space into configurations suit-*
16 *able for release to the Administrator of General Services,*
17 *and for the operation, maintenance, improvement, and re-*
18 *pair of Agriculture buildings and facilities, and for related*
19 *costs, \$128,167,000, to remain available until expended.*

20 *HAZARDOUS MATERIALS MANAGEMENT*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For necessary expenses of the Department of Agri-*
23 *culture, to comply with the Comprehensive Environmental*
24 *Response, Compensation, and Liability Act (42 U.S.C.*
25 *9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C.*

1 6901 et seq.), \$4,503,000, to remain available until ex-
2 pended: *Provided, That appropriations and funds available*
3 *herein to the Department for Hazardous Materials Manage-*
4 *ment may be transferred to any agency of the Department*
5 *for its use in meeting all requirements pursuant to the*
6 *above Acts on Federal and non-Federal lands.*

7 *OFFICE OF INSPECTOR GENERAL*

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

21 *OFFICE OF THE GENERAL COUNSEL*

22 *For necessary expenses of the Office of the General*
23 *Counsel, \$45,146,000.*

1 *OFFICE OF ETHICS*

2 *For necessary expenses of the Office of Ethics,*
3 *\$4,136,000.*

4 *OFFICE OF THE UNDER SECRETARY FOR RESEARCH,*
5 *EDUCATION, AND ECONOMICS*

6 *For necessary expenses of the Office of the Under Sec-*
7 *retary for Research, Education, and Economics, \$800,000:*
8 *Provided, That funds made available by this Act to an*
9 *agency in the Research, Education, and Economics mission*
10 *area for salaries and expenses are available to fund up to*
11 *one administrative support staff for the Office.*

12 *ECONOMIC RESEARCH SERVICE*

13 *For necessary expenses of the Economic Research Serv-*
14 *ice, \$84,757,000.*

15 *NATIONAL AGRICULTURAL STATISTICS SERVICE*

16 *For necessary expenses of the National Agricultural*
17 *Statistics Service, \$180,294,000, of which up to \$45,300,000*
18 *shall be available until expended for the Census of Agri-*
19 *culture: Provided, That amounts made available for the*
20 *Census of Agriculture may be used to conduct Current In-*
21 *dustrial Report surveys subject to 7 U.S.C. 2204g(d) and*
22 *(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 for*
6 *land exchanges where the lands exchanged shall be of equal*
7 *value or shall be equalized by a payment of money to the*
8 *grantor which shall not exceed 25 percent of the total value*
9 *of the land or interests transferred out of Federal ownership,*
10 *\$1,414,366,000, of which \$13,100,000, to remain available*
11 *until expended, shall be used for transition and equipment*
12 *purchases for the National Bio and Agro-Defense Facility*
13 *located in Manhattan, Kansas: Provided, That of the*
14 *amounts available to the Agricultural Research Service for*
15 *the National Bio and Agro-Defense Facility, no funds may*
16 *be obligated above the amount provided for the facility in*
17 *Public Law 116–6 until the Secretary of Agriculture sub-*
18 *mits to the Committees on Appropriations of both Houses*
19 *of Congress, and receives written or electronic notification*
20 *of receipt from such Committees, a strategic plan as re-*
21 *quired in House Report 116–107: Provided further, That*
22 *appropriations hereunder shall be available for the oper-*
23 *ation and maintenance of aircraft and the purchase of not*
24 *to exceed one for replacement only: Provided further, That*
25 *appropriations hereunder shall be available pursuant to 7*

1 *U.S.C. 2250 for the construction, alteration, and repair of*
2 *buildings and improvements, but unless otherwise provided,*
3 *the cost of constructing any one building shall not exceed*
4 *\$500,000, except for headhouses or greenhouses which shall*
5 *each be limited to \$1,800,000, except for 10 buildings to*
6 *be constructed or improved at a cost not to exceed*
7 *\$1,100,000 each, and except for two buildings to be con-*
8 *structed at a cost not to exceed \$3,000,000 each, and the*
9 *cost of altering any one building during the fiscal year shall*
10 *not exceed 10 percent of the current replacement value of*
11 *the building or \$500,000, whichever is greater: Provided*
12 *further, That appropriations hereunder shall be available*
13 *for entering into lease agreements at any Agricultural Re-*
14 *search Service location for the construction of a research*
15 *facility by a non-Federal entity for use by the Agricultural*
16 *Research Service and a condition of the lease shall be that*
17 *any facility shall be owned, operated, and maintained by*
18 *the non-Federal entity and shall be removed upon the expi-*
19 *ration or termination of the lease agreement: Provided fur-*
20 *ther, That the limitations on alterations contained in this*
21 *Act shall not apply to modernization or replacement of ex-*
22 *isting facilities at Beltsville, Maryland: Provided further,*
23 *That appropriations hereunder shall be available for grant-*
24 *ing easements at the Beltsville Agricultural Research Cen-*
25 *ter: Provided further, That the foregoing limitations shall*

1 *not apply to replacement of buildings needed to carry out*
2 *the Act of April 24, 1948 (21 U.S.C. 113a): Provided fur-*
3 *ther, That appropriations hereunder shall be available for*
4 *granting easements at any Agricultural Research Service*
5 *location for the construction of a research facility by a non-*
6 *Federal entity for use by, and acceptable to, the Agricul-*
7 *tural Research Service and a condition of the easements*
8 *shall be that upon completion the facility shall be accepted*
9 *by the Secretary, subject to the availability of funds herein,*
10 *if the Secretary finds that acceptance of the facility is in*
11 *the interest of the United States: Provided further, That*
12 *funds may be received from any State, other political sub-*
13 *division, organization, or individual for the purpose of es-*
14 *tablishing or operating any research facility or research*
15 *project of the Agricultural Research Service, as authorized*
16 *by law.*

17 *BUILDINGS AND FACILITIES*

18 *For the acquisition of land, construction, repair, im-*
19 *provement, extension, alteration, and purchase of fixed*
20 *equipment or facilities as necessary to carry out the agricul-*
21 *tural research programs of the Department of Agriculture,*
22 *where not otherwise provided, \$192,700,000 to remain*
23 *available until expended, of which \$166,900,000 shall be al-*
24 *located for ARS facilities co-located with university part-*
25 *ners.*

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

3 *For payments to agricultural experiment stations, for*
4 *cooperative forestry and other research, for facilities, and*
5 *for other expenses, \$962,864,000, which shall be for the pur-*
6 *poses, and in the amounts, specified in the table titled “Na-*
7 *tional Institute of Food and Agriculture, Research and*
8 *Education Activities” in the explanatory statement de-*
9 *scribed in section 4 (in the matter preceding division A of*
10 *this consolidated Act): Provided, That funds for research*
11 *grants for 1994 institutions, education grants for 1890 in-*
12 *stitutions, capacity building for non-land-grant colleges of*
13 *agriculture, the agriculture and food research initiative,*
14 *veterinary medicine loan repayment, multicultural schol-*
15 *ars, graduate fellowship and institution challenge grants,*
16 *and grants management systems shall remain available*
17 *until expended: Provided further, That each institution eli-*
18 *gible to receive funds under the Evans-Allen program re-*
19 *ceives no less than \$1,000,000: Provided further, That funds*
20 *for education grants for Alaska Native and Native Hawai-*
21 *ian-serving institutions be made available to individual eli-*
22 *gible institutions or consortia of eligible institutions with*
23 *funds awarded equally to each of the States of Alaska and*
24 *Hawaii: Provided further, That funds for education grants*
25 *for 1890 institutions shall be made available to institutions*

1 *eligible to receive funds under 7 U.S.C. 3221 and 3222: Pro-*
 2 *vided further, That not more than 5 percent of the amounts*
 3 *made available by this or any other Act to carry out the*
 4 *Agriculture and Food Research Initiative under 7 U.S.C.*
 5 *3157 may be retained by the Secretary of Agriculture to*
 6 *pay administrative costs incurred by the Secretary in car-*
 7 *rying out that authority.*

8 *NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND*

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

12 *EXTENSION ACTIVITIES*

13 *For payments to States, the District of Columbia,*
 14 *Puerto Rico, Guam, the Virgin Islands, Micronesia, the*
 15 *Northern Marianas, and American Samoa, \$526,557,000,*
 16 *which shall be for the purposes, and in the amounts, speci-*
 17 *fied in the table titled “National Institute of Food and Agri-*
 18 *culture, Extension Activities” in the explanatory statement*
 19 *described in section 4 (in the matter preceding division A*
 20 *of this consolidated Act): Provided, That funds for facility*
 21 *improvements at 1890 institutions shall remain available*
 22 *until expended: Provided further, That institutions eligible*
 23 *to receive funds under 7 U.S.C. 3221 for cooperative exten-*
 24 *sion receive no less than \$1,000,000: Provided further, That*
 25 *funds for cooperative extension under sections 3(b) and (c)*

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

5 *INTEGRATED ACTIVITIES*

6 *For the integrated research, education, and extension*
7 *grants programs, including necessary administrative ex-*
8 *penses, \$38,000,000, which shall be for the purposes, and*
9 *in the amounts, specified in the table titled “National Insti-*
10 *tute of Food and Agriculture, Integrated Activities” in the*
11 *explanatory statement described in section 4 (in the matter*
12 *preceding division A of this consolidated Act): Provided,*
13 *That funds for the Food and Agriculture Defense Initiative*
14 *shall remain available until September 30, 2021: Provided*
15 *further, That notwithstanding any other provision of law,*
16 *indirect costs shall not be charged against any Extension*
17 *Implementation Program Area grant awarded under the*
18 *Crop Protection/Pest Management Program (7 U.S.C.*
19 *7626).*

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

22 *For necessary expenses of the Office of the Under Sec-*
23 *retary for Marketing and Regulatory Programs, \$800,000:*
24 *Provided, That funds made available by this Act to an*
25 *agency in the Marketing and Regulatory Programs mission*

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

3 *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*

4 *SALARIES AND EXPENSES*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For necessary expenses of the Animal and Plant*
7 *Health Inspection Service, including up to \$30,000 for rep-*
8 *resentation allowances and for expenses pursuant to the*
9 *Foreign Service Act of 1980 (22 U.S.C. 4085),*
10 *\$1,042,711,000, of which \$470,000, to remain available*
11 *until expended, shall be available for the control of out-*
12 *breaks of insects, plant diseases, animal diseases and for*
13 *control of pest animals and birds (“contingency fund”) to*
14 *the extent necessary to meet emergency conditions; of which*
15 *\$11,520,000, to remain available until expended, shall be*
16 *used for the cotton pests program, including for cost share*
17 *purposes or for debt retirement for active eradication zones;*
18 *of which \$37,857,000, to remain available until expended,*
19 *shall be for Animal Health Technical Services; of which*
20 *\$1,000,000 shall be for activities under the authority of the*
21 *Horse Protection Act of 1970, as amended (15 U.S.C. 1831);*
22 *of which \$62,840,000, to remain available until expended,*
23 *shall be used to support avian health; of which \$4,251,000,*
24 *to remain available until expended, shall be for information*
25 *technology infrastructure; of which \$192,013,000, to remain*

1 available until expended, shall be for specialty crop pests;
2 of which, \$13,826,000, to remain available until expended,
3 shall be for field crop and rangeland ecosystem pests; of
4 which \$16,523,000, to remain available until expended,
5 shall be for zoonotic disease management; of which
6 \$40,966,000, to remain available until expended, shall be
7 for emergency preparedness and response; of which
8 \$60,000,000, to remain available until expended, shall be
9 for tree and wood pests; of which \$5,725,000, to remain
10 available until expended, shall be for the National Veteri-
11 nary Stockpile; of which up to \$1,500,000, to remain avail-
12 able until expended, shall be for the scrapie program for
13 indemnities; of which \$2,500,000, to remain available until
14 expended, shall be for the wildlife damage management pro-
15 gram for aviation safety: Provided, That of amounts avail-
16 able under this heading for wildlife services methods devel-
17 opment, \$1,000,000 shall remain available until expended:
18 Provided further, That of amounts available under this
19 heading for the screwworm program, \$4,990,000 shall re-
20 main available until expended; of which \$20,800,000, to re-
21 main available until expended, shall be used to carry out
22 the science program and transition activities for the Na-
23 tional Bio and Agro-defense Facility located in Manhattan,
24 Kansas: Provided further, That of the amounts available
25 to the Animal and Plant Health Inspection Service for the

1 *National Bio and Agro-Defense Facility, no funds may be*
2 *obligated above the amount provided for the facility in Pub-*
3 *lic Law 116–6 until the Secretary of Agriculture submits*
4 *to the Committees on Appropriations of both Houses of Con-*
5 *gress, and receives written or electronic notification of re-*
6 *ceipt from such Committees, a strategic plan as required*
7 *in House Report 116–107: Provided further, That no funds*
8 *shall be used to formulate or administer a brucellosis eradi-*
9 *cation program for the current fiscal year that does not re-*
10 *quire minimum matching by the States of at least 40 per-*
11 *cent: Provided further, That this appropriation shall be*
12 *available for the purchase, replacement, operation, and*
13 *maintenance of aircraft: Provided further, That in addi-*
14 *tion, in emergencies which threaten any segment of the agri-*
15 *cultural production industry of the United States, the Sec-*
16 *retary may transfer from other appropriations or funds*
17 *available to the agencies or corporations of the Department*
18 *such sums as may be deemed necessary, to be available only*
19 *in such emergencies for the arrest and eradication of con-*
20 *tagious or infectious disease or pests of animals, poultry,*
21 *or plants, and for expenses in accordance with sections*
22 *10411 and 10417 of the Animal Health Protection Act (7*
23 *U.S.C. 8310 and 8316) and sections 431 and 442 of the*
24 *Plant Protection Act (7 U.S.C. 7751 and 7772), and any*
25 *unexpended balances of funds transferred for such emer-*

1 *gency purposes in the preceding fiscal year shall be merged*
2 *with such transferred amounts: Provided further, That ap-*
3 *propriations hereunder shall be available pursuant to law*
4 *(7 U.S.C. 2250) for the repair and alteration of leased*
5 *buildings and improvements, but unless otherwise provided*
6 *the cost of altering any one building during the fiscal year*
7 *shall not exceed 10 percent of the current replacement value*
8 *of the building.*

9 *In fiscal year 2020, the agency is authorized to collect*
10 *fees to cover the total costs of providing technical assistance,*
11 *goods, or services requested by States, other political sub-*
12 *divisions, domestic and international organizations, foreign*
13 *governments, or individuals, provided that such fees are*
14 *structured such that any entity's liability for such fees is*
15 *reasonably based on the technical assistance, goods, or serv-*
16 *ices provided to the entity by the agency, and such fees shall*
17 *be reimbursed to this account, to remain available until ex-*
18 *pended, without further appropriation, for providing such*
19 *assistance, goods, or services.*

20 *BUILDINGS AND FACILITIES*

21 *For plans, construction, repair, preventive mainte-*
22 *nance, environmental support, improvement, extension, al-*
23 *teration, and purchase of fixed equipment or facilities, as*
24 *authorized by 7 U.S.C. 2250, and acquisition of land as*

1 *authorized by 7 U.S.C. 2268a, \$3,175,000, to remain avail-*
2 *able until expended.*

3 *AGRICULTURAL MARKETING SERVICE*

4 *MARKETING SERVICES*

5 *For necessary expenses of the Agricultural Marketing*
6 *Service, \$186,936,000, of which \$6,000,000 shall be avail-*
7 *able for the purposes of section 12306 of Public Law 113-*
8 *79: Provided, That this appropriation shall be available*
9 *pursuant to law (7 U.S.C. 2250) for the alteration and re-*
10 *pair of buildings and improvements, but the cost of altering*
11 *any one building during the fiscal year shall not exceed 10*
12 *percent of the current replacement value of the building:*
13 *Provided further, That up to \$4,454,000 of this appropri-*
14 *ation may be used for United States Warehouse Act activities*
15 *to supplement amounts made available by the United States*
16 *Warehouse Act.*

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

20 *LIMITATION ON ADMINISTRATIVE EXPENSES*

21 *Not to exceed \$61,227,000 (from fees collected) shall be*
22 *obligated during the current fiscal year for administrative*
23 *expenses: Provided, That if crop size is understated and/*
24 *or other uncontrollable events occur, the agency may exceed*

1 *this limitation by up to 10 percent with notification to the*
2 *Committees on Appropriations of both Houses of Congress.*

3 *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*
4 *SUPPLY (SECTION 32)*
5 *(INCLUDING TRANSFERS OF FUNDS)*

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

17 *PAYMENTS TO STATES AND POSSESSIONS*

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

22 *LIMITATION ON INSPECTION AND WEIGHING SERVICES*
23 *EXPENSES*

24 *Not to exceed \$55,000,000 (from fees collected) shall be*
25 *obligated during the current fiscal year for inspection and*

1 *weighing services: Provided, That if grain export activities*
2 *require additional supervision and oversight, or other un-*
3 *controllable factors occur, this limitation may be exceeded*
4 *by up to 10 percent with notification to the Committees*
5 *on Appropriations of both Houses of Congress.*

6 *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

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

12 *FOOD SAFETY AND INSPECTION SERVICE*

13 *For necessary expenses to carry out services authorized*
14 *by the Federal Meat Inspection Act, the Poultry Products*
15 *Inspection Act, and the Egg Products Inspection Act, in-*
16 *cluding not to exceed \$10,000 for representation allowances*
17 *and for expenses pursuant to section 8 of the Act approved*
18 *August 3, 1956 (7 U.S.C. 1766), \$1,054,344,000; and in*
19 *addition, \$1,000,000 may be credited to this account from*
20 *fees collected for the cost of laboratory accreditation as au-*
21 *thorized by section 1327 of the Food, Agriculture, Conserva-*
22 *tion and Trade Act of 1990 (7 U.S.C. 138f): Provided, That*
23 *funds provided for the Public Health Data Communication*
24 *Infrastructure system shall remain available until ex-*
25 *pended: Provided further, That no fewer than 148 full-time*

1 *equivalent positions shall be employed during fiscal year*
2 *2020 for purposes dedicated solely to inspections and en-*
3 *forcement related to the Humane Methods of Slaughter Act*
4 *(7 U.S.C. 1901 et seq.): Provided further, That the Food*
5 *Safety and Inspection Service shall continue implementa-*
6 *tion of section 11016 of Public Law 110–246 as further*
7 *clarified by the amendments made in section 12106 of Pub-*
8 *lic Law 113–79: Provided further, That this appropriation*
9 *shall be available pursuant to law (7 U.S.C. 2250) for the*
10 *alteration and repair of buildings and improvements, but*
11 *the cost of altering any one building during the fiscal year*
12 *shall not exceed 10 percent of the current replacement value*
13 *of the building.*

14 *TITLE II*

15 *FARM PRODUCTION AND CONSERVATION*

16 *PROGRAMS*

17 *OFFICE OF THE UNDER SECRETARY FOR FARM*

18 *PRODUCTION AND CONSERVATION*

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

1 *FARM PRODUCTION AND CONSERVATION BUSINESS*2 *CENTER*3 *SALARIES AND EXPENSES*4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *For necessary expenses of the Farm Production and*
6 *Conservation Business Center, \$203,877,000: Provided,*
7 *That \$60,228,000 of amounts appropriated for the current*
8 *fiscal year pursuant to section 1241(a) of the Farm Secu-*
9 *rity and Rural Investment Act of 1985 (16 U.S.C. 3841(a))*
10 *shall be transferred to and merged with this account.*

11 *FARM SERVICE AGENCY*12 *SALARIES AND EXPENSES*13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *For necessary expenses of the Farm Service Agency,*
15 *\$1,122,837,000, of which not less than \$35,000,000 shall be*
16 *for the hiring of new employees to fill vacancies at Farm*
17 *Service Agency county offices and farm loan officers and*
18 *shall be available until September 30, 2021: Provided, That*
19 *not more than 50 percent of the funding made available*
20 *under this heading for information technology related to*
21 *farm program delivery may be obligated until the Secretary*
22 *submits to the Committees on Appropriations of both*
23 *Houses of Congress, and receives written or electronic notifi-*
24 *cation of receipt from such Committees of, a plan for ex-*
25 *penditure that (1) identifies for each project/investment over*

1 \$25,000 (a) the functional and performance capabilities to
2 be delivered and the mission benefits to be realized, (b) the
3 estimated lifecycle cost for the entirety of the project/invest-
4 ment, including estimates for development as well as main-
5 tenance and operations, and (c) key milestones to be met;
6 (2) demonstrates that each project/investment is, (a) con-
7 sistent with the Farm Service Agency Information Tech-
8 nology Roadmap, (b) being managed in accordance with
9 applicable lifecycle management policies and guidance, and
10 (c) subject to the applicable Department's capital planning
11 and investment control requirements; and (3) has been re-
12 viewed by the Government Accountability Office and ap-
13 proved by the Committees on Appropriations of both Houses
14 of Congress: Provided further, That the agency shall submit
15 a report by the end of the fourth quarter of fiscal year 2020
16 to the Committees on Appropriations and the Government
17 Accountability Office, that identifies for each project/invest-
18 ment that is operational (a) current performance against
19 key indicators of customer satisfaction, (b) current perform-
20 ance of service level agreements or other technical metrics,
21 (c) current performance against a pre-established cost base-
22 line, (d) a detailed breakdown of current and planned
23 spending on operational enhancements or upgrades, and (e)
24 an assessment of whether the investment continues to meet
25 business needs as intended as well as alternatives to the in-

1 *vestment: Provided further, That the Secretary is authorized*
2 *to use the services, facilities, and authorities (but not the*
3 *funds) of the Commodity Credit Corporation to make pro-*
4 *gram payments for all programs administered by the Agen-*
5 *cy: Provided further, That other funds made available to*
6 *the Agency for authorized activities may be advanced to and*
7 *merged with this account: Provided further, That funds*
8 *made available to county committees shall remain available*
9 *until expended: Provided further, That none of the funds*
10 *available to the Farm Service Agency shall be used to close*
11 *Farm Service Agency county offices: Provided further, That*
12 *none of the funds available to the Farm Service Agency*
13 *shall be used to permanently relocate county based employ-*
14 *ees that would result in an office with two or fewer employ-*
15 *ees without prior notification and approval of the Commit-*
16 *tees on Appropriations of both Houses of Congress.*

17 *STATE MEDIATION GRANTS*

18 *For grants pursuant to section 502(b) of the Agricul-*
19 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*
20 *\$5,545,000.*

21 *GRASSROOTS SOURCE WATER PROTECTION PROGRAM*

22 *For necessary expenses to carry out wellhead or*
23 *groundwater protection activities under section 12400 of*
24 *the Food Security Act of 1985 (16 U.S.C. 3839bb–2),*
25 *\$6,500,000, to remain available until expended.*

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

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

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

16 *For gross obligations for the principal amount of di-*
17 *rect and guaranteed farm ownership (7 U.S.C. 1922 et seq.)*
18 *and operating (7 U.S.C. 1941 et seq.) loans, emergency*
19 *loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition*
20 *loans (25 U.S.C. 5136), boll weevil loans (7 U.S.C. 1989),*
21 *guaranteed conservation loans (7 U.S.C. 1924 et seq.), re-*
22 *lending program (7 U.S.C. 1936c), and Indian highly*
23 *fractionated land loans (25 U.S.C. 5136) to be available*
24 *from funds in the Agricultural Credit Insurance Fund, as*
25 *follows: \$2,750,000,000 for guaranteed farm ownership*

1 loans and \$1,875,000,000 for farm ownership direct loans;
2 \$1,960,000,000 for unsubsidized guaranteed operating loans
3 and \$1,550,133,000 for direct operating loans; emergency
4 loans, \$37,668,000; Indian tribe land acquisition loans,
5 \$20,000,000; guaranteed conservation loans, \$150,000,000;
6 relending program, \$18,215,000; Indian highly fractionated
7 land loans, \$10,000,000; and for boll weevil eradication
8 program loans, \$60,000,000: *Provided, That the Secretary*
9 *shall deem the pink bollworm to be a boll weevil for the*
10 *purpose of boll weevil eradication program loans.*

11 *For the cost of direct and guaranteed loans and grants,*
12 *including the cost of modifying loans as defined in section*
13 *502 of the Congressional Budget Act of 1974, as follows:*
14 *\$58,440,000 for direct farm operating loans, \$20,972,000*
15 *for unsubsidized guaranteed farm operating loans, emer-*
16 *gency loans, \$2,023,000; relending program, \$5,000,000; In-*
17 *dian highly fractionated land loans, \$2,745,000; and*
18 *\$60,000 for boll weevil eradication loans, to remain avail-*
19 *able until expended.*

20 *In addition, for administrative expenses necessary to*
21 *carry out the direct and guaranteed loan programs,*
22 *\$317,068,000: Provided, That of this amount, \$290,917,000*
23 *shall be transferred to and merged with the appropriation*
24 *for “Farm Service Agency, Salaries and Expenses”:* *Pro-*
25 *vided further, That of this amount \$16,081,000 shall be*

1 transferred to and merged with the appropriation for
2 “Farm Production and Conservation Business Center, Sal-
3 aries and Expenses”.

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

11 *RISK MANAGEMENT AGENCY*

12 *SALARIES AND EXPENSES*

13 For necessary expenses of the Risk Management Agen-
14 cy, \$58,361,000: Provided, That \$2,000,000 shall be avail-
15 able for compliance and integrity activities required under
16 section 516(b)(2)(C) of the Federal Crop Insurance Act of
17 1938 (7 U.S.C. 1516(b)(2)(C)) in addition to other amounts
18 provided: Provided further, That not to exceed \$1,000 shall
19 be available for official reception and representation ex-
20 penses, as authorized by 7 U.S.C. 1506(i).

21 *NATURAL RESOURCES CONSERVATION SERVICE*

22 *CONSERVATION OPERATIONS*

23 For necessary expenses for carrying out the provisions
24 of the Act of April 27, 1935 (16 U.S.C. 590a–f), including
25 preparation of conservation plans and establishment of

1 *measures to conserve soil and water (including farm irriga-*
2 *tion and land drainage and such special measures for soil*
3 *and water management as may be necessary to prevent*
4 *floods and the siltation of reservoirs and to control agricul-*
5 *tural related pollutants); operation of conservation plant*
6 *materials centers; classification and mapping of soil; dis-*
7 *semination of information; acquisition of lands, water, and*
8 *interests therein for use in the plant materials program by*
9 *donation, exchange, or purchase at a nominal cost not to*
10 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*
11 *2268a); purchase and erection or alteration or improvement*
12 *of permanent and temporary buildings; and operation and*
13 *maintenance of aircraft, \$829,628,000, to remain available*
14 *until September 30, 2021: Provided, That appropriations*
15 *hereunder shall be available pursuant to 7 U.S.C. 2250 for*
16 *construction and improvement of buildings and public im-*
17 *provements at plant materials centers, except that the cost*
18 *of alterations and improvements to other buildings and*
19 *other public improvements shall not exceed \$250,000: Pro-*
20 *vided further, That when buildings or other structures are*
21 *erected on non-Federal land, that the right to use such land*
22 *is obtained as provided in 7 U.S.C. 2250a: Provided fur-*
23 *ther, That of the amounts made available under this head-*
24 *ing, \$5,600,000, shall remain available until expended for*
25 *the authorities under 16 U.S.C. 1001–1005 and 1007–1009*

1 *for authorized ongoing watershed projects with a primary*
2 *purpose of providing water to rural communities.*

3 **WATERSHED AND FLOOD PREVENTION OPERATIONS**

4 *For necessary expenses to carry out preventive meas-*
5 *ures, including but not limited to surveys and investiga-*
6 *tions, engineering operations, works of improvement, and*
7 *changes in use of land, in accordance with the Watershed*
8 *Protection and Flood Prevention Act (16 U.S.C. 1001–1005*
9 *and 1007–1009) and in accordance with the provisions of*
10 *laws relating to the activities of the Department,*
11 *\$175,000,000, to remain available until expended: Pro-*
12 *vided, That for funds provided by this Act or any other*
13 *prior Act, the limitation regarding the size of the watershed*
14 *or subwatershed exceeding two hundred and fifty thousand*
15 *acres in which such activities can be undertaken shall only*
16 *apply for activities undertaken for the primary purpose of*
17 *flood prevention (including structural and land treatment*
18 *measures): Provided further, That of the amounts made*
19 *available under this heading, \$70,000,000 shall be allocated*
20 *to projects and activities that can commence promptly fol-*
21 *lowing enactment; that address regional priorities for flood*
22 *prevention, agricultural water management, inefficient ir-*
23 *rigation systems, fish and wildlife habitat, or watershed*
24 *protection; or that address authorized ongoing projects*
25 *under the authorities of section 13 of the Flood Control Act*

1 *of December 22, 1944 (Public Law 78-534) with a primary*
2 *purpose of watershed protection by preventing floodwater*
3 *damage and stabilizing stream channels, tributaries, and*
4 *banks to reduce erosion and sediment transport.*

5 *WATERSHED REHABILITATION PROGRAM*

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

14 *CORPORATIONS*

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

1 *FEDERAL CROP INSURANCE CORPORATION FUND*

2 *For payments as authorized by section 516 of the Fed-*
3 *eral Crop Insurance Act (7 U.S.C. 1516), such sums as may*
4 *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 reimbursed,*
11 *pursuant to section 2 of the Act of August 17, 1961 (15*
12 *U.S.C. 713a-11): Provided, That of the funds available to*
13 *the Commodity Credit Corporation under section 11 of the*
14 *Commodity Credit Corporation Charter Act (15 U.S.C.*
15 *714i) for the conduct of its business with the Foreign Agri-*
16 *cultural Service, up to \$5,000,000 may be transferred to*
17 *and used by the Foreign Agricultural Service for informa-*
18 *tion resource management activities of the Foreign Agricul-*
19 *tural Service that are not related to Commodity Credit Cor-*
20 *poration business.*

21 *HAZARDOUS WASTE MANAGEMENT*22 *(LIMITATION ON EXPENSES)*

23 *For the current fiscal year, the Commodity Credit Cor-*
24 *poration shall not expend more than \$5,000,000 for site in-*
25 *vestigation and cleanup expenses, and operations and*

1 *maintenance expenses to comply with the requirement of*
2 *section 107(g) of the Comprehensive Environmental Re-*
3 *sponse, Compensation, and Liability Act (42 U.S.C.*
4 *9607(g)), and section 6001 of the Solid Waste Disposal Act*
5 *(42 U.S.C. 6961).*

6 *TITLE III*

7 *RURAL DEVELOPMENT PROGRAMS*

8 *OFFICE OF THE UNDER SECRETARY FOR RURAL*

9 *DEVELOPMENT*

10 *For necessary expenses of the Office of the Under Sec-*
11 *retary for Rural Development, \$800,000: Provided, That*
12 *funds made available by this Act to an agency in the Rural*
13 *Development mission area for salaries and expenses are*
14 *available to fund up to one administrative support staff for*
15 *the Office.*

16 *RURAL DEVELOPMENT*

17 *SALARIES AND EXPENSES*

18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For necessary expenses for carrying out the adminis-*
20 *tration and implementation of Rural Development pro-*
21 *grams, including activities with institutions concerning the*
22 *development and operation of agricultural cooperatives; and*
23 *for cooperative agreements; \$247,835,000: Provided, That*
24 *notwithstanding any other provision of law, funds appro-*
25 *priated under this heading may be used for advertising and*

1 *promotional activities that support Rural Development*
2 *programs: Provided further, That in addition to any other*
3 *funds appropriated for purposes authorized by section*
4 *502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)), any*
5 *amounts collected under such section, as amended by this*
6 *Act, will immediately be credited to this account and will*
7 *remain available until expended for such purposes.*

8 *RURAL HOUSING SERVICE*

9 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

10 *(INCLUDING TRANSFERS OF FUNDS)*

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

23 *For the cost of direct and guaranteed loans, including*
24 *the cost of modifying loans, as defined in section 502 of*
25 *the Congressional Budget Act of 1974, as follows: section*

1 502 loans, \$90,000,000 shall be for direct loans; section 504
2 housing repair loans, \$4,679,000; section 523 self-help hous-
3 ing land development loans, \$577,000; section 524 site de-
4 velopment loans, \$546,000; and repair, rehabilitation, and
5 new construction of section 515 rental housing,
6 \$12,144,000: *Provided, That to support the loan program*
7 *level for section 538 guaranteed loans made available under*
8 *this heading the Secretary may charge or adjust any fees*
9 *to cover the projected cost of such loan guarantees pursuant*
10 *to the provisions of the Credit Reform Act of 1990 (2 U.S.C.*
11 *661 et seq.), and the interest on such loans may not be sub-*
12 *sidized: Provided further, That applicants in communities*
13 *that have a current rural area waiver under section 541*
14 *of the Housing Act of 1949 (42 U.S.C. 1490q) shall be treat-*
15 *ed as living in a rural area for purposes of section 502*
16 *guaranteed loans provided under this heading: Provided*
17 *further, That of the amounts available under this para-*
18 *graph for section 502 direct loans, no less than \$5,000,000*
19 *shall be available for direct loans for individuals whose*
20 *homes will be built pursuant to a program funded with a*
21 *mutual and self-help housing grant authorized by section*
22 *523 of the Housing Act of 1949 until June 1, 2020: Pro-*
23 *vided further, That the Secretary shall implement provi-*
24 *sions to provide incentives to nonprofit organizations and*
25 *public housing authorities to facilitate the acquisition of*

1 *Rural Housing Service (RHS) multifamily housing prop-*
2 *erties by such nonprofit organizations and public housing*
3 *authorities that commit to keep such properties in the RHS*
4 *multifamily housing program for a period of time as deter-*
5 *mined by the Secretary, with such incentives to include, but*
6 *not be limited to, the following: allow such nonprofit entities*
7 *and public housing authorities to earn a Return on Invest-*
8 *ment on their own resources to include proceeds from low*
9 *income housing tax credit syndication, own contributions,*
10 *grants, and developer loans at favorable rates and terms,*
11 *invested in a deal; and allow reimbursement of organiza-*
12 *tional costs associated with owner's oversight of asset re-*
13 *ferred to as "Asset Management Fee" of up to \$7,500 per*
14 *property.*

15 *In addition, for the cost of direct loans, grants, and*
16 *contracts, as authorized by sections 514 and 516 of the*
17 *Housing Act of 1949 (42 U.S.C. 1484, 1486), \$18,739,000,*
18 *to remain available until expended, for direct farm labor*
19 *housing loans and domestic farm labor housing grants and*
20 *contracts: Provided, That any balances available for the*
21 *Farm Labor Program Account shall be transferred to and*
22 *merged with this account.*

23 *In addition, for administrative expenses necessary to*
24 *carry out the direct and guaranteed loan programs,*
25 *\$412,254,000 shall be transferred to and merged with the*

1 appropriation for “Rural Development, Salaries and Ex-
2 penses”.

3 *RENTAL ASSISTANCE PROGRAM*

4 *For rental assistance agreements entered into or re-*
5 *newed pursuant to the authority under section 521(a)(2)*
6 *of the Housing Act of 1949 or agreements entered into in*
7 *lieu of debt forgiveness or payments for eligible households*
8 *as authorized by section 502(c)(5)(D) of the Housing Act*
9 *of 1949, \$1,375,000,000, of which \$40,000,000 shall be*
10 *available until September 30, 2021; and in addition such*
11 *sums as may be necessary, as authorized by section 521(c)*
12 *of the Act, to liquidate debt incurred prior to fiscal year*
13 *1992 to carry out the rental assistance program under sec-*
14 *tion 521(a)(2) of the Act: Provided, That rental assistance*
15 *agreements entered into or renewed during the current fiscal*
16 *year shall be funded for a one-year period: Provided further,*
17 *That upon request by an owner of a project financed by*
18 *an existing loan under section 514 or 515 of the Act, the*
19 *Secretary may renew the rental assistance agreement for*
20 *a period of 20 years or until the term of such loan has*
21 *expired, subject to annual appropriations: Provided further,*
22 *That any unexpended balances remaining at the end of such*
23 *one-year agreements may be transferred and used for pur-*
24 *poses of any debt reduction; maintenance, repair, or reha-*
25 *bilitation of any existing projects; preservation; and rental*

1 *assistance activities authorized under title V of the Act: Pro-*
2 *vided further, That rental assistance provided under agree-*
3 *ments entered into prior to fiscal year 2020 for a farm labor*
4 *multi-family housing project financed under section 514 or*
5 *516 of the Act may not be recaptured for use in another*
6 *project until such assistance has remained unused for a pe-*
7 *riod of 12 consecutive months, if such project has a waiting*
8 *list of tenants seeking such assistance or the project has*
9 *rental assistance eligible tenants who are not receiving such*
10 *assistance: Provided further, That such recaptured rental*
11 *assistance shall, to the extent practicable, be applied to an-*
12 *other farm labor multi-family housing project financed*
13 *under section 514 or 516 of the Act: Provided further, That*
14 *except as provided in the fourth proviso under this heading*
15 *and notwithstanding any other provision of the Act, the*
16 *Secretary may recapture rental assistance provided under*
17 *agreements entered into prior to fiscal year 2020 for a*
18 *project that the Secretary determines no longer needs rental*
19 *assistance and use such recaptured funds for current needs.*

20 *MULTI-FAMILY HOUSING REVITALIZATION PROGRAM*

21 *ACCOUNT*

22 *For the rural housing voucher program as authorized*
23 *under section 542 of the Housing Act of 1949, but notwith-*
24 *standing subsection (b) of such section, and for additional*
25 *costs to conduct a demonstration program for the preserva-*

1 *tion and revitalization of multi-family rental housing prop-*
2 *erties described in this paragraph, \$60,000,000, to remain*
3 *available until expended: Provided, That of the funds made*
4 *available under this heading, \$32,000,000, shall be avail-*
5 *able for rural housing vouchers to any low-income household*
6 *(including those not receiving rental assistance) residing in*
7 *a property financed with a section 515 loan which has been*
8 *prepaid after September 30, 2005: Provided further, That*
9 *the amount of such voucher shall be the difference between*
10 *comparable market rent for the section 515 unit and the*
11 *tenant paid rent for such unit: Provided further, That funds*
12 *made available for such vouchers shall be subject to the*
13 *availability of annual appropriations: Provided further,*
14 *That the Secretary shall, to the maximum extent prac-*
15 *ticable, administer such vouchers with current regulations*
16 *and administrative guidance applicable to section 8 hous-*
17 *ing vouchers administered by the Secretary of the Depart-*
18 *ment of Housing and Urban Development: Provided fur-*
19 *ther, That if the Secretary determines that the amount*
20 *made available for vouchers in this or any other Act is not*
21 *needed for vouchers, the Secretary may use such funds for*
22 *the demonstration program for the preservation and revital-*
23 *ization of multi-family rental housing properties described*
24 *in this paragraph: Provided further, That of the funds made*
25 *available under this heading, \$28,000,000 shall be available*

1 *for a demonstration program for the preservation and re-*
2 *talization of the sections 514, 515, and 516 multi-family*
3 *rental housing properties to restructure existing USDA*
4 *multi-family housing loans, as the Secretary deems appro-*
5 *priate, expressly for the purposes of ensuring the project has*
6 *sufficient resources to preserve the project for the purpose*
7 *of providing safe and affordable housing for low-income*
8 *residents and farm laborers including reducing or elimi-*
9 *nating interest; deferring loan payments, subordinating, re-*
10 *ducing or reamortizing loan debt; and other financial as-*
11 *sistance including advances, payments and incentives (in-*
12 *cluding the ability of owners to obtain reasonable returns*
13 *on investment) required by the Secretary: Provided further,*
14 *That the Secretary shall as part of the preservation and*
15 *revitalization agreement obtain a restrictive use agreement*
16 *consistent with the terms of the restructuring: Provided fur-*
17 *ther, That if the Secretary determines that additional funds*
18 *for vouchers described in this paragraph are needed, funds*
19 *for the preservation and revitalization demonstration pro-*
20 *gram may be used for such vouchers: Provided further, That*
21 *if Congress enacts legislation to permanently authorize a*
22 *multi-family rental housing loan restructuring program*
23 *similar to the demonstration program described herein, the*
24 *Secretary may use funds made available for the demonstra-*
25 *tion program under this heading to carry out such legisla-*

1 *tion with the prior approval of the Committees on Appro-*
2 *priations of both Houses of Congress: Provided further, That*
3 *in addition to any other available funds, the Secretary may*
4 *expend not more than \$1,000,000 total, from the program*
5 *funds made available under this heading, for administra-*
6 *tive expenses for activities funded under this heading.*

7 *MUTUAL AND SELF-HELP HOUSING GRANTS*

8 *For grants and contracts pursuant to section*
9 *523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c),*
10 *\$31,000,000, to remain available until expended.*

11 *RURAL HOUSING ASSISTANCE GRANTS*

12 *For grants for very low-income housing repair and*
13 *rural housing preservation made by the Rural Housing*
14 *Service, as authorized by 42 U.S.C. 1474, and 1490m,*
15 *\$45,000,000, to remain available until expended.*

16 *RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT*

17 *(INCLUDING TRANSFERS OF FUNDS)*

18 *For gross obligations for the principal amount of di-*
19 *rect and guaranteed loans as authorized by section 306 and*
20 *described in section 381E(d)(1) of the Consolidated Farm*
21 *and Rural Development Act, \$2,800,000,000 for direct loans*
22 *and \$500,000,000 for guaranteed loans.*

23 *For the cost of grants for rural community facilities*
24 *programs as authorized by section 306 and described in sec-*
25 *tion 381E(d)(1) of the Consolidated Farm and Rural Devel-*

1 *opment Act, \$49,000,000, to remain available until ex-*
2 *pended: Provided, That \$6,000,000 of the amount appro-*
3 *priated under this heading shall be available for a Rural*
4 *Community Development Initiative: Provided further, That*
5 *such funds shall be used solely to develop the capacity and*
6 *ability of private, nonprofit community-based housing and*
7 *community development organizations, low-income rural*
8 *communities, and Federally Recognized Native American*
9 *Tribes to undertake projects to improve housing, community*
10 *facilities, community and economic development projects in*
11 *rural areas: Provided further, That such funds shall be*
12 *made available to qualified private, nonprofit and public*
13 *intermediary organizations proposing to carry out a pro-*
14 *gram of financial and technical assistance: Provided fur-*
15 *ther, That such intermediary organizations shall provide*
16 *matching funds from other sources, including Federal funds*
17 *for related activities, in an amount not less than funds pro-*
18 *vided: Provided further, That \$6,000,000 of the amount ap-*
19 *propriated under this heading shall be to provide grants*
20 *for facilities in rural communities with extreme unemploy-*
21 *ment and severe economic depression (Public Law 106-*
22 *387), with up to 5 percent for administration and capacity*
23 *building in the State rural development offices: Provided*
24 *further, That \$5,000,000 of the amount appropriated under*
25 *this heading shall be available for community facilities*

1 *grants to tribal colleges, as authorized by section 306(a)(19)*
2 *of such Act: Provided further, That sections 381E–H and*
3 *381N of the Consolidated Farm and Rural Development Act*
4 *are not applicable to the funds made available under this*
5 *heading.*

6 *RURAL BUSINESS—COOPERATIVE SERVICE*

7 *RURAL BUSINESS PROGRAM ACCOUNT*

8 *(INCLUDING TRANSFERS OF FUNDS)*

9 *For the cost of loan guarantees and grants, for the*
10 *rural business development programs authorized by section*
11 *310B and described in subsections (a), (c), (f) and (g) of*
12 *section 310B of the Consolidated Farm and Rural Develop-*
13 *ment Act, \$66,500,000, to remain available until expended:*
14 *Provided, That of the amount appropriated under this*
15 *heading, not to exceed \$500,000 shall be made available for*
16 *one grant to a qualified national organization to provide*
17 *technical assistance for rural transportation in order to*
18 *promote economic development and \$9,000,000 shall be for*
19 *grants to the Delta Regional Authority (7 U.S.C. 2009aa*
20 *et seq.), the Northern Border Regional Commission (40*
21 *U.S.C. 15101 et seq.), and the Appalachian Regional Com-*
22 *mission (40 U.S.C. 14101 et seq.) for any Rural Commu-*
23 *nity Advancement Program purpose as described in section*
24 *381E(d) of the Consolidated Farm and Rural Development*
25 *Act, of which not more than 5 percent may be used for ad-*

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

11 *INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT*

12 *(INCLUDING TRANSFER OF FUNDS)*

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

16 *For the cost of direct loans, \$5,219,000, as authorized*
17 *by the Intermediary Relending Program Fund Account (7*
18 *U.S.C. 1936b), of which \$557,000 shall be available through*
19 *June 30, 2020, for Federally Recognized Native American*
20 *Tribes; and of which \$1,072,000 shall be available through*
21 *June 30, 2020, for Mississippi Delta Region counties (as*
22 *determined in accordance with Public Law 100–460): Pro-*
23 *vided, That such costs, including the cost of modifying such*
24 *loans, shall be as defined in section 502 of the Congressional*
25 *Budget Act of 1974.*

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

5 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*

6 *ACCOUNT*

7 *For the principal amount of direct loans, as authorized*
8 *under section 313B(a) of the Rural Electrification Act, for*
9 *the purpose of promoting rural economic development and*
10 *job creation projects, \$50,000,000.*

11 *The cost of grants authorized under section 313B(a)*
12 *of the Rural Electrification Act, for the purpose of pro-*
13 *moting rural economic development and job creation*
14 *projects shall not exceed \$10,000,000.*

15 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

16 *For rural cooperative development grants authorized*
17 *under section 310B(e) of the Consolidated Farm and Rural*
18 *Development Act (7 U.S.C. 1932), \$26,600,000, of which*
19 *\$2,800,000 shall be for cooperative agreements for the ap-*
20 *propriate technology transfer for rural areas program: Pro-*
21 *vided, That not to exceed \$3,000,000 shall be for grants for*
22 *cooperative development centers, individual cooperatives, or*
23 *groups of cooperatives that serve socially disadvantaged*
24 *groups and a majority of the boards of directors or gov-*
25 *erning boards of which are comprised of individuals who*

1 *are members of socially disadvantaged groups; and of which*
2 *\$15,000,000, to remain available until expended, shall be*
3 *for value-added agricultural product market development*
4 *grants, as authorized by section 210A of the Agricultural*
5 *Marketing Act of 1946, of which \$3,000,000, to remain*
6 *available until expended, shall be for Agriculture Innova-*
7 *tion Centers authorized pursuant to section 6402 of Public*
8 *Law 107–171.*

9 *RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM*

10 *For the cost of loans and grants, \$6,000,000 under the*
11 *same terms and conditions as authorized by section 379E*
12 *of the Consolidated Farm and Rural Development Act (7*
13 *U.S.C. 2008s): Provided, That such costs of loans, including*
14 *the cost of modifying such loans, shall be defined in section*
15 *502 of the Congressional Budget Act of 1974.*

16 *RURAL ENERGY FOR AMERICA PROGRAM*

17 *For the cost of a program of loan guarantees, under*
18 *the same terms and conditions as authorized by section*
19 *9007 of the Farm Security and Rural Investment Act of*
20 *2002 (7 U.S.C. 8107), \$706,000: Provided, That the cost*
21 *of loan guarantees, including the cost of modifying such*
22 *loans, shall be as defined in section 502 of the Congressional*
23 *Budget Act of 1974.*

1 *RURAL UTILITIES SERVICE*2 *RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT*3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For the cost of direct loans, loan guarantees and grants*
5 *for rural water, waste water, waste disposal, and solid*
6 *waste management programs authorized by sections 306,*
7 *306A, 306C, 306D, 306E, and 310B and described in sec-*
8 *tions 306C(a)(2), 306D, 306E, and 381E(d)(2) of the Con-*
9 *solidated Farm and Rural Development Act, \$659,480,000,*
10 *to remain available until expended, of which not to exceed*
11 *\$1,000,000 shall be available for the rural utilities program*
12 *described in section 306(a)(2)(B) of such Act, and of which*
13 *not to exceed \$5,000,000 shall be available for the rural util-*
14 *ities program described in section 306E of such Act: Pro-*
15 *vided, That not to exceed \$15,000,000 of the amount appro-*
16 *priated under this heading shall be for grants authorized*
17 *by section 306A(i)(2) of the Consolidated Farm and Rural*
18 *Development Act in addition to funding authorized by sec-*
19 *tion 306A(i)(1) of such Act: Provided further, That*
20 *\$68,000,000 of the amount appropriated under this heading*
21 *shall be for loans and grants including water and waste*
22 *disposal systems grants authorized by section*
23 *306C(a)(2)(B) and section 306D of the Consolidated Farm*
24 *and Rural Development Act, and Federally Recognized Na-*
25 *tive American Tribes authorized by 306C(a)(1) of such Act:*

1 *Provided further, That funding provided for section 306D*
2 *of the Consolidated Farm and Rural Development Act may*
3 *be provided to a consortium formed pursuant to section 325*
4 *of Public Law 105–83: Provided further, That not more*
5 *than 2 percent of the funding provided for section 306D*
6 *of the Consolidated Farm and Rural Development Act may*
7 *be used by the State of Alaska for training and technical*
8 *assistance programs and not more than 2 percent of the*
9 *funding provided for section 306D of the Consolidated*
10 *Farm and Rural Development Act may be used by a consor-*
11 *tium formed pursuant to section 325 of Public Law 105–*
12 *83 for training and technical assistance programs: Pro-*
13 *vided further, That not to exceed \$30,000,000 of the amount*
14 *appropriated under this heading shall be for technical as-*
15 *sistance grants for rural water and waste systems pursuant*
16 *to section 306(a)(14) of such Act, unless the Secretary*
17 *makes a determination of extreme need, of which \$8,000,000*
18 *shall be made available for a grant to a qualified nonprofit*
19 *multi-State regional technical assistance organization, with*
20 *experience in working with small communities on water*
21 *and waste water problems, the principal purpose of such*
22 *grant shall be to assist rural communities with populations*
23 *of 3,300 or less, in improving the planning, financing, de-*
24 *velopment, operation, and management of water and waste*
25 *water systems, and of which not less than \$800,000 shall*

1 *be for a qualified national Native American organization*
2 *to provide technical assistance for rural water systems for*
3 *tribal communities: Provided further, That not to exceed*
4 *\$19,570,000 of the amount appropriated under this heading*
5 *shall be for contracting with qualified national organiza-*
6 *tions for a circuit rider program to provide technical assist-*
7 *ance for rural water systems: Provided further, That not*
8 *to exceed \$4,000,000 shall be for solid waste management*
9 *grants: Provided further, That \$10,000,000 of the amount*
10 *appropriated under this heading shall be transferred to, and*
11 *merged with, the Rural Utilities Service, High Energy Cost*
12 *Grants Account to provide grants authorized under section*
13 *19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a):*
14 *Provided further, That any prior year balances for high-*
15 *energy cost grants authorized by section 19 of the Rural*
16 *Electrification Act of 1936 (7 U.S.C. 918a) shall be trans-*
17 *ferred to and merged with the Rural Utilities Service, High*
18 *Energy Cost Grants Account: Provided further, That sec-*
19 *tions 381E–H and 381N of the Consolidated Farm and*
20 *Rural Development Act are not applicable to the funds*
21 *made available under this heading.*

1 *RURAL ELECTRIFICATION AND TELECOMMUNICATIONS*
2 *LOANS PROGRAM ACCOUNT*
3 *(INCLUDING TRANSFER OF FUNDS)*

4 *The principal amount of direct and guaranteed loans*
5 *as authorized by sections 305, 306, and 317 of the Rural*
6 *Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g)*
7 *shall be made as follows: loans made pursuant to sections*
8 *305, 306, and 317, notwithstanding 317(c), of that Act,*
9 *rural electric, \$5,500,000,000; guaranteed underwriting*
10 *loans pursuant to section 313A of that Act, \$750,000,000;*
11 *5 percent rural telecommunications loans, cost of money*
12 *rural telecommunications loans, and for loans made pursu-*
13 *ant to section 306 of that Act, rural telecommunications*
14 *loans, \$690,000,000: Provided, That up to \$2,000,000,000*
15 *shall be used for the construction, acquisition, design and*
16 *engineering or improvement of fossil-fueled electric gener-*
17 *ating plants (whether new or existing) that utilize carbon*
18 *subsurface utilization and storage systems.*

19 *For the cost of direct loans as authorized by section*
20 *305 of the Rural Electrification Act of 1936 (7 U.S.C. 935),*
21 *including the cost of modifying loans, as defined in section*
22 *502 of the Congressional Budget Act of 1974, cost of money*
23 *rural telecommunications loans, \$3,795,000.*

24 *In addition, for administrative expenses necessary to*
25 *carry out the direct and guaranteed loan programs,*

1 \$33,270,000, which shall be transferred to and merged with
2 the appropriation for “Rural Development, Salaries and
3 Expenses”.

4 *DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND*
5 *PROGRAM*

6 *For the principal amount of broadband telecommuni-*
7 *cation loans, \$11,179,000.*

8 *For grants for telemedicine and distance learning serv-*
9 *ices in rural areas, as authorized by 7 U.S.C. 950aaa et*
10 *seq., \$50,000,000, to remain available until expended: Pro-*
11 *vided, That \$3,000,000 shall be made available for grants*
12 *authorized by 379G of the Consolidated Farm and Rural*
13 *Development Act: Provided further, That funding provided*
14 *under this heading for grants under 379G of the Consoli-*
15 *dated Farm and Rural Development Act may only be pro-*
16 *vided to entities that meet all of the eligibility criteria for*
17 *a consortium as established by this section.*

18 *For the cost of broadband loans, as authorized by sec-*
19 *tion 601 of the Rural Electrification Act, \$2,000,000, to re-*
20 *main available until expended: Provided, That the cost of*
21 *direct loans shall be as defined in section 502 of the Con-*
22 *gressional Budget Act of 1974.*

23 *In addition, \$35,000,000, to remain available until ex-*
24 *pended, for a grant program to finance broadband trans-*
25 *mission in rural areas eligible for Distance Learning and*

1 *Telemedicine Program benefits authorized by 7 U.S.C.*
2 *950aaa et seq.*

3 *TITLE IV*

4 *DOMESTIC FOOD PROGRAMS*

5 *OFFICE OF THE UNDER SECRETARY FOR FOOD,*

6 *NUTRITION, AND CONSUMER SERVICES*

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

13 *FOOD AND NUTRITION SERVICE*

14 *CHILD NUTRITION PROGRAMS*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For necessary expenses to carry out the Richard B.*
17 *Russell National School Lunch Act (42 U.S.C. 1751 et seq.),*
18 *except section 21, and the Child Nutrition Act of 1966 (42*
19 *U.S.C. 1771 et seq.), except sections 17 and 21;*
20 *\$23,615,098,000 to remain available through September 30,*
21 *2021, of which such sums as are made available under sec-*
22 *tion 14222(b)(1) of the Food, Conservation, and Energy Act*
23 *of 2008 (Public Law 110–246), as amended by this Act,*
24 *shall be merged with and available for the same time period*
25 *and purposes as provided herein: Provided, That of the total*

1 amount available, \$18,004,000 shall be available to carry
2 out section 19 of the Child Nutrition Act of 1966 (42 U.S.C.
3 1771 et seq.): Provided further, That of the total amount
4 available, \$14,999,000 shall be available to carry out stud-
5 ies and evaluations and shall remain available until ex-
6 pended: Provided further, That of the total amount avail-
7 able, \$30,000,000 shall be available to provide competitive
8 grants to State agencies for subgrants to local educational
9 agencies and schools to purchase the equipment, with a
10 value of greater than \$1,000, needed to serve healthier
11 meals, improve food safety, and to help support the estab-
12 lishment, maintenance, or expansion of the school breakfast
13 program: Provided further, That of the total amount avail-
14 able, \$35,000,000 shall remain available until expended to
15 carry out section 749(g) of the Agriculture Appropriations
16 Act of 2010 (Public Law 111–80): Provided further, That
17 section 26(d) of the Richard B. Russell National School
18 Lunch Act (42 U.S.C. 1769g(d)) is amended in the first
19 sentence by striking “2010 through 2019” and inserting
20 “2010 through 2021”: Provided further, That section
21 9(h)(3) of the Richard B. Russell National School Lunch
22 Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence
23 by striking “For fiscal year 2019” and inserting “For fiscal
24 year 2020”: Provided further, That section 9(h)(4) of the
25 Richard B. Russell National School Lunch Act (42 U.S.C.

1 1758(h)(4)) is amended in the first sentence by striking
2 “For fiscal year 2019” and inserting “For fiscal year
3 2020”.

4 *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*
5 *WOMEN, INFANTS, AND CHILDREN (WIC)*

6 *For necessary expenses to carry out the special supple-*
7 *mental nutrition program as authorized by section 17 of*
8 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*
9 *\$6,000,000,000, to remain available through September 30,*
10 *2021: Provided, That notwithstanding section 17(h)(10) of*
11 *the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)),*
12 *not less than \$90,000,000 shall be used for breastfeeding*
13 *peer counselors and other related activities, and*
14 *\$14,000,000 shall be used for infrastructure: Provided fur-*
15 *ther, That none of the funds provided in this account shall*
16 *be available for the purchase of infant formula except in*
17 *accordance with the cost containment and competitive bid-*
18 *ding requirements specified in section 17 of such Act: Pro-*
19 *vided further, That none of the funds provided shall be*
20 *available for activities that are not fully reimbursed by*
21 *other Federal Government departments or agencies unless*
22 *authorized by section 17 of such Act: Provided further, That*
23 *upon termination of a federally mandated vendor morato-*
24 *rium and subject to terms and conditions established by the*

1 *Secretary, the Secretary may waive the requirement at 7*
2 *CFR 246.12(g)(6) at the request of a State agency.*

3 *SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM*

4 *For necessary expenses to carry out the Food and Nu-*
5 *trition Act of 2008 (7 U.S.C. 2011 et seq.), \$67,886,285,000,*
6 *of which \$3,000,000,000, to remain available through Sep-*
7 *tember 30, 2022, shall be placed in reserve for use only in*
8 *such amounts and at such times as may become necessary*
9 *to carry out program operations: Provided, That funds pro-*
10 *vided herein shall be expended in accordance with section*
11 *16 of the Food and Nutrition Act of 2008: Provided further,*
12 *That of the funds made available under this heading,*
13 *\$998,000 may be used to provide nutrition education serv-*
14 *ices to State agencies and Federally Recognized Tribes par-*
15 *ticipating in the Food Distribution Program on Indian*
16 *Reservations: Provided further, That this appropriation*
17 *shall be subject to any work registration or workfare re-*
18 *quirements as may be required by law: Provided further,*
19 *That funds made available for Employment and Training*
20 *under this heading shall remain available through Sep-*
21 *tember 30, 2021: Provided further, That funds made avail-*
22 *able under this heading for section 28(d)(1), section 4(b),*
23 *and section 27(a) of the Food and Nutrition Act of 2008*
24 *shall remain available through September 30, 2021: Pro-*
25 *vided further, That none of the funds made available under*

1 *this heading may be obligated or expended in contravention*
2 *of section 213A of the Immigration and Nationality Act*
3 *(8 U.S.C. 1183A): Provided further, That funds made avail-*
4 *able under this heading may be used to enter into contracts*
5 *and employ staff to conduct studies, evaluations, or to con-*
6 *duct activities related to program integrity provided that*
7 *such activities are authorized by the Food and Nutrition*
8 *Act of 2008.*

9 **COMMODITY ASSISTANCE PROGRAM**

10 *For necessary expenses to carry out disaster assistance*
11 *and the Commodity Supplemental Food Program as au-*
12 *thorized by section 4(a) of the Agriculture and Consumer*
13 *Protection Act of 1973 (7 U.S.C. 612c note); the Emergency*
14 *Food Assistance Act of 1983; special assistance for the nu-*
15 *clear affected islands, as authorized by section 103(f)(2) of*
16 *the Compact of Free Association Amendments Act of 2003*
17 *(Public Law 108–188); and the Farmers’ Market Nutrition*
18 *Program, as authorized by section 17(m) of the Child Nutri-*
19 *tion Act of 1966, \$344,248,000, to remain available through*
20 *September 30, 2021: Provided, That none of these funds*
21 *shall be available to reimburse the Commodity Credit Cor-*
22 *poration for commodities donated to the program: Provided*
23 *further, That notwithstanding any other provision of law,*
24 *effective with funds made available in fiscal year 2020 to*
25 *support the Seniors Farmers’ Market Nutrition Program,*

1 *as authorized by section 4402 of the Farm Security and*
2 *Rural Investment Act of 2002, such funds shall remain*
3 *available through September 30, 2021: Provided further,*
4 *That of the funds made available under section 27(a) of*
5 *the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)),*
6 *the Secretary may use up to 20 percent for costs associated*
7 *with the distribution of commodities.*

8 *NUTRITION PROGRAMS ADMINISTRATION*

9 *For necessary administrative expenses of the Food and*
10 *Nutrition Service for carrying out any domestic nutrition*
11 *assistance program, \$155,891,000: Provided, That of the*
12 *funds provided herein, \$2,000,000 shall be used for the pur-*
13 *poses of section 4404 of Public Law 107–171, as amended*
14 *by section 4401 of Public Law 110–246.*

15 *TITLE V*

16 *FOREIGN ASSISTANCE AND RELATED PROGRAMS*

17 *OFFICE OF THE UNDER SECRETARY FOR TRADE AND*

18 *FOREIGN AGRICULTURAL AFFAIRS*

19 *For necessary expenses of the Office of the Under Sec-*
20 *retary for Trade and Foreign Agricultural Affairs,*
21 *\$875,000: Provided, That funds made available by this Act*
22 *to any agency in the Trade and Foreign Agricultural Af-*
23 *fairs mission area for salaries and expenses are available*
24 *to fund up to one administrative support staff for the Office.*

1 *OFFICE OF CODEX ALIMENTARIUS*

2 *For necessary expenses of the Office of Codex*
3 *Alimentarius, \$4,775,000, including not to exceed \$40,000*
4 *for official reception and representation expenses.*

5 *FOREIGN AGRICULTURAL SERVICE*6 *SALARIES AND EXPENSES*7 *(INCLUDING TRANSFERS OF FUNDS)*

8 *For necessary expenses of the Foreign Agricultural*
9 *Service, including not to exceed \$250,000 for representation*
10 *allowances and for expenses pursuant to section 8 of the*
11 *Act approved August 3, 1956 (7 U.S.C. 1766),*
12 *\$215,513,000, of which no more than 6 percent shall remain*
13 *available until September 30, 2021, for overseas operations*
14 *to include the payment of locally employed staff: Provided,*
15 *That the Service may utilize advances of funds, or reim-*
16 *burse this appropriation for expenditures made on behalf*
17 *of Federal agencies, public and private organizations and*
18 *institutions under agreements executed pursuant to the ag-*
19 *ricultural food production assistance programs (7 U.S.C.*
20 *1737) and the foreign assistance programs of the United*
21 *States Agency for International Development: Provided fur-*
22 *ther, That funds made available for middle-income country*
23 *training programs, funds made available for the Borlaug*
24 *International Agricultural Science and Technology Fellow-*
25 *ship program, and up to \$2,000,000 of the Foreign Agricul-*

1 *tural Service appropriation solely for the purpose of offset-*
2 *ting fluctuations in international currency exchange rates,*
3 *subject to documentation by the Foreign Agricultural Serv-*
4 *ice, shall remain available until expended.*

5 *FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD FOR*
6 *PROGRESS PROGRAM ACCOUNT*

7 *(INCLUDING TRANSFER OF FUNDS)*

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

13 *FOOD FOR PEACE TITLE II GRANTS*

14 *For expenses during the current fiscal year, not other-*
15 *wise recoverable, and unrecovered prior years' costs, includ-*
16 *ing interest thereon, under the Food for Peace Act (Public*
17 *Law 83-480), for commodities supplied in connection with*
18 *dispositions abroad under title II of said Act,*
19 *\$1,725,000,000, to remain available until expended.*

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

22 *For necessary expenses to carry out the provisions of*
23 *section 3107 of the Farm Security and Rural Investment*
24 *Act of 2002 (7 U.S.C. 1736o-1), \$220,000,000, to remain*
25 *available until expended: Provided, That the Commodity*

1 *Credit Corporation is authorized to provide the services, fa-*
2 *cilities, and authorities for the purpose of implementing*
3 *such section, subject to reimbursement from amounts pro-*
4 *vided herein: Provided further, That of the amount made*
5 *available under this heading, not more than 10 percent, but*
6 *not less than \$20,000,000, shall remain available until ex-*
7 *pendent to purchase agricultural commodities as described*
8 *in subsection 3107(a)(2) of the Farm Security and Rural*
9 *Investment Act of 2002 (7 U.S.C. 1736o–1(a)(2)).*

10 *COMMODITY CREDIT CORPORATION EXPORT (LOANS)*

11 *CREDIT GUARANTEE PROGRAM ACCOUNT*

12 *(INCLUDING TRANSFERS OF FUNDS)*

13 *For administrative expenses to carry out the Com-*
14 *modity Credit Corporation’s Export Guarantee Program,*
15 *GSM 102 and GSM 103, \$6,381,000, to cover common over-*
16 *head expenses as permitted by section 11 of the Commodity*
17 *Credit Corporation Charter Act and in conformity with the*
18 *Federal Credit Reform Act of 1990, of which \$6,063,000*
19 *shall be transferred to and merged with the appropriation*
20 *for “Foreign Agricultural Service, Salaries and Expenses”,*
21 *and of which \$318,000 shall be transferred to and merged*
22 *with the appropriation for “Farm Service Agency, Salaries*
23 *and Expenses”.*

1 rived from medical device user fees authorized by 21 U.S.C.
2 379j, and shall be credited to this account and remain
3 available until expended; \$513,223,000 shall be derived
4 from human generic drug user fees authorized by 21 U.S.C.
5 379j-42, and shall be credited to this account and remain
6 available until expended; \$41,923,000 shall be derived from
7 biosimilar biological product user fees authorized by 21
8 U.S.C. 379j-52, and shall be credited to this account and
9 remain available until expended; \$30,611,000 shall be de-
10 rived from animal drug user fees authorized by 21 U.S.C.
11 379j-12, and shall be credited to this account and remain
12 available until expended; \$20,151,000 shall be derived from
13 generic new animal drug user fees authorized by 21 U.S.C.
14 379j-21, and shall be credited to this account and remain
15 available until expended; \$712,000,000 shall be derived
16 from tobacco product user fees authorized by 21 U.S.C.
17 387s, and shall be credited to this account and remain
18 available until expended: Provided further, That in addi-
19 tion to and notwithstanding any other provision under this
20 heading, amounts collected for prescription drug user fees,
21 medical device user fees, human generic drug user fees, bio-
22 similar biological product user fees, animal drug user fees,
23 and generic new animal drug user fees that exceed the re-
24 spective fiscal year 2020 limitations are appropriated and
25 shall be credited to this account and remain available until

1 expended: *Provided further, That fees derived from prescrip-*
2 *tion drug, medical device, human generic drug, biosimilar*
3 *biological product, animal drug, and generic new animal*
4 *drug assessments for fiscal year 2020, including any such*
5 *fees collected prior to fiscal year 2020 but credited for fiscal*
6 *year 2020, shall be subject to the fiscal year 2020 limita-*
7 *tions: Provided further, That the Secretary may accept pay-*
8 *ment during fiscal year 2020 of user fees specified under*
9 *this heading and authorized for fiscal year 2021, prior to*
10 *the due date for such fees, and that amounts of such fees*
11 *assessed for fiscal year 2021 for which the Secretary accepts*
12 *payment in fiscal year 2020 shall not be included in*
13 *amounts under this heading: Provided further, That none*
14 *of these funds shall be used to develop, establish, or operate*
15 *any program of user fees authorized by 31 U.S.C. 9701:*
16 *Provided further, That of the total amount appropriated:*
17 *(1) \$1,088,881,000 shall be for the Center for Food Safety*
18 *and Applied Nutrition and related field activities in the*
19 *Office of Regulatory Affairs, of which no less than*
20 *\$15,000,000 shall be used for inspections of foreign seafood*
21 *manufacturers and field examinations of imported seafood;*
22 *(2) \$1,972,093,000 shall be for the Center for Drug Evalua-*
23 *tion and Research and related field activities in the Office*
24 *of Regulatory Affairs; (3) \$419,302,000 shall be for the Cen-*
25 *ter for Biologics Evaluation and Research and for related*

1 *field activities in the Office of Regulatory Affairs; (4)*
2 *\$237,741,000 shall be for the Center for Veterinary Medicine*
3 *and for related field activities in the Office of Regulatory*
4 *Affairs; (5) \$581,761,000 shall be for the Center for Devices*
5 *and Radiological Health and for related field activities in*
6 *the Office of Regulatory Affairs; (6) \$66,712,000 shall be*
7 *for the National Center for Toxicological Research; (7)*
8 *\$661,739,000 shall be for the Center for Tobacco Products*
9 *and for related field activities in the Office of Regulatory*
10 *Affairs; (8) \$186,399,000 shall be for Rent and Related ac-*
11 *tivities, of which \$53,913,000 is for White Oak Consolida-*
12 *tion, other than the amounts paid to the General Services*
13 *Administration for rent; (9) \$239,717,000 shall be for pay-*
14 *ments to the General Services Administration for rent; and*
15 *(10) \$318,097,000 shall be for other activities, including the*
16 *Office of the Commissioner of Food and Drugs, the Office*
17 *of Foods and Veterinary Medicine, the Office of Medical and*
18 *Tobacco Products, the Office of Global and Regulatory Pol-*
19 *icy, the Office of Operations, the Office of the Chief Sci-*
20 *entist, and central services for these offices: Provided fur-*
21 *ther, That not to exceed \$25,000 of this amount shall be*
22 *for official reception and representation expenses, not other-*
23 *wise provided for, as determined by the Commissioner: Pro-*
24 *vided further, That any transfer of funds pursuant to sec-*
25 *tion 770(n) of the Federal Food, Drug, and Cosmetic Act*

1 *(21 U.S.C. 379dd(n)) shall only be from amounts made*
2 *available under this heading for other activities: Provided*
3 *further, That of the amounts that are made available under*
4 *this heading for “other activities”, and that are not derived*
5 *from user fees, \$1,500,000 shall be transferred to and*
6 *merged with the appropriation for “Department of Health*
7 *and Human Services—Office of Inspector General” for*
8 *oversight of the programs and operations of the Food and*
9 *Drug Administration and shall be in addition to funds oth-*
10 *erwise made available for oversight of the Food and Drug*
11 *Administration: Provided further, That funds may be*
12 *transferred from one specified activity to another with the*
13 *prior approval of the Committees on Appropriations of both*
14 *Houses of Congress.*

15 *In addition, mammography user fees authorized by 42*
16 *U.S.C. 263b, export certification user fees authorized by 21*
17 *U.S.C. 381, priority review user fees authorized by 21*
18 *U.S.C. 360n and 360ff, food and feed recall fees, food rein-*
19 *spection fees, and voluntary qualified importer program*
20 *fees authorized by 21 U.S.C. 379j–31, outsourcing facility*
21 *fees authorized by 21 U.S.C. 379j–62, prescription drug*
22 *wholesale distributor licensing and inspection fees author-*
23 *ized by 21 U.S.C. 353(e)(3), third-party logistics provider*
24 *licensing and inspection fees authorized by 21 U.S.C.*
25 *360eee–3(c)(1), third-party auditor fees authorized by 21*

1 *U.S.C. 384d(c)(8), and medical countermeasure priority re-*
2 *view voucher user fees authorized by 21 U.S.C. 360bbb–4a,*
3 *and, contingent upon the enactment of the Over-the-Counter*
4 *Monograph User Fee Act of 2019, fees relating to over-the-*
5 *counter monograph drugs authorized by part 10 of sub-*
6 *chapter C of Chapter VII of the Federal Food, Drug and*
7 *Cosmetic Act shall be credited to this account, to remain*
8 *available until expended.*

9 *BUILDINGS AND FACILITIES*

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

15 *FDA INNOVATION ACCOUNT, CURES ACT*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For necessary expenses to carry out the purposes de-*
18 *scribed under section 1002(b)(4) of the 21st Century Cures*
19 *Act, in addition to amounts available for such purposes*
20 *under the heading “Salaries and Expenses”, \$75,000,000,*
21 *to remain available until expended: Provided, That*
22 *amounts appropriated in this paragraph are appropriated*
23 *pursuant to section 1002(b)(3) of the 21st Century Cures*
24 *Act, are to be derived from amounts transferred under sec-*
25 *tion 1002(b)(2)(A) of such Act, and may be transferred by*

1 *the Commissioner of Food and Drugs to the appropriation*
2 *for “Department of Health and Human Services Food and*
3 *Drug Administration Salaries and Expenses” solely for the*
4 *purposes provided in such Act: Provided further, That upon*
5 *a determination by the Commissioner that funds trans-*
6 *ferred pursuant to the previous proviso are not necessary*
7 *for the purposes provided, such amounts may be transferred*
8 *back to the account: Provided further, That such transfer*
9 *authority is in addition to any other transfer authority*
10 *provided by law.*

11 *INDEPENDENT AGENCIES*

12 *COMMODITY FUTURES TRADING COMMISSION*

13 *For necessary expenses to carry out the provisions of*
14 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*
15 *the purchase and hire of passenger motor vehicles, and the*
16 *rental of space (to include multiple year leases), in the Dis-*
17 *trict of Columbia and elsewhere, \$284,000,000, including*
18 *not to exceed \$3,000 for official reception and representa-*
19 *tion expenses, and not to exceed \$25,000 for the expenses*
20 *for consultations and meetings hosted by the Commission*
21 *with foreign governmental and other regulatory officials, of*
22 *which not less than \$20,000,000 shall remain available*
23 *until September 30, 2021, and of which not less than*
24 *\$3,200,000 shall be for expenses of the Office of the Inspector*
25 *General: Provided, That notwithstanding the limitations in*

1 31 U.S.C. 1553, amounts provided under this heading are
2 available for the liquidation of obligations equal to current
3 year payments on leases entered into prior to the date of
4 enactment of this Act: Provided further, That for the pur-
5 pose of recording and liquidating any lease obligations that
6 should have been recorded and liquidated against accounts
7 closed pursuant to 31 U.S.C. 1552, and consistent with the
8 preceding proviso, such amounts shall be transferred to and
9 recorded in a no-year account in the Treasury, which has
10 been established for the sole purpose of recording adjust-
11 ments for and liquidating such unpaid obligations.

12 In addition, for move, replication, and related costs
13 associated with replacement leases for the Commission's fa-
14 cilities, not to exceed \$31,000,000, to remain available until
15 expended.

16 *FARM CREDIT ADMINISTRATION*

17 *LIMITATION ON ADMINISTRATIVE EXPENSES*

18 Not to exceed \$77,000,000 (from assessments collected
19 from farm credit institutions, including the Federal Agri-
20 cultural Mortgage Corporation) shall be obligated during
21 the current fiscal year for administrative expenses as au-
22 thorized under 12 U.S.C. 2249: Provided, That this limita-
23 tion shall not apply to expenses associated with receiver-
24 ships: Provided further, That the agency may exceed this
25 limitation by up to 10 percent with notification to the Com-

1 *mitted on Appropriations of both Houses of Congress: Pro-*
2 *vided further, That the purposes of section 3.7(b)(2)(A)(i)*
3 *of the Farm Credit Act of 1971 (12 U.S.C.*
4 *2128(b)(2)(A)(i)), the Farm Credit Administration may ex-*
5 *empt, an amount in its sole discretion, from the application*
6 *of the limitation provided in that clause of export loans*
7 *described in the clause guaranteed or insured in a manner*
8 *other than described in subclause (II) of the clause.*

9 TITLE VII

10 GENERAL PROVISIONS

11 *(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)*

12 *SEC. 701. The Secretary may use any appropriations*
13 *made available to the Department of Agriculture in this*
14 *Act to purchase new passenger motor vehicles, in addition*
15 *to specific appropriations for this purpose, so long as the*
16 *total number of vehicles purchased in fiscal year 2020 does*
17 *not exceed the number of vehicles owned or leased in fiscal*
18 *year 2018: Provided, That, prior to purchasing additional*
19 *motor vehicles, the Secretary must determine that such vehi-*
20 *cles are necessary for transportation safety, to reduce oper-*
21 *ational costs, and for the protection of life, property, and*
22 *public safety: Provided further, That the Secretary may not*
23 *increase the Department of Agriculture's fleet above the*
24 *2018 level unless the Secretary notifies in writing, and re-*

1 ceives approval from, the Committees on Appropriations of
2 both Houses of Congress within 30 days of the notification.

3 SEC. 702. Notwithstanding any other provision of this
4 Act, the Secretary of Agriculture may transfer unobligated
5 balances of discretionary funds appropriated by this Act
6 or any other available unobligated discretionary balances
7 that are remaining available of the Department of Agri-
8 culture to the Working Capital Fund for the acquisition of
9 plant and capital equipment necessary for the delivery of
10 financial, administrative, and information technology serv-
11 ices of primary benefit to the agencies of the Department
12 of Agriculture, such transferred funds to remain available
13 until expended: Provided, That none of the funds made
14 available by this Act or any other Act shall be transferred
15 to the Working Capital Fund without the prior approval
16 of the agency administrator: Provided further, That none
17 of the funds transferred to the Working Capital Fund pur-
18 suant to this section shall be available for obligation with-
19 out written notification to and the prior approval of the
20 Committees on Appropriations of both Houses of Congress:
21 Provided further, That none of the funds appropriated by
22 this Act or made available to the Department's Working
23 Capital Fund shall be available for obligation or expendi-
24 ture to make any changes to the Department's National Fi-
25 nance Center without written notification to and prior ap-

1 *proval of the Committees on Appropriations of both Houses*
2 *of Congress as required by section 716 of this Act: Provided*
3 *further, That none of the funds appropriated by this Act*
4 *or made available to the Department's Working Capital*
5 *Fund shall be available for obligation or expenditure to ini-*
6 *tiate, plan, develop, implement, or make any changes to re-*
7 *move or relocate any systems, missions, or functions of the*
8 *offices of the Chief Financial Officer or any personnel from*
9 *the National Finance Center prior to written notification*
10 *to and prior approval of the Committee on Appropriations*
11 *of both Houses of Congress and in accordance with the re-*
12 *quirements of section 716 of this Act: Provided further, That*
13 *the Secretary of Agriculture and the offices of the Chief Fi-*
14 *nancial Officer shall actively market to existing and new*
15 *Departments and other government agencies National Fi-*
16 *nance Center shared services including, but not limited to,*
17 *payroll, financial management, and human capital shared*
18 *services and allow the National Finance Center to perform*
19 *technology upgrades: Provided further, That of annual in-*
20 *come amounts in the Working Capital Fund of the Depart-*
21 *ment of Agriculture attributable to the amounts in excess*
22 *of the true costs of the shared services provided by the Na-*
23 *tional Finance Center and budgeted for the National Fi-*
24 *nance Center, the Secretary shall reserve not more than 4*
25 *percent for the replacement or acquisition of capital equip-*

1 ment, including equipment for the improvement, delivery,
2 and implementation of financial, administrative, and in-
3 formation technology services, and other systems of the Na-
4 tional Finance Center or to pay any unforeseen, extraor-
5 dinary cost of the National Finance Center: Provided fur-
6 ther, That none of the amounts reserved shall be available
7 for obligation unless the Secretary submits written notifica-
8 tion of the obligation to the Committees on Appropriations
9 of both Houses of Congress: Provided further, That the limi-
10 tations on the obligation of funds pending notification to
11 Congressional Committees shall not apply to any obligation
12 that, as determined by the Secretary, is necessary to re-
13 spond to a declared state of emergency that significantly
14 impacts the operations of the National Finance Center; or
15 to evacuate employees of the National Finance Center to
16 a safe haven to continue operations of the National Finance
17 Center.

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

21 SEC. 704. No funds appropriated by this Act may be
22 used to pay negotiated indirect cost rates on cooperative
23 agreements or similar arrangements between the United
24 States Department of Agriculture and nonprofit institu-
25 tions in excess of 10 percent of the total direct cost of the

1 agreement when the purpose of such cooperative arrange-
2 ments is to carry out programs of mutual interest between
3 the two parties. This does not preclude appropriate pay-
4 ment of indirect costs on grants and contracts with such
5 institutions when such indirect costs are computed on a
6 similar basis for all agencies for which appropriations are
7 provided in this Act.

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

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

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

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

21 *SEC. 708. Notwithstanding any other provision of law,*
22 *any former RUS borrower that has repaid or prepaid an*
23 *insured, direct or guaranteed loan under the Rural Elec-*
24 *trification Act of 1936, or any not-for-profit utility that*
25 *is eligible to receive an insured or direct loan under such*

1 *Act, shall be eligible for assistance under section 313B(a)*
2 *of such Act in the same manner as a borrower under such*
3 *Act.*

4 *SEC. 709. (a) Except as otherwise specifically provided*
5 *by law, not more than \$20,000,000 in unobligated balances*
6 *from appropriations made available for salaries and ex-*
7 *penses in this Act for the Farm Service Agency shall remain*
8 *available through September 30, 2021, for information tech-*
9 *nology expenses.*

10 *(b) Except as otherwise specifically provided by law,*
11 *not more than \$20,000,000 in unobligated balances from*
12 *appropriations made available for salaries and expenses in*
13 *this Act for the Rural Development mission area shall re-*
14 *main available through September 30, 2021, for informa-*
15 *tion technology expenses.*

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

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

1 *thorized or required to be carried out using funds of the*
2 *Commodity Credit Corporation—*

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

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

15 *SEC. 712. Of the funds made available by this Act, not*
16 *more than \$2,900,000 shall be used to cover necessary ex-*
17 *penses of activities related to all advisory committees, pan-*
18 *els, commissions, and task forces of the Department of Agri-*
19 *culture, except for panels used to comply with negotiated*
20 *rule makings and panels used to evaluate competitively*
21 *awarded grants.*

22 *SEC. 713. (a) None of the funds made available in this*
23 *Act may be used to maintain or establish a computer net-*
24 *work unless such network blocks the viewing, downloading,*
25 *and exchanging of pornography.*

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

5 *SEC. 714. Notwithstanding subsection (b) of section*
6 *14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this*
7 *section referred to as “section 14222”), none of the funds*
8 *appropriated or otherwise made available by this or any*
9 *other Act shall be used to pay the salaries and expenses of*
10 *personnel to carry out a program under section 32 of the*
11 *Act of August 24, 1935 (7 U.S.C. 612c; in this section re-*
12 *ferred to as “section 32”) in excess of \$1,331,725,000 (exclu-*
13 *sive of carryover appropriations from prior fiscal years),*
14 *as follows: Child Nutrition Programs Entitlement Commod-*
15 *ities—\$485,000,000; State Option Contracts—\$5,000,000;*
16 *Removal of Defective Commodities—\$2,500,000; Adminis-*
17 *tration of Section 32 Commodity Purchases—\$35,853,000:*
18 *Provided, That of the total funds made available in the mat-*
19 *ter preceding this proviso that remain unobligated on Octo-*
20 *ber 1, 2020, such unobligated balances shall carryover into*
21 *fiscal year 2021 and shall remain available until expended*
22 *for any of the purposes of section 32, except that any such*
23 *carryover funds used in accordance with clause (3) of sec-*
24 *tion 32 may not exceed \$350,000,000 and may not be obli-*
25 *gated until the Secretary of Agriculture provides written*

1 notification of the expenditures to the Committees on Ap-
2 propriations of both Houses of Congress at least two weeks
3 in advance: Provided further, That, with the exception of
4 any available carryover funds authorized in any prior ap-
5 propriations Act to be used for the purposes of clause (3)
6 of section 32, none of the funds appropriated or otherwise
7 made available by this or any other Act shall be used to
8 pay the salaries or expenses of any employee of the Depart-
9 ment of Agriculture to carry out clause (3) of section 32.

10 SEC. 715. None of the funds appropriated by this or
11 any other Act shall be used to pay the salaries and expenses
12 of personnel who prepare or submit appropriations lan-
13 guage as part of the President's budget submission to the
14 Congress for programs under the jurisdiction of the Appro-
15 priations Subcommittees on Agriculture, Rural Develop-
16 ment, Food and Drug Administration, and Related Agen-
17 cies that assumes revenues or reflects a reduction from the
18 previous year due to user fees proposals that have not been
19 enacted into law prior to the submission of the budget unless
20 such budget submission identifies which additional spend-
21 ing reductions should occur in the event the user fees pro-
22 posals are not enacted prior to the date of the convening
23 of a committee of conference for the fiscal year 2021 appro-
24 priations Act.

1 *SEC. 716. (a) None of the funds provided by this Act,*
2 *or provided 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 any*
5 *accounts in the Treasury derived by the collection of fees*
6 *available to the agencies funded by this Act, shall be avail-*
7 *able for obligation or expenditure through a reprogram-*
8 *ming, transfer of funds, or reimbursements as authorized*
9 *by the Economy Act, or in the case of the Department of*
10 *Agriculture, through use of the authority provided by sec-*
11 *tion 702(b) of the Department of Agriculture Organic Act*
12 *of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89-*
13 *106 (7 U.S.C. 2263), that—*

14 *(1) creates new programs;*

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

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

19 *(4) relocates an office or employees;*

20 *(5) reorganizes offices, programs, or activities; or*

21 *(6) contracts out or privatizes any functions or*
22 *activities presently performed by Federal employees;*

23 *unless the Secretary of Agriculture, the Chairman of the*
24 *Commodity Futures Trading Commission, or the Secretary*
25 *of Health and Human Services (as the case may be) notifies*

1 *in writing and receives approval from the Committees on*
2 *Appropriations of both Houses of Congress at least 30 days*
3 *in advance of the reprogramming of such funds or the use*
4 *of such authority.*

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

15 *(1) augments existing programs, projects, or ac-*
16 *tivities;*

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

20 *(3) results from any general savings from a re-*
21 *duction in personnel which would result in a change*
22 *in existing programs, activities, or projects as ap-*
23 *proved by Congress;*

24 *unless the Secretary of Agriculture, the Chairman of the*
25 *Commodity Futures Trading Commission, or the Secretary*

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

6 *(c) The Secretary of Agriculture, the Chairman of the*
7 *Commodity Futures Trading Commission, or the Secretary*
8 *of Health and Human Services shall notify in writing and*
9 *receive approval from the Committees on Appropriations of*
10 *both Houses of Congress before implementing any program*
11 *or activity not carried out during the previous fiscal year*
12 *unless the program or activity is funded by this Act or spe-*
13 *cifically funded by any other Act.*

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

20 *(1) modifying major capital investments funding*
21 *levels, including information technology systems, that*
22 *involves increasing or decreasing funds in the current*
23 *fiscal year for the individual investment in excess of*
24 *\$500,000 or 10 percent of the total cost, whichever is*
25 *less;*

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

5 (3) *carrying out activities or functions that were*
6 *not described in the budget request;*

7 *unless the agencies funded by this Act notify, in writing,*
8 *the Committees on Appropriations of both Houses of Con-*
9 *gress at least 30 days in advance of using the funds for*
10 *these purposes.*

11 (e) *As described in this section, no funds may be used*
12 *for any activities unless the Secretary of Agriculture, the*
13 *Chairman of the Commodity Futures Trading Commission,*
14 *or the Secretary of Health and Human Services receives*
15 *from the Committee on Appropriations of both Houses of*
16 *Congress written or electronic mail confirmation of receipt*
17 *of the notification as required in this section.*

18 SEC. 717. *Notwithstanding section 310B(g)(5) of the*
19 *Consolidated Farm and Rural Development Act (7 U.S.C.*
20 *1932(g)(5)), the Secretary may assess a one-time fee for any*
21 *guaranteed business and industry loan in an amount that*
22 *does not exceed 3 percent of the guaranteed principal por-*
23 *tion of the loan.*

24 SEC. 718. *None of the funds appropriated or otherwise*
25 *made available to the Department of Agriculture, the Food*

1 *and Drug Administration, the Commodity Futures Trading*
2 *Commission, or the Farm Credit Administration shall be*
3 *used to transmit or otherwise make available reports, ques-*
4 *tions, or responses to questions that are a result of informa-*
5 *tion requested for the appropriations hearing process to any*
6 *non-Department of Agriculture, non-Department of Health*
7 *and Human Services, non-Commodity Futures Trading*
8 *Commission, or non-Farm Credit Administration employee.*

9 *SEC. 719. Unless otherwise authorized by existing law,*
10 *none of the funds provided in this Act, may be used by an*
11 *executive branch agency to produce any prepackaged news*
12 *story intended for broadcast or distribution in the United*
13 *States unless the story includes a clear notification within*
14 *the text or audio of the prepackaged news story that the*
15 *prepackaged news story was prepared or funded by that ex-*
16 *ecutive branch agency.*

17 *SEC. 720. No employee of the Department of Agri-*
18 *culture may be detailed or assigned from an agency or office*
19 *funded by this Act or any other Act to any other agency*
20 *or office of the Department for more than 60 days in a*
21 *fiscal year unless the individual's employing agency or of-*
22 *fice is fully reimbursed by the receiving agency or office*
23 *for the salary and expenses of the employee for the period*
24 *of assignment.*

1 *SEC. 721. For the purposes of determining eligibility*
2 *or level of program assistance for Rural Development pro-*
3 *grams the Secretary shall not include incarcerated prison*
4 *populations.*

5 *SEC. 722. Not later than 30 days after the date of en-*
6 *actment of this Act, the Secretary of Agriculture, the Com-*
7 *missioner of the Food and Drug Administration, the Chair-*
8 *man of the Commodity Futures Trading Commission, and*
9 *the Chairman of the Farm Credit Administration shall sub-*
10 *mit to the Committees on Appropriations of both Houses*
11 *of Congress a detailed spending plan by program, project,*
12 *and activity for all the funds made available under this*
13 *Act including appropriated user fees, as defined in the ex-*
14 *planatory statement described in section 4 (in the matter*
15 *preceding division A of this consolidated Act).*

16 *SEC. 723. Of the unobligated balances from amounts*
17 *made available for the supplemental nutrition program as*
18 *authorized by section 17 of the Child Nutrition Act of 1966*
19 *(42 U.S.C. 1786), \$1,000,000,000 are hereby rescinded.*

20 *SEC. 724. The Secretary shall continue an inter-*
21 *mediary loan packaging program based on the pilot pro-*
22 *gram in effect for fiscal year 2013 for packaging and re-*
23 *viewing section 502 single family direct loans. The Sec-*
24 *retary shall continue agreements with current intermediary*
25 *organizations and with additional qualified intermediary*

1 organizations. The Secretary shall work with these organi-
2 zations to increase effectiveness of the section 502 single
3 family direct loan program in rural communities and shall
4 set aside and make available from the national reserve sec-
5 tion 502 loans an amount necessary to support the work
6 of such intermediaries and provide a priority for review
7 of such loans.

8 *SEC. 725. For loans and loan guarantees that do not*
9 *require budget authority and the program level has been*
10 *established in this Act, the Secretary of Agriculture may*
11 *increase the program level for such loans and loan guaran-*
12 *tees by not more than 25 percent: Provided, That prior to*
13 *the Secretary implementing such an increase, the Secretary*
14 *notifies, in writing, the Committees on Appropriations of*
15 *both Houses of Congress at least 15 days in advance.*

16 *SEC. 726. None of the credit card refunds or rebates*
17 *transferred to the Working Capital Fund pursuant to sec-*
18 *tion 729 of the Agriculture, Rural Development, Food and*
19 *Drug Administration, and Related Agencies Appropria-*
20 *tions Act, 2002 (7 U.S.C. 2235a; Public Law 107-76) shall*
21 *be available for obligation without written notification to,*
22 *and the prior approval of, the Committees on Appropria-*
23 *tions of both Houses of Congress: Provided, That the refunds*
24 *or rebates so transferred shall be available for obligation*
25 *only for the acquisition of plant and capital equipment nec-*

1 *essary for the delivery of financial, administrative, and in-*
2 *formation technology services, including cloud adoption and*
3 *migration, of primary benefit to the agencies of the Depart-*
4 *ment of Agriculture.*

5 *SEC. 727. None of the funds made available by this*
6 *Act may be used to implement, administer, or enforce the*
7 *“variety” requirements of the final rule entitled “Enhanc-*
8 *ing Retailer Standards in the Supplemental Nutrition As-*
9 *sistance Program (SNAP)” published by the Department*
10 *of Agriculture in the Federal Register on December 15, 2016*
11 *(81 Fed. Reg. 90675) until the Secretary of Agriculture*
12 *amends the definition of the term “variety” as de fined in*
13 *section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regula-*
14 *tions, and “variety” as applied in the definition of the term*
15 *“staple food” as defined in section 271.2 of title 7, Code*
16 *of Federal Regulations, to increase the number of items that*
17 *qualify as acceptable varieties in each staple food category*
18 *so that the total number of such items in each staple food*
19 *category exceeds the number of such items in each staple*
20 *food category included in the final rule as published on De-*
21 *cember 15, 2016: Provided, That until the Secretary pro-*
22 *mulgates such regulatory amendments, the Secretary shall*
23 *apply the requirements regarding acceptable varieties and*
24 *breadth of stock to Supplemental Nutrition Assistance Pro-*
25 *gram retailers that were in effect on the day before the date*

1 *of the enactment of the Agricultural Act of 2014 (Public*
2 *Law 113–79).*

3 *SEC. 728. In carrying out subsection (h) of section 502*
4 *of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary*
5 *of Agriculture shall have the same authority with respect*
6 *to loans guaranteed under such section and eligible lenders*
7 *for such loans as the Secretary has under subsections (h)*
8 *and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with*
9 *respect to loans guaranteed under such section 538 and eli-*
10 *gible lenders for such loans.*

11 *SEC. 729. None of the funds made available by this*
12 *Act may be used to propose, promulgate, or implement any*
13 *rule, or take any other action with respect to, allowing or*
14 *requiring information intended for a prescribing health*
15 *care professional, in the case of a drug or biological product*
16 *subject to section 503(b)(1) of the Federal Food, Drug, and*
17 *Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to*
18 *such professional electronically (in lieu of in paper form)*
19 *unless and until a Federal law is enacted to allow or re-*
20 *quire such distribution.*

21 *SEC. 730. None of the funds made available by this*
22 *or any other Act may be used to carry out the final rule*
23 *promulgated by the Food and Drug Administration and*
24 *put into effect November 16, 2015, in regards to the hazard*
25 *analysis and risk-based preventive control requirements of*

1 *the current good manufacturing practice, hazard analysis,*
2 *and risk-based preventive controls for food for animals rule*
3 *with respect to the regulation of the production, distribu-*
4 *tion, sale, or receipt of dried spent grain byproducts of the*
5 *alcoholic beverage production process.*

6 *SEC. 731. Funds made available under title II of the*
7 *Food for Peace Act (7 U.S.C. 1721 et seq.) may only be*
8 *used to provide assistance to recipient nations if adequate*
9 *monitoring and controls, as determined by the Adminis-*
10 *trator, are in place to ensure that emergency food aid is*
11 *received by the intended beneficiaries in areas affected by*
12 *food shortages and not diverted for unauthorized or inap-*
13 *propriate purposes.*

14 *SEC. 732. There is hereby appropriated \$12,000,000,*
15 *to remain available until expended, to carry out section*
16 *6407 of the Farm Security and Rural Investment Act of*
17 *2002 (7 U.S.C. 8107a): Provided, That the Secretary may*
18 *allow eligible entities, or comparable entities that provide*
19 *energy efficiency services using their own billing mecha-*
20 *nism to offer loans to customers in any part of their service*
21 *territory and to offer loans to replace a manufactured hous-*
22 *ing unit with another manufactured housing unit, if re-*
23 *placement would be more cost effective in saving energy.*

24 *SEC. 733. (a) The Secretary of Agriculture shall—*

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

4 (A) *veterinary control and oversight;*

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

7 (C) *livestock demographics and traceability;*

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

10 (E) *surveillance practices;*

11 (F) *diagnostic laboratory capabilities; and*

12 (G) *emergency preparedness and response;*

13 *and*

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

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

20 SEC. 734. *No food that bears or contains partially hy-*
21 *drogenated oils (as defined in the order published by the*
22 *Food and Drug Administration in the Federal Register on*
23 *June 17, 2015 (80 Fed. Reg. 34650 et seq.)) shall be consid-*
24 *ered to be adulterated within the meaning of subsection*
25 *(a)(1) or (a)(2)(C)(i) of section 402 of the Federal Food,*

1 *Drug, and Cosmetic Act (21 U.S.C. 342(a)) because such*
2 *food contains such partially hydrogenated oils until the ap-*
3 *plicable compliance dates specified by FDA in the Federal*
4 *Register on May 21, 2018 (83 Fed. Reg. 23358 et seq.).*

5 *SEC. 735. None of the funds made available by this*
6 *Act may be used to carry out any activities or incur any*
7 *expense related to the issuance of licenses under section 3*
8 *of the Animal Welfare Act (7 U.S.C. 2133), or the renewal*
9 *of such licenses, to class B dealers who sell dogs and cats*
10 *for use in research, experiments, teaching, or testing.*

11 *SEC. 736. (a)(1) No Federal funds made available for*
12 *this fiscal year for the rural water, waste water, waste dis-*
13 *posal, and solid waste management programs authorized by*
14 *sections 306, 306A, 306C, 306D, 306E, and 310B of the*
15 *Consolidated Farm and Rural Development Act (7 U.S.C.*
16 *1926 et seq.) shall be used for a project for the construction,*
17 *alteration, maintenance, or repair of a public water or*
18 *wastewater system unless all of the iron and steel products*
19 *used in the project are produced in the United States.*

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

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

5 (1) applying subsection (a) would be inconsistent
6 with the public interest;

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

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

13 (c) If the Secretary or the designee receives a request
14 for a waiver under this section, the Secretary or the designee
15 shall make available to the public on an informal basis a
16 copy of the request and information available to the Sec-
17 retary or the designee concerning the request, and shall
18 allow for informal public input on the request for at least
19 15 days prior to making a finding based on the request.
20 The Secretary or the designee shall make the request and
21 accompanying information available by electronic means,
22 including on the official public Internet Web site of the De-
23 partment.

1 (d) *This section shall be applied in a manner con-*
2 *sistent with United States obligations under international*
3 *agreements.*

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

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

16 (g) *For purposes of this section, the terms “United*
17 *States” and “State” shall include each of the several States,*
18 *the District of Columbia, and each federally recognized In-*
19 *dian tribe.*

20 SEC. 737. *None of the funds appropriated by this Act*
21 *may be used in any way, directly or indirectly, to influence*
22 *congressional action on any legislation or appropriation*
23 *matters pending before Congress, other than to commu-*
24 *nicate to Members of Congress as described in 18 U.S.C.*
25 *1913.*

1 *SEC. 738. None of the funds made available by this*
2 *Act may be used to procure raw or processed poultry prod-*
3 *ucts imported into the United States from the People's Re-*
4 *public of China for use in the school lunch program under*
5 *the Richard B. Russell National School Lunch Act (42*
6 *U.S.C. 1751 et seq.), the Child and Adult Care Food Pro-*
7 *gram under section 17 of such Act (42 U.S.C. 1766), the*
8 *Summer Food Service Program for Children under section*
9 *13 of such Act (42 U.S.C. 1761), or the school breakfast*
10 *program under the Child Nutrition Act of 1966 (42 U.S.C.*
11 *1771 et seq.).*

12 *SEC. 739. None of the funds made available by this*
13 *Act may be used to pay the salaries or expenses of per-*
14 *sonnel—*

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

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

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

23 *SEC. 740. Of the total amounts made available by this*
24 *Act for direct loans and grants in section 732 and in the*
25 *following headings: “Rural Housing Service—Rural Hous-*

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

1 *Survey 5-year average, or any territory or possession of the*
2 *United States: Provided further, That with respect to spe-*
3 *cific activities for which program levels have been made*
4 *available by this Act that are not supported by budget au-*
5 *thority, the requirements of this section shall be applied to*
6 *such program level.*

7 *SEC. 741. (a) No funds shall be used to finalize the*
8 *proposed rule entitled “Eligibility of the People’s Republic*
9 *of China (PRC) to Export to the United States Poultry*
10 *Products from Birds Slaughtered in the PRC” published*
11 *in the Federal Register by the Department of Agriculture*
12 *on June 16, 2017 (82 Fed. Reg. 27625), unless the Secretary*
13 *of Agriculture shall—*

14 *(1) ensure that the poultry slaughter inspection*
15 *system for the PRC is equivalent to that of the United*
16 *States;*

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

22 *(3) conduct periodic verification reviews and au-*
23 *ditions of any such plants in the PRC intending to ex-*
24 *port into the United States processed poultry prod-*
25 *ucts;*

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

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

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

18 SEC. 742. *In addition to any other funds made avail-*
19 *able in this Act or any other Act, there is appropriated*
20 *\$9,000,000 to carry out section 18(g)(8) of the Richard B.*
21 *Russell National School Lunch Act (42 U.S.C. 1769(g)), to*
22 *remain available until expended.*

23 SEC. 743. *There is hereby appropriated \$5,000,000, to*
24 *remain available until September 30, 2021, for the cost of*
25 *loans and grants that is consistent with section 4206 of the*

1 *Agricultural Act of 2014, for necessary expenses of the Sec-*
2 *retary to support projects that provide access to healthy food*
3 *in underserved areas, to create and preserve quality jobs,*
4 *and to revitalize low-income communities.*

5 *SEC. 744. For an additional amount for “Animal and*
6 *Plant Health Inspection Service—Salaries and Expenses”,*
7 *\$8,500,000, to remain available until September 30, 2021,*
8 *for one-time control and management and associated activi-*
9 *ties directly related to the multiple-agency response to citrus*
10 *greening.*

11 *SEC. 745. None of the funds made available by this*
12 *Act may be used to notify a sponsor or otherwise acknowl-*
13 *edge receipt of a submission for an exemption for investiga-*
14 *tional use of a drug or biological product under section*
15 *505(i) of the Federal Food, Drug, and Cosmetic Act (21*
16 *U.S.C. 355(i)) or section 351(a)(3) of the Public Health*
17 *Service Act (42 U.S.C. 262(a)(3)) in research in which a*
18 *human embryo is intentionally created or modified to in-*
19 *clude a heritable genetic modification. Any such submission*
20 *shall be deemed to have not been received by the Secretary,*
21 *and the exemption may not go into effect.*

22 *SEC. 746. None of the funds made available by this*
23 *or any other Act may be used to enforce the final rule pro-*
24 *mulgated by the Food and Drug Administration entitled*
25 *“Standards for the Growing, Harvesting, Packing, and*

1 *Holding of Produce for Human Consumption,” and pub-*
2 *lished on November 27, 2015, with respect to the regulation*
3 *of entities that grow, harvest, pack, or hold wine grapes,*
4 *hops, pulse crops, or almonds.*

5 *SEC. 747. For school year 2020–2021, only a school*
6 *food authority that had a negative balance in the nonprofit*
7 *school food service account as of December 31, 2019, shall*
8 *be required to establish a price for paid lunches in accord-*
9 *ance with Section 12(p) of the Richard B. Russell National*
10 *School Lunch Act, 42 U.S.C. 1760(p).*

11 *SEC. 748. There is hereby appropriated \$5,000,000, to*
12 *remain available until September 30, 2021, for a pilot pro-*
13 *gram for the National Institute of Food and Agriculture*
14 *to provide grants to nonprofit organizations for programs*
15 *and services to establish and enhance farming and ranching*
16 *opportunities for military veterans.*

17 *SEC. 749. For school years 2019–2020 and 2020–2021,*
18 *none of the funds made available by this Act may be used*
19 *to implement or enforce the matter following the first*
20 *comma in the second sentence of footnote (c) of section*
21 *220.8(c) of title 7, Code of Federal Regulations, with respect*
22 *to the substitution of vegetables for fruits under the school*
23 *breakfast program established under section 4 of the Child*
24 *Nutrition Act of 1966 (42 U.S.C. 1773).*

1 *SEC. 750. None of the funds made available by this*
2 *Act or any other Act may be used—*

3 *(1) in contravention of section 7606 of the Agri-*
4 *cultural Act of 2014 (7 U.S.C. 5940), subtitle G of the*
5 *Agricultural Marketing Act of 1946, or section 10114*
6 *of the Agriculture Improvement Act of 2018; or*

7 *(2) to prohibit the transportation, processing,*
8 *sale, or use of hemp, or seeds of such plant, that is*
9 *grown or cultivated in accordance with subsection sec-*
10 *tion 7606 of the Agricultural Act of 2014 or Subtitle*
11 *G of the Agricultural Marketing Act of 1946, within*
12 *or outside the State in which the hemp is grown or*
13 *cultivated.*

14 *SEC. 751. Out of amounts appropriated to the Food*
15 *and Drug Administration under title VI, the Secretary of*
16 *Health and Human Services, acting through the Commis-*
17 *sioner of Food and Drugs, shall, not later than July 1,*
18 *2020, and following the review required under Executive*
19 *Order No. 12866 (5 U.S.C. 601 note; relating to regulatory*
20 *planning and review), issue advice revising the advice pro-*
21 *vided in the notice of availability entitled “Advice About*
22 *Eating Fish, From the Environmental Protection Agency*
23 *and Food and Drug Administration; Revised Fish Advice;*
24 *Availability” (82 Fed. Reg. 6571 (January 19, 2017)), in*
25 *a manner that is consistent with nutrition science recog-*

1 nized by the Food and Drug Administration on the net ef-
2 fects of seafood consumption.

3 SEC. 752. In addition to any funds made available
4 in this Act or any other Act, there is hereby appropriated
5 \$6,000,000, to remain available until September 30, 2021,
6 for grants from the National Institute of Food and Agri-
7 culture to the 1890 Institutions to support the Centers of
8 Excellence.

9 SEC. 753. There is hereby appropriated \$1,000,000 for
10 the Secretary of Agriculture to carry out a pilot program
11 that assists rural hospitals to improve long-term operations
12 and financial health by providing technical assistance
13 through analysis of current hospital management practices.

14 SEC. 754. There is hereby appropriated \$2,000,000, to
15 remain available until expended, for grants under section
16 12502 of Public Law 115–334.

17 SEC. 755. There is hereby appropriated \$2,000,000 to
18 carry out section 1621 of Public Law 110–246.

19 SEC. 756. Not later than 180 days after the date of
20 the enactment of this Act, the Secretary of Agriculture shall
21 issue a final rule based on the proposed rule entitled “Na-
22 tional Organic Program; Origin of Livestock,” published in
23 the Federal Register on April 28, 2015 (80 Fed. Reg.
24 23455): Provided, That the final rule shall incorporate pub-
25 lic comments submitted in response to the proposed rule.

1 *SEC. 757. There is hereby appropriated \$3,000,000, to*
2 *remain available until September 30, 2021, to carry out*
3 *section 4003(b) of Public Law 115–334 relating to dem-*
4 *onstrations projects for Tribal Organizations.*

5 *SEC. 758. There is hereby appropriated \$1,000,000 for*
6 *the Secretary to carry out a pilot program that provides*
7 *forestry inventory analysis, forest management and eco-*
8 *nomics outcomes modelling for certain currently enrolled*
9 *Conservation Reserve Program participants. The Secretary*
10 *shall allow the Commodity Credit Corporation to enter into*
11 *agreements with and provide grants to qualified non-profit*
12 *organizations dedicated to conservation, forestry and wild-*
13 *life habitats, that also have experience in conducting accu-*
14 *rate forest inventory analysis through the use of advanced,*
15 *cost-effective technology. The Secretary shall focus the anal-*
16 *ysis on lands enrolled for at least eight years and located*
17 *in areas with a substantial concentration of acres enrolled*
18 *under conservation practices devoted to multiple bottom-*
19 *land hardwood tree species including CP03, CP03A, CP11,*
20 *CP22, CP31 and CP40.*

21 *SEC. 759. In addition to amounts otherwise made*
22 *available by this Act and notwithstanding the last sentence*
23 *of 16 U.S.C. 1310, there is appropriated \$4,000,000, to re-*
24 *main available until expended, to implement non-renewable*
25 *agreements on eligible lands, including flooded agricultural*

1 *lands, as determined by the Secretary, under the Water*
2 *Bank Act (16 U.S.C. 1301–1311).*

3 *SEC. 760. The Secretary shall set aside for Rural Eco-*
4 *nomie Area Partnership (REAP) Zones, until August 15,*
5 *2020, an amount of funds made available in title III under*
6 *the headings of Rural Housing Insurance Fund Program*
7 *Account, Mutual and Self-Help Housing Grants, Rural*
8 *Housing Assistance Grants, Rural Community Facilities*
9 *Program Account, Rural Business Program Account, Rural*
10 *Development Loan Fund Program Account, and Rural*
11 *Water and Waste Disposal Program Account, equal to the*
12 *amount obligated in REAP Zones with respect to funds*
13 *provided under such headings in the most recent fiscal year*
14 *any such funds were obligated under such headings for*
15 *REAP Zones.*

16 *SEC. 761. There is hereby appropriated \$1,000,000 to*
17 *carry out section 3307 of Public Law 115–334.*

18 *SEC. 762. The Secretary of Agriculture may waive the*
19 *matching funds requirement under Section 412(g) of the*
20 *Agricultural Research, Extension, and Education Reform*
21 *Act of 1998 (7 U.S.C. 7632(g)).*

22 *SEC. 763. There is hereby appropriated \$5,000,000, to*
23 *remain available until September 30, 2021, to carry out*
24 *section 23 of the Child Nutrition Act of 1966 (42 U.S.C.*
25 *1793), of which \$1,000,000 shall be for grants under such*

1 *section to the Commonwealth of Puerto Rico, the Common-*
2 *wealth of the Northern Mariana Islands, the United States*
3 *Virgin Islands, Guam, and American Samoa.*

4 *SEC. 764. There is hereby appropriated \$1,000,000, to*
5 *remain available until expended, for a pilot program for*
6 *the Secretary to provide grants to qualified non-profit orga-*
7 *nizations and public housing authorities to provide tech-*
8 *nical assistance, including financial and legal services, to*
9 *RHS multi-family housing borrowers to facilitate the ac-*
10 *quisition of RHS multi-family housing properties in areas*
11 *where the Secretary determines a risk of loss of affordable*
12 *housing, by non-profit housing organizations and public*
13 *housing authorities as authorized by law that commit to*
14 *keep such properties in the RHS multi-family housing pro-*
15 *gram for a period of time as determined by the Secretary.*

16 *SEC. 765. Section 2 of the Rural Electrification Act*
17 *of 1936 (7 U.S.C. 902) is amended in subsection (a) by*
18 *striking “made by the Secretary” and inserting “made or*
19 *guaranteed by the Secretary”.*

20 *SEC. 766. The National Bio and Agro-Defense Facility*
21 *shall be transferred without reimbursement from the Sec-*
22 *retary of Homeland Security to the Secretary of Agri-*
23 *culture.*

24 *SEC. 767. Any funds made available by this or any*
25 *other Act that the Secretary withholds pursuant to section*

1 1668(g)(2) of the Food, Agriculture, Conservation, and
2 Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended, shall
3 be available for grants for biotechnology risk assessment re-
4 search: Provided, That the Secretary may transfer such
5 funds to appropriations of the Department of Agriculture.

6 SEC. 768. There is hereby appropriated \$5,000,000 to
7 carry out section 222 of Subtitle A of the Department of
8 Agriculture Reorganization Act of 1994 (7 U.S.C. 6923) as
9 amended by section 12302 of Public Law 115–334.

10 SEC. 769. There is hereby appropriated \$400,000 to
11 carry out section 224 of Subtitle A of the Department of
12 Agriculture Reorganization Act of 1994 (7 U.S.C. 6924) as
13 amended by section 12504 of Public Law 115–334.

14 SEC. 770. There is hereby appropriated \$1,000,000, to
15 remain available until September 30, 2021, to carry out
16 section 4208 of Public Law 115–334.

17 SEC. 771. There is hereby appropriated \$400,000 to
18 carry out section 1672(g)(4)(B) of the Food, Agriculture,
19 Conservation, and Trade Act of 1990 (7 U.S.C.
20 5925(g)(4(B)) as amended by section 7209 of Public Law
21 115–334.

22 SEC. 772. There is hereby appropriated \$5,000,000 to
23 carry out section 12301 of Public Law 115–334.

24 SEC. 773. There is hereby appropriated \$5,000,000 to
25 carry out section 1450 of the National Agricultural Re-

1 *search, Extension, and Teaching Policy Act of 1977 (7*
2 *U.S.C. 3222e) as amended by section 7120 of Public Law*
3 *115–334.*

4 *SEC. 774. There is hereby appropriated \$1,000,000 to*
5 *carry out section 1671 of the Food, Agriculture, Conserva-*
6 *tion, and Trade Act of 1990 (7 U.S.C. 5924) as amended*
7 *by section 7208 of Public Law 115–334.*

8 *SEC. 775. In response to an eligible community where*
9 *the drinking water supplies are inadequate due to a natural*
10 *disaster, as determined by the Secretary, including drought*
11 *or severe weather, the Secretary may provide potable water*
12 *through the Emergency Community Water Assistance*
13 *Grant Program for an additional period of time not to ex-*
14 *ceed 120 days beyond the established period provided under*
15 *the Program in order to protect public health.*

16 *SEC. 776. There is hereby appropriated \$6,000,000 for*
17 *the purposes described in the paragraph entitled “Nutrition*
18 *Assistance Program (NAP) Study” under the Supplemental*
19 *Nutrition Assistance Program included in House Report*
20 *116–107, of which \$4,000,000 shall be for the Secretary to*
21 *update the Feasibility Report, and of which \$2,000,000*
22 *shall be for Puerto Rico for technology requirements: Pro-*
23 *vided, That the reports detailed in House Report 116-107*
24 *shall be due not later than December 31, 2020.*

1 *SEC. 777. There is hereby appropriated \$5,000,000 to*
2 *remain available until September 30, 2021, to carry out*
3 *section 4206 of Public Law 115–334.*

4 *SEC. 778. There is hereby appropriated \$20,000,000,*
5 *to remain available until expended, to carry out section*
6 *12513 of Public Law 115–334: Provided, That the Secretary*
7 *shall take measures to ensure an equal distribution of funds*
8 *between the three regional innovation initiatives.*

9 *SEC. 779. There is hereby appropriated \$5,000,000, to*
10 *remain available until September 30, 2021, to carry out*
11 *section 2103 of Public Law 115–334.*

12 *SEC. 780. There is hereby appropriated \$20,000,000,*
13 *for an additional amount for “Department of Health and*
14 *Human Services—Food and Drug Administration—Build-*
15 *ings and Facilities” to remain available until expended and*
16 *in addition to amounts otherwise made available for such*
17 *purposes, for necessary expenses of plans, construction, re-*
18 *pair, improvement, extension, alteration, demolition and*
19 *purchase of fixed equipment or facilities of or used by FDA*
20 *for seafood safety.*

21 *SEC. 781. There is hereby appropriated \$5,000,000 to*
22 *remain available until September 30, 2021, to carry out*
23 *section 6424 of Public Law 115–334.*

24 *SEC. 782. Of the unobligated balances from amounts*
25 *made available to carry out section 749 of Division A of*

1 *Public Law 115–31 and section 739 of Division A of Public*
2 *Law 115–141, \$15,073,000 are rescinded.*

3 *SEC. 783. In addition to amounts otherwise made*
4 *available by this or any other Act, there is hereby appro-*
5 *priated \$5,000,000, to remain available until expended, to*
6 *the Secretary for a pilot program to provide grants to a*
7 *regional consortium to fund technical assistance and con-*
8 *struction of regional wastewater systems for historically im-*
9 *poverished communities that have had difficulty in install-*
10 *ing traditional wastewater treatment systems due to soil*
11 *conditions.*

12 *SEC. 784. Section 9(i)(2) of the Food and Nutrition*
13 *Act of 2008 (7 U.S.C. 2018(i)(2)) is amended by striking*
14 *“for a period” and all that follows through “2018” and in-*
15 *serting “prior to December 31, 2020”.*

16 *SEC. 785. Not later than 60 days after enactment of*
17 *this Act, the Commissioner of the Food and Drug Adminis-*
18 *tration shall issue a request for information to determine*
19 *the next steps that will address the recent pulmonary ill-*
20 *nesses reported to be associated with the use of e-cigarettes*
21 *and vaping products. As part of such request for informa-*
22 *tion, the Commissioner shall request public comment on*
23 *product design and how to prevent consumers from modi-*
24 *fying or adding any substances to these products that are*
25 *not intended by the manufacturer: Provided, That the Food*

1 *and Drug Administration shall provide an update to the*
2 *Committee on Appropriations on a quarterly basis.*

3 *SEC. 786. (a) In the matter preceding the first proviso*
4 *under the heading “Supplemental Nutrition Assistance*
5 *Program” in the Consolidated Appropriations Act, 2018*
6 *(Public Law 115–141), strike “December 31, 2019” and in-*
7 *sert “September 30, 2020”.*

8 *(b) In the matter preceding the first proviso under the*
9 *heading “Supplemental Nutrition Assistance Program” in*
10 *the Consolidated Appropriations Act, 2019 (Public Law*
11 *116–6), strike “December 31, 2020” and insert “September*
12 *30, 2021”.*

13 *SEC. 787. (a) There is hereby appropriated*
14 *\$300,000,000, to remain available until expended, for an*
15 *additional amount for section 779 of Public Law 115–141.*

16 *(b) Section 313(b) of the Rural Electrification Act of*
17 *1936, as amended (7 U.S.C. 940c(b)), shall be applied for*
18 *fiscal year 2020 and each fiscal year thereafter until the*
19 *specified funding has been expended as if the following were*
20 *inserted after the final period in subsection (b)(2): “In ad-*
21 *dition, the Secretary shall use \$425,000,000 of funds avail-*
22 *able in this subaccount in fiscal year 2019 for an additional*
23 *amount for the same purpose and under the same terms*
24 *and conditions as funds appropriated by section 779 of*
25 *Public Law 115–141 and shall use \$255,000,000 of funds*

1 *available in this subaccount in fiscal year 2020 for an addi-*
2 *tional amount for the same purpose and under the same*
3 *terms and conditions as funds appropriated by section 779*
4 *of Public Law 115–141: Provided, That any use of such*
5 *funds shall be treated as a reprogramming of funds under*
6 *section 716 of this Act.”.*

7 *(c) Section 762(b) of division B of Public Law 116–*
8 *6 shall no longer apply.*

9 *SEC. 788. The Animal and Plant Health Inspection*
10 *Service shall, notwithstanding any other provision of law:*

11 *(a) within 60 calendar days, restore on its website the*
12 *searchable database and its contents that were available on*
13 *January 30, 2017, and all content generated since that*
14 *date; and*

15 *(b) hereafter, make publicly available via searchable*
16 *database, in their entirety without redactions except signa-*
17 *tures, the following records after enactment of this Act for*
18 *a subsequent period of three years:*

19 *(1) all final Animal Welfare Act inspection re-*
20 *ports, including all reports documenting all Animal*
21 *Welfare Act non-compliances observed by USDA offi-*
22 *cials and all animal inventories;*

23 *(2) all final Animal Welfare Act and Horse Pro-*
24 *tection Act enforcement records;*

1 (3) all reports or other materials documenting
2 any non-compliances observed by USDA officials; and

3 (4) within six months of receipt by the agency,
4 all final Animal Welfare Act research facility annual
5 reports, including their attachments with appropriate
6 redactions made for confidential business information
7 that USDA could withhold under FOIA Exemption 4.

8 SEC. 789. Notwithstanding any other provision of law,
9 no funds available to the Department of Agriculture may
10 be used to move any agency from the mission area in which
11 it was located on August 1, 2018, to any other mission area
12 or office within the Department in the absence of the enact-
13 ment of specific legislation affirming such move.

14 SEC. 790. Notwithstanding any other provision of law,
15 the acceptable market name of any engineered animal ap-
16 proved prior to the effective date of the National Bioengi-
17 neered Food Disclosure Standard (February 19, 2019) shall
18 include the words “genetically engineered” prior to the ex-
19 isting acceptable market name.

20 SEC. 791. (a) The remaining unobligated balances of
21 funds made available under the heading “Department of
22 Agriculture—Agricultural Programs—Processing, Research
23 and Marketing—Office of the Secretary” in the Bipartisan
24 Budget Act of 2018 (Public Law 115–123) are hereby re-
25 scinded: Provided, That the amounts rescinded pursuant to

1 *this subsection that were previously designated by the Con-*
2 *gress as an emergency requirement pursuant to section*
3 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*
4 *Deficit Control Act of 1985 are designated by the Congress*
5 *as an emergency requirement pursuant to that section of*
6 *that Act.*

7 **(b)** *In addition to amounts otherwise made available*
8 *by this Act for “Department of Agriculture—Agricultural*
9 *Programs—Processing, Research and Marketing—Office of*
10 *the Secretary”, there is appropriated for an additional*
11 *amount for fiscal year 2020, to remain available until De-*
12 *cember 30, 2021, an amount equal to the unobligated bal-*
13 *ances rescinded pursuant to subsection (a), for the same*
14 *purposes and under the same authorities and conditions as*
15 *the funds made available under the heading “Department*
16 *of Agriculture—Agricultural Programs—Processing, Re-*
17 *search and Marketing—Office of the Secretary” in the Ad-*
18 *ditional Supplemental Appropriations for Disaster Relief*
19 *Act of 2019 (Public Law 116–20), as amended by this sec-*
20 *tion: Provided, That, in addition to the purposes specified*
21 *in the matter preceding the first proviso under the heading*
22 *“Department of Agriculture—Agricultural Programs—*
23 *Processing, Research and Marketing—Office of the Sec-*
24 *retary” in the Additional Supplemental Appropriations for*
25 *Disaster Relief Act of 2019 (Public Law 116–20), as*

1 amended by this section, such amounts shall also be avail-
2 able for quality losses of crops, drought, and excessive mois-
3 ture: Provided further, That losses due to drought shall only
4 be eligible under this subsection if any area within the
5 county in which the loss occurs was rated by the U.S.
6 Drought Monitor as having a D3 (Extreme Drought) or
7 higher level of drought intensity during the applicable cal-
8 endar years: Provided further, That the Secretary may use
9 the amounts provided under this subsection, under the same
10 authorities and conditions as the funds made available
11 under the heading “Department of Agriculture—Agricul-
12 tural Programs—Processing, Research and Marketing—Of-
13 fice of the Secretary” in the Bipartisan Budget Act of 2018
14 (Public Law 115–123), to continue to pay for losses due
15 to Tropical Storm Cindy, and peaches and blueberries due
16 to freeze in 2017 and blueberry productivity losses in 2018:
17 Provided further, That the Secretary shall use the amounts
18 provided under this subsection, under the same authorities
19 and conditions as the funds made available under the head-
20 ing “Department of Agriculture—Agricultural Programs—
21 Processing, Research and Marketing—Office of the Sec-
22 retary” in the Bipartisan Budget Act of 2018 (Public Law
23 115–123), to make payments for vine losses that were eligi-
24 ble for, but did not receive, payments under that heading
25 in that Act: Provided further, That such amount is des-

1 *ignated by the Congress as being for an emergency require-*
2 *ment pursuant to section 251(b)(2)(A)(i) of the Balanced*
3 *Budget and Emergency Deficit Control Act of 1985.*

4 *(c) Title I of the Additional Supplemental Appropria-*
5 *tions for Disaster Relief Act, 2019 (Public Law 116–20),*
6 *as amended by section 116 of the Continuing Appropria-*
7 *tions Act, 2020 (Public Law 116–59), is further amended*
8 *in the first proviso under the heading “Department of Agri-*
9 *culture—Agricultural Programs—Processing, Research and*
10 *Marketing—Office of the Secretary” by striking “may pro-*
11 *vide” and inserting “, in addition to the amount announced*
12 *on November 8, 2019, shall provide not less than*
13 *\$400,000,000 in” , and by adding the following before the*
14 *final proviso under that heading: “Provided further, That*
15 *the Secretary shall pay all sugar beet losses in 2018 and*
16 *2019 through cooperative processors (to be paid to producer*
17 *members as determined by such processors) using the addi-*
18 *tional coverage level described in section 508(e)(2)(E) of the*
19 *Federal Crop Insurance Act of 1938 (7 U.S.C.*
20 *1508(e)(2)(E)) for purposes of determining the Wildfire*
21 *Hurricane Indemnity Program Plus factor (as defined in*
22 *section 760.1502 of title 7, Code of Federal Regulations (or*
23 *successor regulations):”:* *Provided, That amounts*
24 *repurposed pursuant to this subsection that were previously*
25 *designated by the Congress as an emergency requirement*

1 *pursuant to the Balanced Budget and Emergency Deficit*
2 *Control Act of 1985 are designated by the Congress as an*
3 *emergency requirement pursuant to section 251(b)(2)(A)(i)*
4 *of the Balanced Budget and Emergency Deficit Control Act*
5 *of 1985.*

6 *(d) No later than December 31, 2020, the remaining*
7 *unobligated balances of funds made available under the*
8 *heading “Department of Agriculture—Agricultural Pro-*
9 *grams—Processing, Research and Marketing—Office of the*
10 *Secretary” in the Additional Supplemental Appropriations*
11 *for Disaster Relief Act of 2019 (Public Law 116–20) are*
12 *hereby permanently rescinded, and an amount of addi-*
13 *tional new budget authority equivalent to the amount re-*
14 *scinded is hereby appropriated, to remain available until*
15 *December 30, 2021, in addition to other funds as may be*
16 *available for such purposes, for the same purposes and*
17 *under the same authorities and conditions as the funds*
18 *made available in subsection (b): Provided, That the*
19 *amounts rescinded pursuant to this subsection that were*
20 *previously designated by the Congress as an emergency re-*
21 *quirement pursuant to section 251(b)(2)(A)(i) of the Bal-*
22 *anced Budget and Emergency Deficit Control Act of 1985*
23 *are designated by the Congress as an emergency require-*
24 *ment pursuant to that section of that Act: Provided further,*
25 *That the amount of additional new budget authority made*

1 *available pursuant to this subsection is designated by the*
2 *Congress as being for an emergency requirement pursuant*
3 *to section 251(b)(2)(A)(i) of the Balanced Budget and*
4 *Emergency Deficit Control Act of 1985.*

5 *SEC. 792. For an additional amount for “Department*
6 *of Health and Human Services—Office of the Secretary—*
7 *Public Health and Social Services Emergency Fund” for*
8 *purchase of vaccines, therapeutics, and diagnostics for the*
9 *prevention and treatment of Ebola, \$535,000,000, to remain*
10 *available until September 30, 2024: Provided, That prod-*
11 *ucts purchased with funds provided under this section may,*
12 *at the discretion of the Secretary of Health and Human*
13 *Services, be deposited in the Strategic National Stockpile*
14 *under section 319F–2 of the PHS Act: Provided further,*
15 *That sections 319C–1(h)(3) and 319C–2(h) of the PHS Act*
16 *shall not apply to funds provided under this section: Pro-*
17 *vided further, That funds provided under this section may*
18 *be used for the purposes specified in this section or author-*
19 *ized under section 319F–4 of the PHS Act: Provided fur-*
20 *ther, That such amount is designated by the Congress as*
21 *being for an emergency requirement pursuant to section*
22 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*
23 *Deficit Control Act of 1985.*

1 *restudy of authorized projects; and for miscellaneous inves-*
2 *tigations, and, when authorized by law, surveys and de-*
3 *tailed studies, and plans and specifications of projects prior*
4 *to construction, \$151,000,000, to remain available until ex-*
5 *pende: Provided, That the Secretary shall initiate six new*
6 *study starts during fiscal year 2020: Provided further, That*
7 *the Secretary shall not deviate from the new starts proposed*
8 *in the work plan, once the plan has been submitted to the*
9 *Committees on Appropriations of both Houses of Congress.*

10

CONSTRUCTION

11 *For expenses necessary for the construction of river*
12 *and harbor, flood and storm damage reduction, shore pro-*
13 *tection, aquatic ecosystem restoration, and related projects*
14 *authorized by law; for conducting detailed studies, and*
15 *plans and specifications, of such projects (including those*
16 *involving participation by States, local governments, or*
17 *private groups) authorized or made eligible for selection by*
18 *law (but such detailed studies, and plans and specifications,*
19 *shall not constitute a commitment of the Government to*
20 *construction); \$2,681,000,000, to remain available until ex-*
21 *pende; of which such sums as are necessary to cover the*
22 *Federal share of construction costs for facilities under the*
23 *Dredged Material Disposal Facilities program shall be de-*
24 *rived from the Harbor Maintenance Trust Fund as author-*
25 *ized by Public Law 104–303; and of which such sums as*

1 *are necessary to cover one-half of the costs of construction,*
2 *replacement, rehabilitation, and expansion of inland water-*
3 *ways projects, except for Chickamauga Lock, Tennessee*
4 *River, Tennessee, which shall be 35 percent during the fiscal*
5 *year covered by this Act, shall be derived from the Inland*
6 *Waterways Trust Fund, except as otherwise specifically*
7 *provided for in law: Provided, That the Secretary shall ini-*
8 *tiate six new construction starts during fiscal year 2020:*
9 *Provided further, That for new construction projects, project*
10 *cost sharing agreements shall be executed as soon as prac-*
11 *ticable but no later than December 31, 2020: Provided fur-*
12 *ther, That no allocation for a new start shall be considered*
13 *final and no work allowance shall be made until the Sec-*
14 *retary provides to the Committees on Appropriations of*
15 *both Houses of Congress an out-year funding scenario dem-*
16 *onstrating the affordability of the selected new starts and*
17 *the impacts on other projects: Provided further, That the*
18 *Secretary may not deviate from the new starts proposed in*
19 *the work plan, once the plan has been submitted to the Com-*
20 *mittees on Appropriations of both Houses of Congress.*

21 *MISSISSIPPI RIVER AND TRIBUTARIES*

22 *For expenses necessary for flood damage reduction*
23 *projects and related efforts in the Mississippi River alluvial*
24 *valley below Cape Girardeau, Missouri, as authorized by*
25 *law, \$375,000,000, to remain available until expended, of*

1 *which such sums as are necessary to cover the Federal share*
2 *of eligible operation and maintenance costs for inland har-*
3 *bors shall be derived from the Harbor Maintenance Trust*
4 *Fund.*

5 *OPERATION AND MAINTENANCE*

6 *For expenses necessary for the operation, maintenance,*
7 *and care of existing river and harbor, flood and storm dam-*
8 *age reduction, aquatic ecosystem restoration, and related*
9 *projects authorized by law; providing security for infra-*
10 *structure owned or operated by the Corps, including admin-*
11 *istrative buildings and laboratories; maintaining harbor*
12 *channels provided by a State, municipality, or other public*
13 *agency that serve essential navigation needs of general com-*
14 *merce, where authorized by law; surveying and charting*
15 *northern and northwestern lakes and connecting waters;*
16 *clearing and straightening channels; and removing obstruc-*
17 *tions to navigation, \$3,790,000,000, to remain available*
18 *until expended, of which such sums as are necessary to cover*
19 *the Federal share of eligible operation and maintenance*
20 *costs for coastal harbors and channels, and for inland har-*
21 *bors shall be derived from the Harbor Maintenance Trust*
22 *Fund; of which such sums as become available from the spe-*
23 *cial account for the Corps of Engineers established by the*
24 *Land and Water Conservation Fund Act of 1965 shall be*
25 *derived from that account for resource protection, research,*

1 *interpretation, and maintenance activities related to re-*
2 *source protection in the areas at which outdoor recreation*
3 *is available; and of which such sums as become available*
4 *from fees collected under section 217 of Public Law 104-*
5 *303 shall be used to cover the cost of operation and mainte-*
6 *nance of the dredged material disposal facilities for which*
7 *such fees have been collected: Provided, That 1 percent of*
8 *the total amount of funds provided for each of the programs,*
9 *projects, or activities funded under this heading shall not*
10 *be allocated to a field operating activity prior to the begin-*
11 *ning of the fourth quarter of the fiscal year and shall be*
12 *available for use by the Chief of Engineers to fund such*
13 *emergency activities as the Chief of Engineers determines*
14 *to be necessary and appropriate, and that the Chief of Engi-*
15 *neers shall allocate during the fourth quarter any remain-*
16 *ing funds which have not been used for emergency activities*
17 *proportionally in accordance with the amounts provided for*
18 *the programs, projects, or activities.*

19 *REGULATORY PROGRAM*

20 *For expenses necessary for administration of laws per-*
21 *taining to regulation of navigable waters and wetlands,*
22 *\$210,000,000, to remain available until September 30,*
23 *2021.*

1 *FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM*

2 *For expenses necessary to clean up contamination*
3 *from sites in the United States resulting from work per-*
4 *formed as part of the Nation's early atomic energy pro-*
5 *gram, \$200,000,000, to remain available until expended.*

6 *FLOOD CONTROL AND COASTAL EMERGENCIES*

7 *For expenses necessary to prepare for flood, hurricane,*
8 *and other natural disasters and support emergency oper-*
9 *ations, repairs, and other activities in response to such dis-*
10 *asters as authorized by law, \$35,000,000, to remain avail-*
11 *able until expended.*

12 *EXPENSES*

13 *For expenses necessary for the supervision and general*
14 *administration of the civil works program in the head-*
15 *quarters of the Corps of Engineers and the offices of the*
16 *Division Engineers; and for costs of management and oper-*
17 *ation of the Humphreys Engineer Center Support Activity,*
18 *the Institute for Water Resources, the United States Army*
19 *Engineer Research and Development Center, and the*
20 *United States Army Corps of Engineers Finance Center al-*
21 *locable to the civil works program, \$203,000,000, to remain*
22 *available until September 30, 2021, of which not to exceed*
23 *\$5,000 may be used for official reception and representation*
24 *purposes and only during the current fiscal year: Provided,*
25 *That no part of any other appropriation provided in this*

1 *title shall be available to fund the civil works activities of*
2 *the Office of the Chief of Engineers or the civil works execu-*
3 *tive direction and management activities of the division of*
4 *ices: Provided further, That any Flood Control and Coastal*
5 *Emergencies appropriation may be used to fund the super-*
6 *vision and general administration of emergency operations,*
7 *repairs, and other activities in response to any flood, hurri-*
8 *cane, or other natural disaster.*

9 *OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR*
10 *CIVIL WORKS*

11 *For the Office of the Assistant Secretary of the Army*
12 *for Civil Works as authorized by 10 U.S.C. 3016(b)(3),*
13 *\$5,000,000, to remain available until September 30, 2021:*
14 *Provided, That not more than 75 percent of such amount*
15 *may be obligated or expended until the Assistant Secretary*
16 *submits to the Committees on Appropriations of both*
17 *Houses of Congress the report required under section 101(d)*
18 *of this Act and a work plan that allocates at least 95 per-*
19 *cent of the additional funding provided under each heading*
20 *in this title, as designated under such heading in the ex-*
21 *planatory statement described in section 4 (in the matter*
22 *preceding division A of this consolidated Act), to specific*
23 *programs, projects, or activities.*

1 *GENERAL PROVISIONS—CORPS OF ENGINEERS—*2 *CIVIL*3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 101. (a) None of the funds provided in title I*
5 *of this Act, or provided by previous appropriations Acts*
6 *to the agencies or entities funded in title I of this Act that*
7 *remain available for obligation or expenditure in fiscal year*
8 *2020, shall be available for obligation or expenditure*
9 *through a reprogramming of funds that:*

10 *(1) creates or initiates a new program, project,*
11 *or activity;*

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

13 *(3) increases funds or personnel for any pro-*
14 *gram, project, or activity for which funds have been*
15 *denied or restricted by this Act, unless prior approval*
16 *is received from the Committees on Appropriations of*
17 *both Houses of Congress;*

18 *(4) proposes to use funds directed for a specific*
19 *activity for a different purpose, unless prior approval*
20 *is received from the Committees on Appropriations of*
21 *both Houses of Congress;*

22 *(5) augments or reduces existing programs,*
23 *projects, or activities in excess of the amounts con-*
24 *tained in paragraphs (6) through (10), unless prior*

1 approval is received from the Committees on Appro-
2 priations of both Houses of Congress;

3 (6) INVESTIGATIONS.—For a base level over
4 \$100,000, reprogramming of 25 percent of the base
5 amount up to a limit of \$150,000 per project, study
6 or activity is allowed: Provided, That for a base level
7 less than \$100,000, the reprogramming limit is
8 \$25,000: Provided further, That up to \$25,000 may be
9 reprogrammed into any continuing study or activity
10 that did not receive an appropriation for existing ob-
11 ligations and concomitant administrative expenses;

12 (7) CONSTRUCTION.—For a base level over
13 \$2,000,000, reprogramming of 15 percent of the base
14 amount up to a limit of \$3,000,000 per project, study
15 or activity is allowed: Provided, That for a base level
16 less than \$2,000,000, the reprogramming limit is
17 \$300,000: Provided further, That up to \$3,000,000
18 may be reprogrammed for settled contractor claims,
19 changed conditions, or real estate deficiency judg-
20 ments: Provided further, That up to \$300,000 may be
21 reprogrammed into any continuing study or activity
22 that did not receive an appropriation for existing ob-
23 ligations and concomitant administrative expenses;

24 (8) OPERATION AND MAINTENANCE.—Unlimited
25 reprogramming authority is granted for the Corps to

1 *be able to respond to emergencies: Provided, That the*
2 *Chief of Engineers shall notify the Committees on Ap-*
3 *propriations of both Houses of Congress of these emer-*
4 *gency actions as soon thereafter as practicable: Pro-*
5 *vided further, That for a base level over \$1,000,000,*
6 *reprogramming of 15 percent of the base amount up*
7 *to a limit of \$5,000,000 per project, study, or activity*
8 *is allowed: Provided further, That for a base level less*
9 *than \$1,000,000, the reprogramming limit is*
10 *\$150,000: Provided further, That \$150,000 may be re-*
11 *programmed into any continuing study or activity*
12 *that did not receive an appropriation;*

13 (9) *MISSISSIPPI RIVER AND TRIBUTARIES.—The*
14 *reprogramming guidelines in paragraphs (6), (7),*
15 *and (8) shall apply to the Investigations, Construc-*
16 *tion, and Operation and Maintenance portions of the*
17 *Mississippi River and Tributaries Account, respec-*
18 *tively; and*

19 (10) *FORMERLY UTILIZED SITES REMEDIAL AC-*
20 *TION PROGRAM.—Reprogramming of up to 15 percent*
21 *of the base of the receiving project is permitted.*

22 (b) *DE MINIMUS REPROGRAMMINGS.—In no case*
23 *should a reprogramming for less than \$50,000 be submitted*
24 *to the Committees on Appropriations of both Houses of Con-*
25 *gress.*

1 (c) *CONTINUING AUTHORITIES PROGRAM.*—Subsection
2 (a)(1) shall not apply to any project or activity funded
3 under the continuing authorities program.

4 (d) Not later than 60 days after the date of enactment
5 of this Act, the Secretary shall submit a report to the Com-
6 mittees on Appropriations of both Houses of Congress to
7 establish the baseline for application of reprogramming and
8 transfer authorities for the current fiscal year which shall
9 include:

10 (1) A table for each appropriation with a sepa-
11 rate column to display the President's budget request,
12 adjustments made by Congress, adjustments due to
13 enacted rescissions, if applicable, and the fiscal year
14 enacted level; and

15 (2) A delineation in the table for each appro-
16 priation both by object class and program, project
17 and activity as detailed in the budget appendix for
18 the respective appropriations; and

19 (3) An identification of items of special congres-
20 sional interest.

21 SEC. 102. The Secretary shall allocate funds made
22 available in this Act solely in accordance with the provi-
23 sions of this Act and the explanatory statement described
24 in section 4 (in the matter preceding division A of this con-

1 *solidated Act), including the determination and designation*
2 *of new starts.*

3 *SEC. 103. None of the funds made available in this*
4 *title may be used to award or modify any contract that*
5 *commits funds beyond the amounts appropriated for that*
6 *program, project, or activity that remain unobligated, ex-*
7 *cept that such amounts may include any funds that have*
8 *been made available through reprogramming pursuant to*
9 *section 101.*

10 *SEC. 104. The Secretary of the Army may transfer to*
11 *the Fish and Wildlife Service, and the Fish and Wildlife*
12 *Service may accept and expend, up to \$5,400,000 of funds*
13 *provided in this title under the heading “Operation and*
14 *Maintenance” to mitigate for fisheries lost due to Corps of*
15 *Engineers projects.*

16 *SEC. 105. None of the funds in this Act shall be used*
17 *for an open lake placement alternative for dredged material,*
18 *after evaluating the least costly, environmentally acceptable*
19 *manner for the disposal or management of dredged material*
20 *originating from Lake Erie or tributaries thereto, unless it*
21 *is approved under a State water quality certification pur-*
22 *suant to section 401 of the Federal Water Pollution Control*
23 *Act (33 U.S.C. 1341): Provided, That until an open lake*
24 *placement alternative for dredged material is approved*
25 *under a State water quality certification, the Corps of En-*

1 *gineers shall continue upland placement of such dredged*
2 *material consistent with the requirements of section 101 of*
3 *the Water Resources Development Act of 1986 (33 U.S.C.*
4 *2211).*

5 *SEC. 106. None of the funds made available by this*
6 *Act or any other Act may be used to reorganize or to trans-*
7 *fer the Civil Works functions or authority of the Corps of*
8 *Engineers or the Secretary of the Army to another depart-*
9 *ment or agency.*

10 *SEC. 107. Additional funding provided in this Act*
11 *shall be allocated only to projects determined to be eligible*
12 *by the Chief of Engineers.*

13 *SEC. 108. None of the funds made available by this*
14 *Act may be used to carry out any water supply reallocation*
15 *study under the Wolf Creek Dam, Lake Cumberland, Ken-*
16 *tucky, project authorized under the Act of July 24, 1946*
17 *(60 Stat. 636, ch. 595).*

18 *TITLE II*

19 *DEPARTMENT OF THE INTERIOR*

20 *CENTRAL UTAH PROJECT*

21 *CENTRAL UTAH PROJECT COMPLETION ACCOUNT*

22 *For carrying out activities authorized by the Central*
23 *Utah Project Completion Act, \$20,000,000, to remain avail-*
24 *able until expended, of which \$1,800,000 shall be deposited*
25 *into the Utah Reclamation Mitigation and Conservation*

1 *Account for use by the Utah Reclamation Mitigation and*
2 *Conservation Commission: Provided, That of the amount*
3 *provided under this heading, \$1,500,000 shall be available*
4 *until September 30, 2021, for expenses necessary in car-*
5 *rying out related responsibilities of the Secretary of the In-*
6 *terior: Provided further, That for fiscal year 2020, of the*
7 *amount made available to the Commission under this Act*
8 *or any other Act, the Commission may use an amount not*
9 *to exceed \$1,500,000 for administrative expenses.*

10 *BUREAU OF RECLAMATION*

11 *The following appropriations shall be expended to exe-*
12 *cute authorized functions of the Bureau of Reclamation:*

13 *WATER AND RELATED RESOURCES*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *For management, development, and restoration of*
16 *water and related natural resources and for related activi-*
17 *ties, including the operation, maintenance, and rehabilita-*
18 *tion of reclamation and other facilities, participation in*
19 *fulfilling related Federal responsibilities to Native Ameri-*
20 *cans, and related grants to, and cooperative and other*
21 *agreements with, State and local governments, federally rec-*
22 *ognized Indian tribes, and others, \$1,512,151,000, to re-*
23 *main available until expended, of which \$69,932,000 shall*
24 *be available for transfer to the Upper Colorado River Basin*
25 *Fund and \$5,023,000 shall be available for transfer to the*

1 *Lower Colorado River Basin Development Fund; of which*
2 *such amounts as may be necessary may be advanced to the*
3 *Colorado River Dam Fund: Provided, That \$10,000,000*
4 *shall be available for transfer into the Blackfeet Water Set-*
5 *tlement Implementation Fund established by section 3717*
6 *of Public Law 114–322: Provided further, That the unobli-*
7 *gated balances in “Water and Related Resources” for the*
8 *Blackfeet Water Rights Settlement Act may be transferred*
9 *to the Blackfeet Water Settlement Implementation Fund ac-*
10 *count: Provided further, That such transfers may be in-*
11 *creased or decreased within the overall appropriation under*
12 *this heading: Provided further, That within available funds,*
13 *\$250,000 shall be for grants and financial assistance for*
14 *educational activities: Provided further, That of the total*
15 *appropriated, the amount for program activities that can*
16 *be financed by the Reclamation Fund or the Bureau of Rec-*
17 *lamation special fee account established by 16 U.S.C. 6806*
18 *shall be derived from that Fund or account: Provided fur-*
19 *ther, That funds contributed under 43 U.S.C. 395 are avail-*
20 *able until expended for the purposes for which the funds*
21 *were contributed: Provided further, That funds advanced*
22 *under 43 U.S.C. 397a shall be credited to this account and*
23 *are available until expended for the same purposes as the*
24 *sums appropriated under this heading: Provided further,*
25 *That of the amounts provided herein, funds may be used*

1 *for high-priority projects which shall be carried out by the*
2 *Youth Conservation Corps, as authorized by 16 U.S.C.*
3 *1706: Provided further, That of the amounts made available*
4 *under this heading, \$4,000,000 shall be for one payment*
5 *for deferred construction funding to the Navajo Nation to*
6 *fulfill the construction obligations described in section 15(b)*
7 *of the Colorado Ute Indian Water Rights Settlement Act*
8 *of 1988 (Public Law 100–585), as amended by the Colorado*
9 *Ute Settlement Act Amendments of 2000 (Public Law 106–*
10 *554), and to complete the commissioning and title transfer*
11 *of the Navajo Nation Municipal Pipeline: Provided further,*
12 *That in accordance with section 4009(c) of Public Law*
13 *114–322, and as recommended by the Secretary in a letter*
14 *dated February 13, 2019, funding provided for such pur-*
15 *pose in fiscal year 2018 shall be made available to the Ex-*
16 *panding Recycled Water Delivery Project*
17 *(VenturaWaterPure), the Pure Water Monterey Ground-*
18 *water Replenishment Project, the Groundwater Reliability*
19 *Improvement Program (GRIP) Recycled Water Project, the*
20 *North Valley Regional Recycled Water Program, the South*
21 *Sacramento County Agriculture and Habitat Lands Recy-*
22 *clad Water Program, and the Central Coast Blue project:*
23 *Provided further, That in accordance with section 4007 of*
24 *Public Law 114–322, and as recommended by the Secretary*
25 *in a letter dated February 13, 2019, funding provided for*

1 *such purpose in fiscal years 2017 and 2018 shall be made*
2 *available to the Cle Elum Pool Raise, the Boise River Basin*
3 *Feasibility Study, the Del Puerto Water District, the Los*
4 *Vaqueros Reservoir Phase 2 Expansion Project, the North-*
5 *of-the Delta Off stream Storage (Sites Reservoir Project),*
6 *and the Friant-Kern Canal Capacity Correction Resulting*
7 *Subsidence: Provided further, That in accordance with sec-*
8 *tion 4009(a) of Public Law 114–322, and as recommended*
9 *by the Secretary in a letter dated February 13, 2019, fund-*
10 *ing provided for such purpose in fiscal years 2017 and 2018*
11 *shall be made available to the Doheny Ocean Desalination*
12 *Project, the Kay Bailey Hutchison Desalination Plant, the*
13 *North Pleasant Valley Desalter Facility, and the Mission*
14 *Basin Groundwater Purification Facility Well Expansion*
15 *and Brine Minimization.*

16 *CENTRAL VALLEY PROJECT RESTORATION FUND*

17 *For carrying out the programs, projects, plans, habitat*
18 *restoration, improvement, and acquisition provisions of the*
19 *Central Valley Project Improvement Act, \$54,849,000, to be*
20 *derived from such sums as may be collected in the Central*
21 *Valley Project Restoration Fund pursuant to sections*
22 *3407(d), 3404(c)(3), and 3405(f) of Public Law 102–575,*
23 *to remain available until expended: Provided, That the Bu-*
24 *reau of Reclamation is directed to assess and collect the full*
25 *amount of the additional mitigation and restoration pay-*

1 ments authorized by section 3407(d) of Public Law 102–
2 575: Provided further, That none of the funds made avail-
3 able under this heading may be used for the acquisition or
4 leasing of water for in-stream purposes if the water is al-
5 ready committed to in-stream purposes by a court adopted
6 decree or order.

7 CALIFORNIA BAY-DELTA RESTORATION

8 (INCLUDING TRANSFERS OF FUNDS)

9 For carrying out activities authorized by the Water
10 Supply, Reliability, and Environmental Improvement Act,
11 consistent with plans to be approved by the Secretary of
12 the Interior, \$33,000,000, to remain available until ex-
13 pended, of which such amounts as may be necessary to
14 carry out such activities may be transferred to appropriate
15 accounts of other participating Federal agencies to carry
16 out authorized purposes: Provided, That funds appro-
17 priated herein may be used for the Federal share of the costs
18 of CALFED Program management: Provided further, That
19 CALFED implementation shall be carried out in a bal-
20 anced manner with clear performance measures dem-
21 onstrating concurrent progress in achieving the goals and
22 objectives of the Program.

23 POLICY AND ADMINISTRATION

24 For expenses necessary for policy, administration, and
25 related functions in the Office of the Commissioner, the

1 *Denver office, and offices in the five regions of the Bureau*
2 *of Reclamation, to remain available until September 30,*
3 *2021, \$60,000,000, to be derived from the Reclamation*
4 *Fund and be nonreimbursable as provided in 43 U.S.C.*
5 *377: Provided, That no part of any other appropriation in*
6 *this Act shall be available for activities or functions budg-*
7 *eted as policy and administration expenses.*

8 *ADMINISTRATIVE PROVISION*

9 *Appropriations for the Bureau of Reclamation shall*
10 *be available for purchase of not to exceed five passenger*
11 *motor vehicles, which are for replacement only.*

12 *GENERAL PROVISIONS—DEPARTMENT OF THE*
13 *INTERIOR*

14 *SEC. 201. (a) None of the funds provided in title II*
15 *of this Act for Water and Related Resources, or provided*
16 *by previous or subsequent appropriations Acts to the agen-*
17 *cies or entities funded in title II of this Act for Water and*
18 *Related Resources that remain available for obligation or*
19 *expenditure in fiscal year 2020, shall be available for obli-*
20 *gation or expenditure through a reprogramming of funds*
21 *that—*

22 *(1) initiates or creates a new program, project,*
23 *or activity;*

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

1 (3) *increases funds for any program, project, or*
2 *activity for which funds have been denied or restricted*
3 *by this Act, unless prior approval is received from the*
4 *Committees on Appropriations of both Houses of Con-*
5 *gress;*

6 (4) *restarts or resumes any program, project or*
7 *activity for which funds are not provided in this Act,*
8 *unless prior approval is received from the Committees*
9 *on Appropriations of both Houses of Congress;*

10 (5) *transfers funds in excess of the following lim-*
11 *its, unless prior approval is received from the Com-*
12 *mittees on Appropriations of both Houses of Congress:*

13 (A) *15 percent for any program, project or*
14 *activity for which \$2,000,000 or more is avail-*
15 *able at the beginning of the fiscal year; or*

16 (B) *\$400,000 for any program, project or*
17 *activity for which less than \$2,000,000 is avail-*
18 *able at the beginning of the fiscal year;*

19 (6) *transfers more than \$500,000 from either the*
20 *Facilities Operation, Maintenance, and Rehabilita-*
21 *tion category or the Resources Management and De-*
22 *velopment category to any program, project, or activ-*
23 *ity in the other category, unless prior approval is re-*
24 *ceived from the Committees on Appropriations of both*
25 *Houses of Congress; 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 con-
4 tractor claims, increased contractor earnings due to
5 accelerated rates of operations, and real estate defi-
6 ciency judgments, unless prior approval is received
7 from the Committees on Appropriations of both
8 Houses of Congress.

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 both Houses of Congress detailing all the funds repro-
18 grammed between programs, projects, activities, or cat-
19 egories of funding. The first quarterly report shall be sub-
20 mitted not later than 60 days after the date of enactment
21 of this Act.

22 SEC. 202. (a) None of the funds appropriated or other-
23 wise made available by this Act may be used to determine
24 the final point of discharge for the interceptor drain for
25 the San Luis Unit until development by the Secretary of

1 *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 Envi-*
4 *ronmental Protection Agency, to minimize any detrimental*
5 *effect of the San Luis drainage waters.*

6 **(b)** *The costs of the Kesterson Reservoir Cleanup Pro-*
7 *gram and the costs of the San Joaquin Valley Drainage*
8 *Program shall be classified by the Secretary of the Interior*
9 *as reimbursable or nonreimbursable and collected until fully*
10 *repaid pursuant to the “Cleanup Program—Alternative*
11 *Repayment Plan” and the “SJVDP—Alternative Repay-*
12 *ment Plan” described in the report entitled “Repayment*
13 *Report, Kesterson Reservoir Cleanup Program and San*
14 *Joaquin Valley Drainage Program, February 1995”, pre-*
15 *pared by the Department of the Interior, Bureau of Rec-*
16 *lamation. Any future obligations of funds by the United*
17 *States relating to, or providing for, drainage service or*
18 *drainage studies for the San Luis Unit shall be fully reim-*
19 *bursable by San Luis Unit beneficiaries of such service or*
20 *studies pursuant to Federal reclamation law.*

21 **SEC. 203.** *Section 9504(e) of the Omnibus Public Land*
22 *Management Act of 2009 (42 U.S.C. 10364(e)) is amended*
23 *by striking “\$480,000,000” and inserting “\$530,000,000”.*

24 **SEC. 204.** *Title I of Public Law 108–361 (the*
25 *CALFED Bay-Delta Authorization Act) (118 Stat. 1681),*

1 *as amended by section 4007(k) of Public Law 114–322, is*
2 *amended by striking “2019” each place it appears and in-*
3 *serting “2020”.*

4 *SEC. 205. Section 9106(g)(2) of Public Law 111–11*
5 *(Omnibus Public Land Management Act of 2009) is amend-*
6 *ed by striking “2019” and inserting “2020”.*

7 *SEC. 206. The Claims Resolution Act of 2010 (Public*
8 *Law 111–291) is amended—*

9 *(1) in section 309(d), by striking “2021” each*
10 *place it appears and inserting “2023”; and*

11 *(2) in section 311(h), by striking “2021” and in-*
12 *serting “2023”.*

13 *TITLE III*

14 *DEPARTMENT OF ENERGY*

15 *ENERGY PROGRAMS*

16 *ENERGY EFFICIENCY AND RENEWABLE ENERGY*

17 *(INCLUDING RESCISSION OF FUNDS)*

18 *For Department of Energy expenses including the pur-*
19 *chase, construction, and acquisition of plant and capital*
20 *equipment, and other expenses necessary for energy effi-*
21 *ciency and renewable energy activities in carrying out the*
22 *purposes of the Department of Energy Organization Act (42*
23 *U.S.C. 7101 et seq.), including the acquisition or con-*
24 *demnation of any real property or any facility or for plant*
25 *or facility acquisition, construction, or expansion,*

1 \$2,848,000,000, to remain available until expended: Pro-
2 vided, That of such amount, \$165,000,000 shall be available
3 until September 30, 2021, for program direction: Provided
4 further, That of the unobligated balances from prior year
5 appropriations available under this heading, \$58,000,000
6 is hereby rescinded: Provided further, That no amounts
7 may be rescinded from amounts that were designated by
8 the Congress as an emergency requirement pursuant to the
9 Concurrent Resolution on the Budget or the Balanced Budg-
10 et and Emergency Deficit Control Act of 1985.

11 *CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY*
12 *RESPONSE*

13 *For Department of Energy expenses including the pur-*
14 *chase, construction, and acquisition of plant and capital*
15 *equipment, and other expenses necessary for energy sector*
16 *cybersecurity, energy security, and emergency response ac-*
17 *tivities in carrying out the purposes of the Department of*
18 *Energy Organization Act (42 U.S.C. 7101 et seq.), includ-*
19 *ing the acquisition or condemnation of any real property*
20 *or any facility or for plant or facility acquisition, construc-*
21 *tion, or expansion, \$156,000,000, to remain available until*
22 *expended: Provided, That of such amount, \$13,000,000 shall*
23 *be available until September 30, 2021, for program direc-*
24 *tion.*

1 *ELECTRICITY*

2 *For Department of Energy expenses including the pur-*
3 *chase, construction, and acquisition of plant and capital*
4 *equipment, and other expenses necessary for electricity de-*
5 *livery activities in carrying out the purposes of the Depart-*
6 *ment of Energy Organization Act (42 U.S.C. 7101 et seq.),*
7 *including the acquisition or condemnation of any real*
8 *property or any facility or for plant or facility acquisition,*
9 *construction, or expansion, \$190,000,000, to remain avail-*
10 *able until expended: Provided, That of such amount,*
11 *\$18,000,000 shall be available until September 30, 2021,*
12 *for program direction.*

13 *NUCLEAR ENERGY*

14 *For Department of Energy expenses including the pur-*
15 *chase, construction, and acquisition of plant and capital*
16 *equipment, and other expenses necessary for nuclear energy*
17 *activities in carrying out the purposes of the Department*
18 *of Energy Organization Act (42 U.S.C. 7101 et seq.), in-*
19 *cluding the acquisition or condemnation of any real prop-*
20 *erty or any facility or for plant or facility acquisition, con-*
21 *struction, or expansion, \$1,493,408,000, to remain avail-*
22 *able until expended: Provided, That of such amount,*
23 *\$80,000,000 shall be available until September 30, 2021,*
24 *for program direction.*

1 *FOSSIL ENERGY RESEARCH AND DEVELOPMENT*

2 *For Department of Energy expenses necessary in car-*
3 *rying out fossil energy research and development activities,*
4 *under the authority of the Department of Energy Organiza-*
5 *tion Act (42 U.S.C. 7101 et seq.), including the acquisition*
6 *of interest, including defeasible and equitable interests in*
7 *any real property or any facility or for plant or facility*
8 *acquisition or expansion, and for conducting inquiries,*
9 *technological investigations and research concerning the ex-*
10 *traction, processing, use, and disposal of mineral substances*
11 *without objectionable social and environmental costs (30*
12 *U.S.C. 3, 1602, and 1603), \$750,000,000, to remain avail-*
13 *able until expended: Provided, That of such amount*
14 *\$61,500,000 shall be available until September 30, 2021,*
15 *for program direction.*

16 *NAVAL PETROLEUM AND OIL SHALE RESERVES*

17 *For Department of Energy expenses necessary to carry*
18 *out naval petroleum and oil shale reserve activities,*
19 *\$14,000,000, to remain available until expended: Provided,*
20 *That notwithstanding any other provision of law, unobli-*
21 *gated funds remaining from prior years shall be available*
22 *for all naval petroleum and oil shale reserve activities.*

23 *STRATEGIC PETROLEUM RESERVE*

24 *For Department of Energy expenses necessary for*
25 *Strategic Petroleum Reserve facility development and oper-*

1 ations and program management activities pursuant to the
2 Energy Policy and Conservation Act (42 U.S.C. 6203 et
3 seq.), \$195,000,000, to remain available until expended:
4 Provided, That, as authorized by section 404 of the Bipar-
5 tisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C.
6 6239 note), the Secretary of Energy shall draw down and
7 sell not to exceed \$450,000,000 of crude oil from the Stra-
8 tegic Petroleum Reserve in fiscal year 2020: Provided fur-
9 ther, That the proceeds from such drawdown and sale shall
10 be deposited into the “Energy Security and Infrastructure
11 Modernization Fund” during fiscal year 2020: Provided
12 further, That such amounts shall be made available and
13 shall remain available until expended for necessary ex-
14 penses to carry out the Life Extension II project for the
15 Strategic Petroleum Reserve.

16 *SPR PETROLEUM ACCOUNT*

17 *For the acquisition, transportation, and injection of*
18 *petroleum products, and for other necessary expenses pursu-*
19 *ant to the Energy Policy and Conservation Act of 1975,*
20 *as amended (42 U.S.C. 6203 et seq.), sections 403 and 404*
21 *of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241, 6239*
22 *note), and section 5010 of the 21st Century Cures Act (Pub-*
23 *lic Law 114–255), \$10,000,000, to remain available until*
24 *expended.*

1 *NORTHEAST HOME HEATING OIL RESERVE*

2 *For Department of Energy expenses necessary for*
3 *Northeast Home Heating Oil Reserve storage, operation,*
4 *and management activities pursuant to the Energy Policy*
5 *and Conservation Act (42 U.S.C. 6203 et seq.), \$10,000,000,*
6 *to remain available until expended.*

7 *ENERGY INFORMATION ADMINISTRATION*

8 *For Department of Energy expenses necessary in car-*
9 *rying out the activities of the Energy Information Adminis-*
10 *tration, \$126,800,000, to remain available until expended.*

11 *NON-DEFENSE ENVIRONMENTAL CLEANUP*

12 *For Department of Energy expenses, including the*
13 *purchase, construction, and acquisition of plant and cap-*
14 *ital equipment and other expenses necessary for non-defense*
15 *environmental cleanup activities in carrying out the pur-*
16 *poses of the Department of Energy Organization Act (42*
17 *U.S.C. 7101 et seq.), including the acquisition or con-*
18 *demnation of any real property or any facility or for plant*
19 *or facility acquisition, construction, or expansion,*
20 *\$319,200,000, to remain available until expended: Pro-*
21 *vided, That \$200,000 of the funds provided are for commu-*
22 *nity support.*

1 *ADVANCED RESEARCH PROJECTS AGENCY—ENERGY*

2 *For Department of Energy expenses necessary in car-*
3 *rying out the activities authorized by section 5012 of the*
4 *America COMPETES Act (Public Law 110–69),*
5 *\$425,000,000, to remain available until expended: Pro-*
6 *vided, That of such amount, \$35,000,000 shall be available*
7 *until September 30, 2021, for program direction.*

8 *TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE*
9 *PROGRAM*

10 *Such sums as are derived from amounts received from*
11 *borrowers pursuant to section 1702(b) of the Energy Policy*
12 *Act of 2005 under this heading in prior Acts, shall be col-*
13 *lected in accordance with section 502(7) of the Congres-*
14 *sional Budget Act of 1974: Provided, That for necessary ad-*
15 *ministrative expenses of the Title 17 Innovative Technology*
16 *Loan Guarantee Program, as authorized, \$32,000,000 is*
17 *appropriated, to remain available until September 30,*
18 *2021: Provided further, That up to \$32,000,000 of fees col-*
19 *lected in fiscal year 2020 pursuant to section 1702(h) of*
20 *the Energy Policy Act of 2005 shall be credited as offsetting*
21 *collections under this heading and used for necessary ad-*
22 *ministrative expenses in this appropriation and shall re-*
23 *main available until September 30, 2021: Provided further,*
24 *That to the extent that fees collected in fiscal year 2020*
25 *exceed \$32,000,000, those excess amounts shall be credited*

1 *as offsetting collections under this heading and available*
2 *in future fiscal years only to the extent provided in advance*
3 *in appropriations Acts: Provided further, That the sum*
4 *herein appropriated from the general fund shall be reduced*
5 *(1) as such fees are received during fiscal year 2020 (esti-*
6 *mated at \$3,000,000) and (2) to the extent that any remain-*
7 *ing general fund appropriations can be derived from fees*
8 *collected in previous fiscal years that are not otherwise ap-*
9 *propriated, so as to result in a final fiscal year 2020 appro-*
10 *priation from the general fund estimated at \$0: Provided*
11 *further, That the Department of Energy shall not subordi-*
12 *nate any loan obligation to other financing in violation of*
13 *section 1702 of the Energy Policy Act of 2005 or subordi-*
14 *nate any Guaranteed Obligation to any loan or other debt*
15 *obligations in violation of section 609.10 of title 10, Code*
16 *of Federal Regulations.*

17 *ADVANCED TECHNOLOGY VEHICLES MANUFACTURING*

18 *LOAN PROGRAM*

19 *For Department of Energy administrative expenses*
20 *necessary in carrying out the Advanced Technology Vehicles*
21 *Manufacturing Loan Program, \$5,000,000, to remain*
22 *available until September 30, 2021.*

23 *TRIBAL ENERGY LOAN GUARANTEE PROGRAM*

24 *For Department of Energy administrative expenses*
25 *necessary in carrying out the Tribal Energy Loan Guar-*

1 *antee Program, \$2,000,000, to remain available until Sep-*
2 *tember 30, 2021.*

3 *OFFICE OF INDIAN ENERGY POLICY AND PROGRAMS*

4 *For necessary expenses for Indian Energy activities in*
5 *carrying out the purposes of the Department of Energy Or-*
6 *ganization Act (42 U.S.C. 7101 et seq.), \$22,000,000, to re-*
7 *main available until expended: Provided, That, of the*
8 *amount appropriated under this heading, \$5,000,000 shall*
9 *be available until September 30, 2021, for program direc-*
10 *tion.*

11 *DEPARTMENTAL ADMINISTRATION*

12 *For salaries and expenses of the Department of Energy*
13 *necessary for departmental administration in carrying out*
14 *the purposes of the Department of Energy Organization Act*
15 *(42 U.S.C. 7101 et seq.), \$254,378,000, to remain available*
16 *until September 30, 2021, including the hire of passenger*
17 *motor vehicles and official reception and representation ex-*
18 *penses not to exceed \$30,000, plus such additional amounts*
19 *as necessary to cover increases in the estimated amount of*
20 *cost of work for others notwithstanding the provisions of*
21 *the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided,*
22 *That such increases in cost of work are offset by revenue*
23 *increases of the same or greater amount: Provided further,*
24 *That moneys received by the Department for miscellaneous*
25 *revenues estimated to total \$93,378,000 in fiscal year 2020*

1 *may be retained and used for operating expenses within this*
2 *account, as authorized by section 201 of Public Law 95–*
3 *238, notwithstanding the provisions of 31 U.S.C. 3302: Pro-*
4 *vided further, That the sum herein appropriated shall be*
5 *reduced as collections are received during the fiscal year*
6 *so as to result in a final fiscal year 2020 appropriation*
7 *from the general fund estimated at not more than*
8 *\$161,000,000.*

9 *OFFICE OF THE INSPECTOR GENERAL*

10 *For expenses necessary for the Office of the Inspector*
11 *General in carrying out the provisions of the Inspector Gen-*
12 *eral Act of 1978, \$54,215,000, to remain available until*
13 *September 30, 2021.*

14 *ATOMIC ENERGY DEFENSE ACTIVITIES*

15 *NATIONAL NUCLEAR SECURITY ADMINISTRATION*

16 *WEAPONS ACTIVITIES*

17 *For Department of Energy expenses, including the*
18 *purchase, construction, and acquisition of plant and cap-*
19 *ital equipment and other incidental expenses necessary for*
20 *atomic energy defense weapons activities in carrying out*
21 *the purposes of the Department of Energy Organization Act*
22 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*
23 *demnation of any real property or any facility or for plant*
24 *or facility acquisition, construction, or expansion, and the*
25 *purchase of not to exceed one ambulance for replacement*

1 *only, \$12,457,097,000, to remain available until expended:*
2 *Provided, That of such amount, \$107,660,000 shall be avail-*
3 *able until September 30, 2021, for program direction.*

4 *DEFENSE NUCLEAR NONPROLIFERATION*

5 *For Department of Energy expenses, including the*
6 *purchase, construction, and acquisition of plant and cap-*
7 *ital equipment and other incidental expenses necessary for*
8 *defense nuclear nonproliferation activities, in carrying out*
9 *the purposes of the Department of Energy Organization Act*
10 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*
11 *demnation of any real property or any facility or for plant*
12 *or facility acquisition, construction, or expansion, and the*
13 *purchase of not to exceed two aircraft, \$2,164,400,000, to*
14 *remain available until expended.*

15 *NAVAL REACTORS*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For Department of Energy expenses necessary for*
18 *naval reactors activities to carry out the Department of En-*
19 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*
20 *the acquisition (by purchase, condemnation, construction,*
21 *or otherwise) of real property, plant, and capital equip-*
22 *ment, facilities, and facility expansion, \$1,648,396,000, to*
23 *remain available until expended, of which, \$88,500,000*
24 *shall be transferred to “Department of Energy—Energy*
25 *Programs—Nuclear Energy”, for the Advanced Test Reac-*

1 *tor: Provided, That of such amount, \$50,500,000 shall be*
2 *available until September 30, 2021, for program direction.*

3 *FEDERAL SALARIES AND EXPENSES*

4 *For expenses necessary for Federal Salaries and Ex-*
5 *penses in the National Nuclear Security Administration,*
6 *\$434,699,000, to remain available until September 30,*
7 *2021, including official reception and representation ex-*
8 *penses not to exceed \$17,000.*

9 *ENVIRONMENTAL AND OTHER DEFENSE*

10 *ACTIVITIES*

11 *DEFENSE ENVIRONMENTAL CLEANUP*

12 *For Department of Energy expenses, including the*
13 *purchase, construction, and acquisition of plant and cap-*
14 *ital equipment and other expenses necessary for atomic en-*
15 *ergy defense environmental cleanup activities in carrying*
16 *out the purposes of the Department of Energy Organization*
17 *Act (42 U.S.C. 7101 et seq.), including the acquisition or*
18 *condemnation of any real property or any facility or for*
19 *plant or facility acquisition, construction, or expansion,*
20 *\$6,255,000,000, to remain available until expended: Pro-*
21 *vided, That of such amount, \$281,119,000 shall be available*
22 *until September 30, 2021, for program direction.*

23 *OTHER DEFENSE ACTIVITIES*

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 atomic en-*
2 *ergy defense, other defense activities, and classified activi-*
3 *ties, in carrying out the purposes of the Department of En-*
4 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*
5 *the acquisition or condemnation of any real property or*
6 *any facility or for plant or facility acquisition, construc-*
7 *tion, or expansion, and purchase of not more than one pas-*
8 *senger motor vehicle, \$906,000,000, to remain available*
9 *until expended: Provided, That of such amount,*
10 *\$328,917,000 shall be available until September 30, 2021,*
11 *for program direction.*

12 *POWER MARKETING ADMINISTRATIONS*

13 *BONNEVILLE POWER ADMINISTRATION FUND*

14 *Expenditures from the Bonneville Power Administra-*
15 *tion Fund, established pursuant to Public Law 93-454, are*
16 *approved for the Steigerwald Floodplain Restoration*
17 *Project and, in addition, for official reception and represen-*
18 *tation expenses in an amount not to exceed \$5,000: Pro-*
19 *vided, That during fiscal year 2020, no new direct loan*
20 *obligations may be made: Provided further, Expenditures*
21 *from the Bonneville Power Administration Fund, estab-*
22 *lished pursuant to Public Law 93-454 are authorized and*
23 *approved, without fiscal year limitation, for the cost of cur-*
24 *rent and future year purchases or payments of emissions*
25 *expenses associated with Bonneville Power Administration*

1 *power and transmission operations in states with clean en-*
2 *ergy programs: Provided further, This expenditure author-*
3 *ization is limited solely to Bonneville Power Administra-*
4 *tion's voluntary purchase or payments made in conjunction*
5 *with state clean energy programs and is not a broader*
6 *waiver of Bonneville Power Administration's sovereign im-*
7 *munity.*

8 *OPERATION AND MAINTENANCE, SOUTHEASTERN POWER*
9 *ADMINISTRATION*

10 *For expenses necessary for operation and maintenance*
11 *of power transmission facilities and for marketing electric*
12 *power and energy, including transmission wheeling and*
13 *ancillary services, pursuant to section 5 of the Flood Con-*
14 *trol Act of 1944 (16 U.S.C. 825s), as applied to the south-*
15 *eastern power area, \$6,597,000, including official reception*
16 *and representation expenses in an amount not to exceed*
17 *\$1,500, to remain available until expended: Provided, That*
18 *notwithstanding 31 U.S.C. 3302 and section 5 of the Flood*
19 *Control Act of 1944, up to \$6,597,000 collected by the*
20 *Southeastern Power Administration from the sale of power*
21 *and related services shall be credited to this account as dis-*
22 *cretionary offsetting collections, to remain available until*
23 *expended for the sole purpose of funding the annual ex-*
24 *penses of the Southeastern Power Administration: Provided*
25 *further, That the sum herein appropriated for annual ex-*

1 *penses shall be reduced as collections are received during*
2 *the fiscal year so as to result in a final fiscal year 2020*
3 *appropriation estimated at not more than \$0: Provided fur-*
4 *ther, That notwithstanding 31 U.S.C. 3302, up to*
5 *\$56,000,000 collected by the Southeastern Power Adminis-*
6 *tration pursuant to the Flood Control Act of 1944 to recover*
7 *purchase power and wheeling expenses shall be credited to*
8 *this account as offsetting collections, to remain available*
9 *until expended for the sole purpose of making purchase*
10 *power and wheeling expenditures: Provided further, That*
11 *for purposes of this appropriation, annual expenses means*
12 *expenditures that are generally recovered in the same year*
13 *that they are incurred (excluding purchase power and*
14 *wheeling expenses).*

15 *OPERATION AND MAINTENANCE, SOUTHWESTERN POWER*
16 *ADMINISTRATION*

17 *For expenses necessary for operation and maintenance*
18 *of power transmission facilities and for marketing electric*
19 *power and energy, for construction and acquisition of*
20 *transmission lines, substations and appurtenant facilities,*
21 *and for administrative expenses, including official recep-*
22 *tion and representation expenses in an amount not to ex-*
23 *ceed \$1,500 in carrying out section 5 of the Flood Control*
24 *Act of 1944 (16 U.S.C. 825s), as applied to the South-*
25 *western Power Administration, \$47,775,000, to remain*

1 *available until expended: Provided, That notwithstanding*
2 *31 U.S.C. 3302 and section 5 of the Flood Control Act of*
3 *1944 (16 U.S.C. 825s), up to \$37,375,000 collected by the*
4 *Southwestern Power Administration from the sale of power*
5 *and related services shall be credited to this account as dis-*
6 *cretionary offsetting collections, to remain available until*
7 *expended, for the sole purpose of funding the annual ex-*
8 *penses of the Southwestern Power Administration: Provided*
9 *further, That the sum herein appropriated for annual ex-*
10 *penses shall be reduced as collections are received during*
11 *the fiscal year so as to result in a final fiscal year 2020*
12 *appropriation estimated at not more than \$10,400,000:*
13 *Provided further, That notwithstanding 31 U.S.C. 3302, up*
14 *to \$43,000,000 collected by the Southwestern Power Admin-*
15 *istration pursuant to the Flood Control Act of 1944 to re-*
16 *cover purchase power and wheeling expenses shall be cred-*
17 *ited to this account as offsetting collections, to remain avail-*
18 *able until expended for the sole purpose of making purchase*
19 *power and wheeling expenditures: Provided further, That*
20 *for purposes of this appropriation, annual expenses means*
21 *expenditures that are generally recovered in the same year*
22 *that they are incurred (excluding purchase power and*
23 *wheeling expenses).*

1 *lamation Fund: Provided further, That notwithstanding 31*
2 *U.S.C. 3302, up to \$227,000,000 collected by the Western*
3 *Area Power Administration pursuant to the Flood Control*
4 *Act of 1944 and the Reclamation Project Act of 1939 to*
5 *recover purchase power and wheeling expenses shall be cred-*
6 *ited to this account as offsetting collections, to remain avail-*
7 *able until expended for the sole purpose of making purchase*
8 *power and wheeling expenditures: Provided further, That*
9 *for purposes of this appropriation, annual expenses means*
10 *expenditures that are generally recovered in the same year*
11 *that they are incurred (excluding purchase power and*
12 *wheeling expenses): Provided further, That of the unobli-*
13 *gated balances from prior year appropriations available*
14 *under this heading, \$176,000 is hereby permanently can-*
15 *celled.*

16 *FALCON AND AMISTAD OPERATING AND MAINTENANCE*
17 *FUND*

18 *For operation, maintenance, and emergency costs for*
19 *the hydroelectric facilities at the Falcon and Amistad*
20 *Dams, \$3,160,000, to remain available until expended, and*
21 *to be derived from the Falcon and Amistad Operating and*
22 *Maintenance Fund of the Western Area Power Administra-*
23 *tion, as provided in section 2 of the Act of June 18, 1954*
24 *(68 Stat. 255): Provided, That notwithstanding the provi-*
25 *sions of that Act and of 31 U.S.C. 3302, up to \$2,932,000*

1 collected by the Western Area Power Administration from
2 the sale of power and related services from the Falcon and
3 Amistad Dams shall be credited to this account as discre-
4 tionary offsetting collections, to remain available until ex-
5 pended for the sole purpose of funding the annual expenses
6 of the hydroelectric facilities of these Dams and associated
7 Western Area Power Administration activities: Provided
8 further, That the sum herein appropriated for annual ex-
9 penses shall be reduced as collections are received during
10 the fiscal year so as to result in a final fiscal year 2020
11 appropriation estimated at not more than \$228,000: Pro-
12 vided further, That for purposes of this appropriation, an-
13 nual expenses means expenditures that are generally recov-
14 ered in the same year that they are incurred: Provided fur-
15 ther, That for fiscal year 2020, the Administrator of the
16 Western Area Power Administration may accept up to
17 \$1,187,000 in funds contributed by United States power
18 customers of the Falcon and Amistad Dams for deposit into
19 the Falcon and Amistad Operating and Maintenance Fund,
20 and such funds shall be available for the purpose for which
21 contributed in like manner as if said sums had been specifi-
22 cally appropriated for such purpose: Provided further, That
23 any such funds shall be available without further appro-
24 priation and without fiscal year limitation for use by the
25 Commissioner of the United States Section of the Inter-

1 *national Boundary and Water Commission for the sole pur-*
2 *pose of operating, maintaining, repairing, rehabilitating,*
3 *replacing, or upgrading the hydroelectric facilities at these*
4 *Dams in accordance with agreements reached between the*
5 *Administrator, Commissioner, and the power customers.*

6 *FEDERAL ENERGY REGULATORY COMMISSION*

7 *SALARIES AND EXPENSES*

8 *For expenses necessary for the Federal Energy Regu-*
9 *latory Commission to carry out the provisions of the De-*
10 *partment of Energy Organization Act (42 U.S.C. 7101 et*
11 *seq.), including services as authorized by 5 U.S.C. 3109,*
12 *official reception and representation expenses not to exceed*
13 *\$3,000, and the hire of passenger motor vehicles,*
14 *\$382,000,000, to remain available until expended: Pro-*
15 *vided, That notwithstanding any other provision of law, not*
16 *to exceed \$382,000,000 of revenues from fees and annual*
17 *charges, and other services and collections in fiscal year*
18 *2020 shall be retained and used for expenses necessary in*
19 *this account, and shall remain available until expended:*
20 *Provided further, That the sum herein appropriated from*
21 *the general fund shall be reduced as revenues are received*
22 *during fiscal year 2020 so as to result in a final fiscal year*
23 *2020 appropriation from the general fund estimated at not*
24 *more than \$0.*

1 (D) announce publicly the intention to make an
2 allocation, award, or Agreement in excess of the limits
3 in subparagraph (A) or (B).

4 (2) The Secretary of Energy shall submit to the Com-
5 mittees on Appropriations of both Houses of Congress with-
6 in 15 days of the conclusion of each quarter a report detail-
7 ing each grant allocation or discretionary grant award to-
8 taling less than \$1,000,000 provided during the previous
9 quarter.

10 (3) The notification required by paragraph (1) and the
11 report required by paragraph (2) shall include the recipient
12 of the award, the amount of the award, the fiscal year for
13 which the funds for the award were appropriated, the ac-
14 count and program, project, or activity from which the
15 funds are being drawn, the title of the award, and a brief
16 description of the activity for which the award is made.

17 (c) The Department of Energy may not, with respect
18 to any program, project, or activity that uses budget au-
19 thority made available in this title under the heading “De-
20 partment of Energy—Energy Programs”, enter into a
21 multiyear contract, award a multiyear grant, or enter into
22 a multiyear cooperative agreement unless—

23 (1) the contract, grant, or cooperative agreement
24 is funded for the full period of performance as antici-
25 pated at the time of award; or

1 (2) *the contract, grant, or cooperative agreement*
2 *includes a clause conditioning the Federal Govern-*
3 *ment's obligation on the availability of future year*
4 *budget authority and the Secretary notifies the Com-*
5 *mittees on Appropriations of both Houses of Congress*
6 *at least 3 days in advance.*

7 (d) *Except as provided in subsections (e), (f), and (g),*
8 *the amounts made available by this title shall be expended*
9 *as authorized by law for the programs, projects, and activi-*
10 *ties specified in the "Final Bill" column in the "Depart-*
11 *ment of Energy" table included under the heading "Title*
12 *III—Department of Energy" in the explanatory statement*
13 *described in section 4 (in the matter preceding division A*
14 *of this consolidated Act).*

15 (e) *The amounts made available by this title may be*
16 *reprogrammed for any program, project, or activity, and*
17 *the Department shall notify, and obtain the prior approval*
18 *of, the Committees on Appropriations of both Houses of*
19 *Congress at least 30 days prior to the use of any proposed*
20 *reprogramming that would cause any program, project, or*
21 *activity funding level to increase or decrease by more than*
22 *\$5,000,000 or 10 percent, whichever is less, during the time*
23 *period covered by this Act.*

1 (f) *None of the funds provided in this title shall be*
2 *available for obligation or expenditure through a re-*
3 *programming of funds that—*

4 (1) *creates, initiates, or eliminates a program,*
5 *project, or activity;*

6 (2) *increases funds or personnel for any pro-*
7 *gram, project, or activity for which funds are denied*
8 *or restricted by this Act; or*

9 (3) *reduces funds that are directed to be used for*
10 *a specific program, project, or activity by this Act.*

11 (g)(1) *The Secretary of Energy may waive any re-*
12 *quirement or restriction in this section that applies to the*
13 *use of funds made available for the Department of Energy*
14 *if compliance with such requirement or restriction would*
15 *pose a substantial risk to human health, the environment,*
16 *welfare, or national security.*

17 (2) *The Secretary of Energy shall notify the Commit-*
18 *tees on Appropriations of both Houses of Congress of any*
19 *waiver under paragraph (1) as soon as practicable, but not*
20 *later than 3 days after the date of the activity to which*
21 *a requirement or restriction would otherwise have applied.*
22 *Such notice shall include an explanation of the substantial*
23 *risk under paragraph (1) that permitted such waiver.*

24 (h) *The unexpended balances of prior appropriations*
25 *provided for activities in this Act may be available to the*

1 *same appropriation accounts for such activities established*
2 *pursuant to this title. Available balances may be merged*
3 *with funds in the applicable established accounts and there-*
4 *after may be accounted for as one fund for the same time*
5 *period as originally enacted.*

6 *SEC. 302. Funds appropriated by this or any other*
7 *Act, or made available by the transfer of funds in this Act,*
8 *for intelligence activities are deemed to be specifically au-*
9 *thorized by the Congress for purposes of section 504 of the*
10 *National Security Act of 1947 (50 U.S.C. 3094) during fis-*
11 *cal year 2020 until the enactment of the Intelligence Au-*
12 *thorization Act for fiscal year 2020.*

13 *SEC. 303. None of the funds made available in this*
14 *title shall be used for the construction of facilities classified*
15 *as high-hazard nuclear facilities under 10 CFR Part 830*
16 *unless independent oversight is conducted by the Office of*
17 *Enterprise Assessments to ensure the project is in compli-*
18 *ance with nuclear safety requirements.*

19 *SEC. 304. None of the funds made available in this*
20 *title may be used to approve critical decision-2 or critical*
21 *decision-3 under Department of Energy Order 413.3B, or*
22 *any successive departmental guidance, for construction*
23 *projects where the total project cost exceeds \$100,000,000,*
24 *until a separate independent cost estimate has been devel-*
25 *oped for the project for that critical decision.*

1 *SEC. 305. (a) None of the funds made available in this*
2 *or any prior Act under the heading “Defense Nuclear Non-*
3 *proliferation” may be made available to enter into new con-*
4 *tracts with, or new agreements for Federal assistance to,*
5 *the Russian Federation.*

6 *(b) The Secretary of Energy may waive the prohibition*
7 *in subsection (a) if the Secretary determines that such ac-*
8 *tivity is in the national security interests of the United*
9 *States. This waiver authority may not be delegated.*

10 *(c) A waiver under subsection (b) shall not be effective*
11 *until 15 days after the date on which the Secretary submits*
12 *to the Committees on Appropriations of both Houses of Con-*
13 *gress, in classified form if necessary, a report on the jus-*
14 *tification for the waiver.*

15 *SEC. 306. Notwithstanding section 161 of the Energy*
16 *Policy and Conservation Act (42 U.S.C. 6241), upon a de-*
17 *termination by the President in this fiscal year that a re-*
18 *gional supply shortage of refined petroleum product of sig-*
19 *nificant scope and duration exists, that a severe increase*
20 *in the price of refined petroleum product will likely result*
21 *from such shortage, and that a draw down and sale of re-*
22 *fined petroleum product would assist directly and signifi-*
23 *cantly in reducing the adverse impact of such shortage, the*
24 *Secretary of Energy may draw down and sell refined petro-*
25 *leum product from the Strategic Petroleum Reserve. Pro-*

1 *ceeds from a sale under this section shall be deposited into*
2 *the SPR Petroleum Account established in section 167 of*
3 *the Energy Policy and Conservation Act (42 U.S.C. 6247),*
4 *and such amounts shall be available for obligation, without*
5 *fiscal year limitation, consistent with that section.*

6 *SEC. 307. Of the offsetting collections, including unob-*
7 *ligated balances of such collections, in the “Department of*
8 *Energy—Power Marketing Administration—Colorado*
9 *River Basins Power Marketing Fund, Western Area Power*
10 *Administration”, \$21,400,000 shall be transferred to the*
11 *“Department of Interior—Bureau of Reclamation—Upper*
12 *Colorado River Basin Fund” for the Bureau of Reclamation*
13 *to carry out environmental stewardship and endangered*
14 *species recovery efforts.*

15 *SEC. 308. (a) Of the unobligated balances available*
16 *from amounts appropriated in prior Acts under the heading*
17 *“Title III—Department of Energy—Energy Programs”,*
18 *\$12,723,000 is hereby rescinded.*

19 *(b) No amounts may be rescinded under (a) from*
20 *amounts that were designated by the Congress as an emer-*
21 *gency requirement pursuant to a concurrent resolution on*
22 *the budget or the Balanced Budget and Emergency Deficit*
23 *Control Act of 1985.*

24 *SEC. 309. Beginning in fiscal year 2021 and for each*
25 *fiscal year thereafter, fees collected pursuant to subsection*

1 *authorized by 5 U.S.C. 3109, and hire of passenger motor*
2 *vehicles, \$175,000,000, to remain available until expended.*

3 *DEFENSE NUCLEAR FACILITIES SAFETY BOARD*

4 *SALARIES AND EXPENSES*

5 *For expenses necessary for the Defense Nuclear Facili-*
6 *ties Safety Board in carrying out activities authorized by*
7 *the Atomic Energy Act of 1954, as amended by Public Law*
8 *100–456, section 1441, \$31,000,000, to remain available*
9 *until September 30, 2021.*

10 *DELTA REGIONAL AUTHORITY*

11 *SALARIES AND EXPENSES*

12 *For expenses necessary for the Delta Regional Author-*
13 *ity and to carry out its activities, as authorized by the*
14 *Delta Regional Authority Act of 2000, notwithstanding sec-*
15 *tions 382F(d), 382M, and 382N of said Act, \$30,000,000,*
16 *to remain available until expended.*

17 *DENALI COMMISSION*

18 *For expenses necessary for the Denali Commission in-*
19 *cluding the purchase, construction, and acquisition of plant*
20 *and capital equipment as necessary and other expenses,*
21 *\$15,000,000, to remain available until expended, notwith-*
22 *standing the limitations contained in section 306(g) of the*
23 *Denali Commission Act of 1998: Provided, That funds shall*
24 *be available for construction projects in an amount not to*
25 *exceed 80 percent of total project cost for distressed commu-*

1 *nities, as defined by section 307 of the Denali Commission*
2 *Act of 1998 (division C, title III, Public Law 105–277),*
3 *as amended by section 701 of appendix D, title VII, Public*
4 *Law 106–113 (113 Stat. 1501A–280), and an amount not*
5 *to exceed 50 percent for non-distressed communities: Pro-*
6 *vided further, That notwithstanding any other provision of*
7 *law regarding payment of a non-Federal share in connec-*
8 *tion with a grant-in-aid program, amounts under this*
9 *heading shall be available for the payment of such a non-*
10 *Federal share for programs undertaken to carry out the*
11 *purposes of the Commission.*

12 *NORTHERN BORDER REGIONAL COMMISSION*

13 *For expenses necessary for the Northern Border Re-*
14 *gional Commission in carrying out activities authorized by*
15 *subtitle V of title 40, United States Code, \$25,000,000, to*
16 *remain available until expended: Provided, That such*
17 *amounts shall be available for administrative expenses, not-*
18 *withstanding section 15751(b) of title 40, United States*
19 *Code.*

20 *SOUTHEAST CRESCENT REGIONAL COMMISSION*

21 *For expenses necessary for the Southeast Crescent Re-*
22 *gional Commission in carrying out activities authorized by*
23 *subtitle V of title 40, United States Code, \$250,000, to re-*
24 *main available until expended.*

1 *NUCLEAR REGULATORY COMMISSION*2 *SALARIES AND EXPENSES*

3 *For expenses necessary for the Commission in carrying*
4 *out the purposes of the Energy Reorganization Act of 1974*
5 *and the Atomic Energy Act of 1954, \$842,236,000, includ-*
6 *ing official representation expenses not to exceed \$25,000,*
7 *to remain available until expended: Provided, That of the*
8 *amount appropriated herein, not more than \$9,500,000*
9 *may be made available for salaries, travel, and other sup-*
10 *port costs for the Office of the Commission, to remain avail-*
11 *able until September 30, 2021, of which, notwithstanding*
12 *section 201(a)(2)(c) of the Energy Reorganization Act of*
13 *1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure*
14 *shall only be approved by a majority vote of the Commis-*
15 *sion: Provided further, That revenues from licensing fees,*
16 *inspection services, and other services and collections esti-*
17 *mated at \$717,125,000 in fiscal year 2020 shall be retained*
18 *and used for necessary salaries and expenses in this ac-*
19 *count, notwithstanding 31 U.S.C. 3302, and shall remain*
20 *available until expended: Provided further, That of the*
21 *amounts appropriated under this heading, not less than*
22 *\$15,478,000 shall be for activities related to the development*
23 *of regulatory infrastructure for advanced nuclear tech-*
24 *nologies, and \$14,500,000 shall be for international activi-*
25 *ties, except that the amounts provided under this proviso*

1 *shall not be derived from fee revenues, notwithstanding 42*
2 *U.S.C. 2214: Provided further, That the sum herein appro-*
3 *priated shall be reduced by the amount of revenues received*
4 *during fiscal year 2020 so as to result in a final fiscal year*
5 *2020 appropriation estimated at not more than*
6 *\$125,111,000: Provided further, That of the amounts appro-*
7 *priated under this heading, \$10,500,000 shall be for univer-*
8 *sity research and development in areas relevant to the Com-*
9 *mission's mission, and \$5,500,000 shall be for a Nuclear*
10 *Science and Engineering Grant Program that will support*
11 *multiyear projects that do not align with programmatic*
12 *missions but are critical to maintaining the discipline of*
13 *nuclear science and engineering.*

14 *OFFICE OF INSPECTOR GENERAL*

15 *For expenses necessary for the Office of Inspector Gen-*
16 *eral in carrying out the provisions of the Inspector General*
17 *Act of 1978, \$13,314,000, to remain available until Sep-*
18 *tember 30, 2021: Provided, That revenues from licensing*
19 *fees, inspection services, and other services and collections*
20 *estimated at \$10,929,000 in fiscal year 2020 shall be re-*
21 *tained and be available until September 30, 2021, for nec-*
22 *essary salaries and expenses in this account, notwith-*
23 *standing section 3302 of title 31, United States Code: Pro-*
24 *vided further, That the sum herein appropriated shall be*
25 *reduced by the amount of revenues received during fiscal*

1 *year 2020 so as to result in a final fiscal year 2020 appro-*
2 *priation estimated at not more than \$2,385,000: Provided*
3 *further, That of the amounts appropriated under this head-*
4 *ing, \$1,171,000 shall be for Inspector General services for*
5 *the Defense Nuclear Facilities Safety Board, which shall not*
6 *be available from fee revenues.*

7 *NUCLEAR WASTE TECHNICAL REVIEW BOARD*

8 *SALARIES AND EXPENSES*

9 *For expenses necessary for the Nuclear Waste Tech-*
10 *nical Review Board, as authorized by Public Law 100–203,*
11 *section 5051, \$3,600,000, to be derived from the Nuclear*
12 *Waste Fund, to remain available until September 30, 2021.*

13 *GENERAL PROVISIONS—INDEPENDENT*

14 *AGENCIES*

15 *SEC. 401. The Nuclear Regulatory Commission shall*
16 *comply with the July 5, 2011, version of Chapter VI of its*
17 *Internal Commission Procedures when responding to Con-*
18 *gressional requests for information, consistent with Depart-*
19 *ment of Justice guidance for all federal agencies.*

20 *SEC. 402. (a) The amounts made available by this title*
21 *for the Nuclear Regulatory Commission may be repro-*
22 *grammed for any program, project, or activity, and the*
23 *Commission shall notify the Committees on Appropriations*
24 *of both Houses of Congress at least 30 days prior to the*
25 *use of any proposed reprogramming that would cause any*

1 *program funding level to increase or decrease by more than*
2 *\$500,000 or 10 percent, whichever is less, during the time*
3 *period covered by this Act.*

4 *(b)(1) The Nuclear Regulatory Commission may waive*
5 *the notification requirement in subsection (a) if compliance*
6 *with such requirement would pose a substantial risk to*
7 *human health, the environment, welfare, or national secu-*
8 *rity.*

9 *(2) The Nuclear Regulatory Commission shall notify*
10 *the Committees on Appropriations of both Houses of Con-*
11 *gress of any waiver under paragraph (1) as soon as prac-*
12 *ticable, but not later than 3 days after the date of the activ-*
13 *ity to which a requirement or restriction would otherwise*
14 *have applied. Such notice shall include an explanation of*
15 *the substantial risk under paragraph (1) that permitted*
16 *such waiver and shall provide a detailed report to the Com-*
17 *mittees of such waiver and changes to funding levels to pro-*
18 *grams, projects, or activities.*

19 *(c) Except as provided in subsections (a), (b), and (d),*
20 *the amounts made available by this title for “Nuclear Regu-*
21 *latory Commission—Salaries and Expenses” shall be ex-*
22 *pended as directed in the explanatory statement described*
23 *in section 4 (in the matter preceding division A of this con-*
24 *solidated Act).*

1 (d) None of the funds provided for the Nuclear Regu-
2 latory Commission shall be available for obligation or ex-
3 penditure through a reprogramming of funds that increases
4 funds or personnel for any program, project, or activity for
5 which funds are denied or restricted by this Act.

6 (e) The Commission shall provide a monthly report to
7 the Committees on Appropriations of both Houses of Con-
8 gress, which includes the following for each program,
9 project, or activity, including any prior year appropria-
10 tions—

- 11 (1) total budget authority;
- 12 (2) total unobligated balances; and
- 13 (3) total unliquidated obligations.

14 TITLE V

15 GENERAL PROVISIONS

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 501. None of the funds appropriated by this Act
18 may be used in any way, directly or indirectly, to influence
19 congressional action on any legislation or appropriation
20 matters pending before Congress, other than to commu-
21 nicate to Members of Congress as described in 18 U.S.C.
22 1913.

23 SEC. 502. (a) None of the funds made available in title
24 III of this Act may be transferred to any department, agen-
25 cy, or instrumentality of the United States Government, ex-

1 *cept pursuant to a transfer made by or transfer authority*
2 *provided in this Act or any other appropriations Act for*
3 *any fiscal year, transfer authority referenced in the explan-*
4 *atory statement described in section 4 (in the matter pre-*
5 *ceding division A of this consolidated Act), or any authority*
6 *whereby a department, agency, or instrumentality of the*
7 *United States Government may provide goods or services*
8 *to another department, agency, or instrumentality.*

9 *(b) None of the funds made available for any depart-*
10 *ment, agency, or instrumentality of the United States Gov-*
11 *ernment may be transferred to accounts funded in title III*
12 *of this Act, except pursuant to a transfer made by or trans-*
13 *fer authority provided in this Act or any other appropria-*
14 *tions Act for any fiscal year, transfer authority referenced*
15 *in the explanatory statement described in section 4 (in the*
16 *matter preceding division A of this consolidated Act), or*
17 *any authority whereby a department, agency, or instru-*
18 *mentality of the United States Government may provide*
19 *goods or services to another department, agency, or instru-*
20 *mentality.*

21 *(c) The head of any relevant department or agency*
22 *funded in this Act utilizing any transfer authority shall*
23 *submit to the Committees on Appropriations of both Houses*
24 *of Congress a semiannual report detailing the transfer au-*
25 *thorities, except for any authority whereby a department,*

1 agency, or instrumentality of the United States Government
2 may provide goods or services to another department, agen-
3 cy, or instrumentality, used in the previous 6 months and
4 in the year-to-date. This report shall include the amounts
5 transferred and the purposes for which they were trans-
6 ferred, and shall not replace or modify existing notification
7 requirements for each authority.

8 *SEC. 503. None of the funds made available by this*
9 *Act may be used in contravention of Executive Order No.*
10 *12898 of February 11, 1994 (Federal Actions to Address*
11 *Environmental Justice in Minority Populations and Low-*
12 *Income Populations).*

13 *SEC. 504. (a) None of the funds made available in this*
14 *Act may be used to maintain or establish a computer net-*
15 *work unless such network blocks the viewing, downloading,*
16 *and exchanging of pornography.*

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

21 *This division may be cited as the “Energy and Water*
22 *Development and Related Agencies Appropriations Act,*
23 *2020”.*

1 ***DIVISION D—DEPARTMENT OF THE INTE-***
2 ***RIOR, ENVIRONMENT, AND RELATED***
3 ***AGENCIES APPROPRIATIONS ACT, 2020***

4 ***TITLE I***

5 ***DEPARTMENT OF THE INTERIOR***

6 ***BUREAU OF LAND MANAGEMENT***

7 ***MANAGEMENT OF LANDS AND RESOURCES***

8 ***(INCLUDING RESCISSION OF FUNDS)***

9 *For necessary expenses for protection, use, improve-*
10 *ment, development, disposal, cadastral surveying, classifica-*
11 *tion, acquisition of easements and other interests in lands,*
12 *and performance of other functions, including maintenance*
13 *of facilities, as authorized by law, in the management of*
14 *lands and their resources under the jurisdiction of the Bu-*
15 *reau of Land Management, including the general adminis-*
16 *tration of the Bureau, and assessment of mineral potential*
17 *of public lands pursuant to section 1010(a) of Public Law*
18 *96–487 (16 U.S.C. 3150(a)), \$1,237,015,000, to remain*
19 *available until September 30, 2021; of which \$115,000,000*
20 *for annual and deferred maintenance and \$101,555,000 for*
21 *the wild horse and burro program, as authorized by Public*
22 *Law 92–195 (16 U.S.C. 1331 et sec.), shall remain avail-*
23 *able until expended: Provided, That of the funds made*
24 *available for the wild horse and burro program,*
25 *\$21,000,000 shall not be available for obligation until 60*

1 *days after submission to the Congress of the detailed plan*
2 *described in the explanatory statement described in section*
3 *4 (in the matter preceding division A of this consolidated*
4 *Act): Provided further, That amounts in the fee account of*
5 *the BLM Permit Processing Improvement Fund may be*
6 *used for any bureau-related expenses associated with the*
7 *processing of oil and gas applications for permits to drill*
8 *and related use of authorizations.*

9 *In addition, \$40,196,000 is for Mining Law Adminis-*
10 *tration program operations, including the cost of admin-*
11 *istering the mining claim fee program, to remain available*
12 *until expended, to be reduced by amounts collected by the*
13 *Bureau and credited to this appropriation from mining*
14 *claim maintenance fees and location fees that are hereby*
15 *authorized for fiscal year 2020, so as to result in a final*
16 *appropriation estimated at not more than \$1,237,015,000,*
17 *and \$2,000,000, to remain available until expended, from*
18 *communication site rental fees established by the Bureau*
19 *for the cost of administering communication site activities.*

20 *Of the unobligated balances from amounts made avail-*
21 *able under this heading in fiscal year 2017 or before,*
22 *\$19,000,000 is permanently rescinded: Provided, That no*
23 *amounts may be rescinded from amounts that were des-*
24 *ignated by the Congress as an emergency requirement pur-*
25 *suant to the Concurrent Resolution on the Budget or the*

1 *Balanced Budget and Emergency Deficit Control Act of*
2 *1985.*

3 *CONSTRUCTION*

4 *(INCLUDING RESCISSION OF FUNDS)*

5 *Of the unobligated balances from amounts made avail-*
6 *able under this heading \$5,400,000 is permanently re-*
7 *scinded: Provided, That no amounts may be rescinded from*
8 *amounts that were designated by the Congress as an emer-*
9 *gency requirement pursuant to the Concurrent Resolution*
10 *on the Budget or the Balanced Budget and Emergency Def-*
11 *icit Control Act of 1985.*

12 *LAND ACQUISITION*

13 *(INCLUDING RESCISSION OF FUNDS)*

14 *For expenses necessary to carry out sections 205, 206,*
15 *and 318(d) of Public Law 94-579, including administra-*
16 *tive expenses and acquisition of lands or waters, or interests*
17 *therein, \$32,300,000, to be derived from the Land and*
18 *Water Conservation Fund and to remain available until*
19 *expended.*

20 *Of the unobligated balances from amounts made avail-*
21 *able for Land Acquisition and derived from the Land and*
22 *Water Conservation Fund, \$2,367,000 is hereby perma-*
23 *nently rescinded from projects with cost savings or failed*
24 *or partially failed projects: Provided, That no amounts may*
25 *be rescinded from amounts that were designated by the Con-*

1 *gress as an emergency requirement pursuant to the Concur-*
2 *rent Resolution on the Budget or the Balanced Budget and*
3 *Emergency Deficit Control Act of 1985.*

4 *OREGON AND CALIFORNIA GRANT LANDS*

5 *For expenses necessary for management, protection,*
6 *and development of resources and for construction, oper-*
7 *ation, and maintenance of access roads, reforestation, and*
8 *other improvements on the revested Oregon and California*
9 *Railroad grant lands, on other Federal lands in the Oregon*
10 *and California land-grant counties of Oregon, and on adja-*
11 *cent rights-of-way; and acquisition of lands or interests*
12 *therein, including existing connecting roads on or adjacent*
13 *to such grant lands; \$112,094,000, to remain available until*
14 *expended: Provided, That 25 percent of the aggregate of all*
15 *receipts during the current fiscal year from the revested Or-*
16 *egon and California Railroad grant lands is hereby made*
17 *a charge against the Oregon and California land-grant*
18 *fund and shall be transferred to the General Fund in the*
19 *Treasury in accordance with the second paragraph of sub-*
20 *section (b) of title II of the Act of August 28, 1937 (43*
21 *U.S.C. 2605).*

22 *RANGE IMPROVEMENTS*

23 *For rehabilitation, protection, and acquisition of lands*
24 *and interests therein, and improvement of Federal range-*
25 *lands pursuant to section 401 of the Federal Land Policy*

1 *and Management Act of 1976 (43 U.S.C. 1751), notwith-*
2 *standing any other Act, sums equal to 50 percent of all*
3 *moneys received during the prior fiscal year under sections*
4 *3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m)*
5 *and the amount designated for range improvements from*
6 *grazing fees and mineral leasing receipts from Bankhead-*
7 *Jones lands transferred to the Department of the Interior*
8 *pursuant to law, but not less than \$10,000,000, to remain*
9 *available until expended: Provided, That not to exceed*
10 *\$600,000 shall be available for administrative expenses.*

11 *SERVICE CHARGES, DEPOSITS, AND FORFEITURES*

12 *For administrative expenses and other costs related to*
13 *processing application documents and other authorizations*
14 *for use and disposal of public lands and resources, for costs*
15 *of providing copies of official public land documents, for*
16 *monitoring construction, operation, and termination of fa-*
17 *cilities in conjunction with use authorizations, and for re-*
18 *habilitation of damaged property, such amounts as may be*
19 *collected under Public Law 94-579 (43 U.S.C. 1701 et seq.),*
20 *and under section 28 of the Mineral Leasing Act (30 U.S.C.*
21 *185), to remain available until expended: Provided, That*
22 *notwithstanding any provision to the contrary of section*
23 *305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any*
24 *moneys that have been or will be received pursuant to that*
25 *section, whether as a result of forfeiture, compromise, or set-*

1 tlement, if not appropriate for refund pursuant to section
2 305(c) of that Act (43 U.S.C. 1735(c)), shall be available
3 and may be expended under the authority of this Act by
4 the Secretary to improve, protect, or rehabilitate any public
5 lands administered through the Bureau of Land Manage-
6 ment which have been damaged by the action of a resource
7 developer, purchaser, permittee, or any unauthorized per-
8 son, without regard to whether all moneys collected from
9 each such action are used on the exact lands damaged which
10 led to the action: Provided further, That any such moneys
11 that are in excess of amounts needed to repair damage to
12 the exact land for which funds were collected may be used
13 to repair other damaged public lands.

14 MISCELLANEOUS TRUST FUNDS

15 In addition to amounts authorized to be expended
16 under existing laws, there is hereby appropriated such
17 amounts as may be contributed under section 307 of Public
18 Law 94-579 (43 U.S.C. 1737), and such amounts as may
19 be advanced for administrative costs, surveys, appraisals,
20 and costs of making conveyances of omitted lands under sec-
21 tion 211(b) of that Act (43 U.S.C. 1721(b)), to remain
22 available until expended.

23 ADMINISTRATIVE PROVISIONS

24 The Bureau of Land Management may carry out the
25 operations funded under this Act by direct expenditure, con-

1 tracts, grants, cooperative agreements and reimbursable
2 agreements with public and private entities, including with
3 States. Appropriations for the Bureau shall be available for
4 purchase, erection, and dismantlement of temporary struc-
5 tures, and alteration and maintenance of necessary build-
6 ings and appurtenant facilities to which the United States
7 has title; up to \$100,000 for payments, at the discretion
8 of the Secretary, for information or evidence concerning vio-
9 lations of laws administered by the Bureau; miscellaneous
10 and emergency expenses of enforcement activities authorized
11 or approved by the Secretary and to be accounted for solely
12 on the Secretary's certificate, not to exceed \$10,000: Pro-
13 vided, That notwithstanding Public Law 90-620 (44 U.S.C.
14 501), the Bureau may, under cooperative cost-sharing and
15 partnership arrangements authorized by law, procure
16 printing services from cooperators in connection with joint-
17 ly produced publications for which the cooperators share the
18 cost of printing either in cash or in services, and the Bureau
19 determines the cooperator is capable of meeting accepted
20 quality standards: Provided further, That projects to be
21 funded pursuant to a written commitment by a State gov-
22 ernment to provide an identified amount of money in sup-
23 port of the project may be carried out by the Bureau on
24 a reimbursable basis.

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, \$1,364,289,000, to remain available until Sep-*
8 *tember 30, 2021: Provided, That not to exceed \$20,318,000*
9 *shall be used for implementing subsections (a), (b), (c), and*
10 *(e) of section 4 of the Endangered Species Act of 1973 (16*
11 *U.S.C. 1533) (except for processing petitions, developing*
12 *and issuing proposed and final regulations, and taking any*
13 *other steps to implement actions described in subsection*
14 *(c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)): Provided further,*
15 *That of the amounts made available under this heading for*
16 *central office operations, \$1,000,000 shall not be available*
17 *for obligation until the Landscape Conservation Coopera-*
18 *tives report is received by the Committees on Appropria-*
19 *tions of the House of Representatives and the Senate in ac-*
20 *cordance with the explanatory statement described in sec-*
21 *tion 4 (in the matter preceding division A of this consoli-*
22 *dated Act).*

23 *CONSTRUCTION*

24 *For construction, improvement, acquisition, or re-*
25 *moval of buildings and other facilities required in the con-*

1 *ervation, management, investigation, protection, and utili-*
2 *zation of fish and wildlife resources, and the acquisition*
3 *of lands and interests therein; \$29,704,000, to remain avail-*
4 *able until expended.*

5 *LAND ACQUISITION*

6 *(INCLUDING RESCISSION OF FUNDS)*

7 *For expenses necessary to carry out chapter 2003 of*
8 *title 54, United States Code, including administrative ex-*
9 *penses, and for acquisition of land or waters, or interest*
10 *therein, in accordance with statutory authority applicable*
11 *to the United States Fish and Wildlife Service, \$70,715,000,*
12 *to be derived from the Land and Water Conservation Fund*
13 *and to remain available until expended, of which, not more*
14 *than \$10,000,000 shall be for land conservation partner-*
15 *ships authorized by the Highlands Conservation Act of*
16 *2004, including not to exceed \$320,000 for administrative*
17 *expenses: Provided, That none of the funds appropriated for*
18 *specific land acquisition projects may be used to pay for*
19 *any administrative overhead, planning or other manage-*
20 *ment costs.*

21 *Of the unobligated balances from amounts made avail-*
22 *able for the Fish and Wildlife Service and derived from the*
23 *Land and Water Conservation Fund, \$3,628,000 is hereby*
24 *permanently rescinded from projects with cost savings or*
25 *failed or partially failed projects: Provided further, That*

1 *no amounts may be rescinded from amounts that were des-*
2 *ignated by the Congress as an emergency requirement pur-*
3 *suant to the Concurrent Resolution on the Budget or the*
4 *Balanced Budget and Emergency Deficit Control Act of*
5 *1985.*

6 *COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND*

7 *(INCLUDING RESCISSION OF FUNDS)*

8 *For expenses necessary to carry out section 6 of the*
9 *Endangered Species Act of 1973 (16 U.S.C. 1535),*
10 *\$54,502,000, to remain available until expended, of which*
11 *\$23,702,000 is to be derived from the Cooperative Endan-*
12 *gered Species Conservation Fund; and of which \$30,800,000*
13 *is to be derived from the Land and Water Conservation*
14 *Fund.*

15 *Of the unobligated balances made available from the*
16 *Cooperative Endangered Species Conservation Fund,*
17 *\$18,771,000 is permanently rescinded from projects or from*
18 *other grant programs with an unobligated carry over bal-*
19 *ance: Provided, That no amounts may be rescinded from*
20 *amounts that were designated by the Congress as an emer-*
21 *gency requirement pursuant to the Concurrent Resolution*
22 *on the Budget or the Balanced Budget and Emergency Def-*
23 *icit Control Act of 1985.*

1 *NATIONAL WILDLIFE REFUGE FUND*

2 *For expenses necessary to implement the Act of October*
3 *17, 1978 (16 U.S.C. 715s), \$13,228,000.*

4 *NORTH AMERICAN WETLANDS CONSERVATION FUND*

5 *For expenses necessary to carry out the provisions of*
6 *the North American Wetlands Conservation Act (16 U.S.C.*
7 *4401 et seq.), \$46,000,000, to remain available until ex-*
8 *pended.*

9 *NEOTROPICAL MIGRATORY BIRD CONSERVATION*

10 *For expenses necessary to carry out the Neotropical*
11 *Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.),*
12 *\$4,910,000, to remain available until expended.*

13 *MULTINATIONAL SPECIES CONSERVATION FUND*

14 *For expenses necessary to carry out the African Ele-*
15 *phant Conservation Act (16 U.S.C. 4201 et seq.), the Asian*
16 *Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.),*
17 *the Rhinoceros and Tiger Conservation Act of 1994 (16*
18 *U.S.C. 5301 et seq.), the Great Ape Conservation Act of*
19 *2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Con-*
20 *servaion Act of 2004 (16 U.S.C. 6601 et seq.), \$15,000,000,*
21 *to remain available until expended.*

22 *STATE AND TRIBAL WILDLIFE GRANTS*

23 *For wildlife conservation grants to States and to the*
24 *District of Columbia, Puerto Rico, Guam, the United States*
25 *Virgin Islands, the Northern Mariana Islands, American*

1 *Samoa, and Indian tribes under the provisions of the Fish*
2 *and Wildlife Act of 1956 and the Fish and Wildlife Coordi-*
3 *nation Act, for the development and implementation of pro-*
4 *grams for the benefit of wildlife and their habitat, including*
5 *species that are not hunted or fished, \$67,571,000, to re-*
6 *main available until expended: Provided, That of the*
7 *amount provided herein, \$5,209,000 is for a competitive*
8 *grant program for Indian tribes not subject to the remain-*
9 *ing provisions of this appropriation: Provided further, That*
10 *\$7,362,000 is for a competitive grant program to implement*
11 *approved plans for States, territories, and other jurisdic-*
12 *tions and at the discretion of affected States, the regional*
13 *Associations of fish and wildlife agencies, not subject to the*
14 *remaining provisions of this appropriation: Provided fur-*
15 *ther, That the Secretary shall, after deducting \$12,571,000*
16 *and administrative expenses, apportion the amount pro-*
17 *vided herein in the following manner: (1) to the District*
18 *of Columbia and to the Commonwealth of Puerto Rico, each*
19 *a sum equal to not more than one-half of 1 percent thereof;*
20 *and (2) to Guam, American Samoa, the United States Vir-*
21 *gin Islands, and the Commonwealth of the Northern Mar-*
22 *iana Islands, each a sum equal to not more than one-fourth*
23 *of 1 percent thereof: Provided further, That the Secretary*
24 *shall apportion the remaining amount in the following*
25 *manner: (1) one-third of which is based on the ratio to*

1 *which the land area of such State bears to the total land*
2 *area of all such States; and (2) two-thirds of which is based*
3 *on the ratio to which the population of such State bears*
4 *to the total population of all such States: Provided further,*
5 *That the amounts apportioned under this paragraph shall*
6 *be adjusted equitably so that no State shall be apportioned*
7 *a sum which is less than 1 percent of the amount available*
8 *for apportionment under this paragraph for any fiscal year*
9 *or more than 5 percent of such amount: Provided further,*
10 *That the Federal share of planning grants shall not exceed*
11 *75 percent of the total costs of such projects and the Federal*
12 *share of implementation grants shall not exceed 65 percent*
13 *of the total costs of such projects: Provided further, That*
14 *the non-Federal share of such projects may not be derived*
15 *from Federal grant programs: Provided further, That any*
16 *amount apportioned in 2020 to any State, territory, or*
17 *other jurisdiction that remains unobligated as of September*
18 *30, 2021, shall be reapportioned, together with funds appro-*
19 *priated in 2022, in the manner provided herein.*

20 *ADMINISTRATIVE PROVISIONS*

21 *The United States Fish and Wildlife Service may*
22 *carry out the operations of Service programs by direct ex-*
23 *penditure, contracts, grants, cooperative agreements and re-*
24 *imbursable agreements with public and private entities. Ap-*
25 *propriations and funds available to the United States Fish*

1 *and Wildlife Service shall be available for repair of damage*
2 *to public roads within and adjacent to reservation areas*
3 *caused by operations of the Service; options for the purchase*
4 *of land at not to exceed \$1 for each option; facilities inci-*
5 *dent to such public recreational uses on conservation areas*
6 *as are consistent with their primary purpose; and the*
7 *maintenance and improvement of aquaria, buildings, and*
8 *other facilities under the jurisdiction of the Service and to*
9 *which the United States has title, and which are used pur-*
10 *suant to law in connection with management, and inves-*
11 *tigation of fish and wildlife resources: Provided, That not-*
12 *withstanding 44 U.S.C. 501, the Service may, under cooper-*
13 *ative cost sharing and partnership arrangements author-*
14 *ized by law, procure printing services from cooperators in*
15 *connection with jointly produced publications for which the*
16 *cooperators share at least one-half the cost of printing either*
17 *in cash or services and the Service determines the coop-*
18 *erator is capable of meeting accepted quality standards:*
19 *Provided further, That the Service may accept donated air-*
20 *craft as replacements for existing aircraft: Provided further,*
21 *That notwithstanding 31 U.S.C. 3302, all fees collected for*
22 *non-toxic shot review and approval shall be deposited under*
23 *the heading "United States Fish and Wildlife Service—Re-*
24 *source Management" and shall be available to the Sec-*
25 *retary, without further appropriation, to be used for ex-*

1 *penses of processing of such non-toxic shot type or coating*
2 *applications and revising regulations as necessary, and*
3 *shall remain available until expended.*

4 *NATIONAL PARK SERVICE*

5 *OPERATION OF THE NATIONAL PARK SYSTEM*

6 *For expenses necessary for the management, operation,*
7 *and maintenance of areas and facilities administered by*
8 *the National Park Service and for the general administra-*
9 *tion of the National Park Service, \$2,576,992,000, of which*
10 *\$10,282,000 for planning and interagency coordination in*
11 *support of Everglades restoration and \$135,950,000 for*
12 *maintenance, repair, or rehabilitation projects for con-*
13 *structed assets and \$153,575,000 for cyclic maintenance*
14 *projects for constructed assets and cultural resources and*
15 *\$5,000,000 for uses authorized by section 101122 of title*
16 *54, United States Code shall remain available until Sep-*
17 *tember 30, 2021: Provided, That funds appropriated under*
18 *this heading in this Act are available for the purposes of*
19 *section 5 of Public Law 95–348: Provided further, That not-*
20 *withstanding section 9(a) of the United States*
21 *Semiquincentennial Commission Act of 2016 (Public Law*
22 *114–196; 130 Stat. 691), \$3,300,000 of the funds made*
23 *available under this heading shall be provided to the organi-*
24 *zation selected under section 9(b) of that Act for expenditure*
25 *by the United States Semiquincentennial Commission in*

1 *accordance with that Act: Provided further, That notwith-*
2 *standing section 9 of the 400 Years of African-American*
3 *History Commission Act (36 U.S.C. note prec. 101; Public*
4 *Law 115–102), \$3,300,000 of the funds provided under this*
5 *heading shall be made available for the purposes specified*
6 *by that Act: Provided further, That sections (7)(b) and (8)*
7 *of that Act shall be amended by striking “July 1, 2020”*
8 *and inserting “July 1, 2021”.*

9 *NATIONAL RECREATION AND PRESERVATION*

10 *For expenses necessary to carry out recreation pro-*
11 *grams, natural programs, cultural programs, heritage part-*
12 *nership programs, environmental compliance and review,*
13 *international park affairs, and grant administration, not*
14 *otherwise provided for, \$71,166,000.*

15 *HISTORIC PRESERVATION FUND*

16 *For expenses necessary in carrying out the National*
17 *Historic Preservation Act (division A of subtitle III of title*
18 *54, United States Code), \$118,660,000, to be derived from*
19 *the Historic Preservation Fund and to remain available*
20 *until September 30, 2021, of which \$16,000,000 shall be for*
21 *Save America’s Treasures grants for preservation of na-*
22 *tional significant sites, structures and artifacts as author-*
23 *ized by section 7303 of the Omnibus Public Land Manage-*
24 *ment Act of 2009 (54 U.S.C. 3089): Provided, That an indi-*
25 *vidual Save America’s Treasures grant shall be matched by*

1 *non-Federal funds: Provided further, That individual*
2 *projects shall only be eligible for one grant: Provided fur-*
3 *ther, That all projects to be funded shall be approved by*
4 *the Secretary of the Interior in consultation with the House*
5 *and Senate Committees on Appropriations: Provided fur-*
6 *ther, That of the funds provided for the Historic Preserva-*
7 *tion Fund, \$750,000 is for competitive grants for the survey*
8 *and nomination of properties to the National Register of*
9 *Historic Places and as National Historic Landmarks asso-*
10 *ciated with communities currently under-represented, as de-*
11 *termined by the Secretary, \$18,750,000 is for competitive*
12 *grants to preserve the sites and stories of the Civil Rights*
13 *movement, \$10,000,000 is for grants to Historically Black*
14 *Colleges and Universities, and \$7,500,000 is for competitive*
15 *grants for the restoration of historic properties of national,*
16 *State and local significance listed on or eligible for inclu-*
17 *sion on the National Register of Historic Places, to be made*
18 *without imposing the usage or direct grant restrictions of*
19 *section 101(e)(3) (54 U.S.C. 302904) of the National His-*
20 *torical Preservation Act: Provided further, That such com-*
21 *petitive grants shall be made without imposing the match-*
22 *ing requirements in section 302902(b)(3) of title 54, United*
23 *States Code, to States and Indian tribes as defined in chap-*
24 *ter 3003 of such title, Native Hawaiian organizations, local*

1 *governments, including Certified Local Governments, and*
2 *non-profit organizations.*

3 *CONSTRUCTION*

4 *For construction, improvements, repair, or replace-*
5 *ment of physical facilities, and compliance and planning*
6 *for programs and areas administered by the National Park*
7 *Service, \$389,345,000, to remain available until expended:*
8 *Provided, That notwithstanding any other provision of law,*
9 *for any project initially funded in fiscal year 2020 with*
10 *a future phase indicated in the National Park Service 5-*
11 *Year Line Item Construction Plan, a single procurement*
12 *may be issued which includes the full scope of the project:*
13 *Provided further, That the solicitation and contract shall*
14 *contain the clause availability of funds found at 48 CFR*
15 *52.232–18: Provided further, That National Park Service*
16 *Donations, Park Concessions Franchise Fees, and Recre-*
17 *ation Fees may be made available for the cost of adjust-*
18 *ments and changes within the original scope of effort for*
19 *projects funded by the National Park Service Construction*
20 *appropriation: Provided further, That the Secretary of the*
21 *Interior shall consult with the Committees on Appropria-*
22 *tions, in accordance with current reprogramming thresh-*
23 *olds, prior to making any charges authorized by this sec-*
24 *tion.*

1 *LAND ACQUISITION AND STATE ASSISTANCE*
2 *(INCLUDING RESCISSION OF FUNDS)*

3 *For expenses necessary to carry out chapter 2003 of*
4 *title 54, United States Code, including administrative ex-*
5 *penses, and for acquisition of lands or waters, or interest*
6 *therein, in accordance with the statutory authority applica-*
7 *ble to the National Park Service, \$208,400,000, to be de-*
8 *rived from the Land and Water Conservation Fund and*
9 *to remain available until expended, of which \$140,000,000*
10 *is for the State assistance program and of which*
11 *\$13,000,000 shall be for the American Battlefield Protection*
12 *Program grants as authorized by chapter 3081 of title 54,*
13 *United States Code.*

14 *Of the unobligated balances from amounts made avail-*
15 *able for the National Park Service and derived from the*
16 *Land and Water Conservation Fund, \$2,279,000 is hereby*
17 *permanently rescinded from projects or from other grant*
18 *programs with an unobligated carry over balance: Pro-*
19 *vided, That no amounts may be rescinded from amounts*
20 *that were designed by the Congress as an emergency require-*
21 *ment pursuant to the Concurrent Resolution on the Budget*
22 *or the Balanced Budget and Emergency Deficit Control Act*
23 *of 1985.*

CENTENNIAL CHALLENGE

1
2 *For expenses necessary to carry out the provisions of*
3 *section 101701 of title 54, United States Code, relating to*
4 *challenge cost share agreements, \$15,000,000, to remain*
5 *available until expended, for Centennial Challenge projects*
6 *and programs: Provided, That not less than 50 percent of*
7 *the total cost of each project or program shall be derived*
8 *from non-Federal sources in the form of donated cash, as-*
9 *sets, or a pledge of donation guaranteed by an irrevocable*
10 *letter of credit.*

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

11
12
13 *In addition to other uses set forth in section*
14 *101917(c)(2) of title 54, United States Code, franchise fees*
15 *credited to a sub-account shall be available for expenditure*
16 *by the Secretary, without further appropriation, for use at*
17 *any unit within the National Park System to extinguish*
18 *or reduce liability for Possessory Interest or leasehold sur-*
19 *render interest. Such funds may only be used for this pur-*
20 *pose to the extent that the benefitting unit anticipated fran-*
21 *chise fee receipts over the term of the contract at that unit*
22 *exceed the amount of funds used to extinguish or reduce li-*
23 *ability. Franchise fees at the benefitting unit shall be cred-*
24 *ited to the sub-account of the originating unit over a period*
25 *not to exceed the term of a single contract at the benefitting*

1 unit, in the amount of funds so expended to extinguish or
2 reduce liability.

3 For the costs of administration of the Land and Water
4 Conservation Fund grants authorized by section
5 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of
6 2006 (Public Law 109-432), the National Park Service
7 may retain up to 3 percent of the amounts which are au-
8 thorized to be disbursed under such section, such retained
9 amounts to remain available until expended.

10 National Park Service funds may be transferred to the
11 Federal Highway Administration (FHWA), Department of
12 Transportation, for purposes authorized under 23 U.S.C.
13 203. Transfers may include a reasonable amount for
14 FHWA administrative support costs.

15 UNITED STATES GEOLOGICAL SURVEY

16 SURVEYS, INVESTIGATIONS, AND RESEARCH

17 For expenses necessary for the United States Geological
18 Survey to perform surveys, investigations, and research cov-
19 ering topography, geology, hydrology, biology, and the min-
20 eral and water resources of the United States, its territories
21 and possessions, and other areas as authorized by 43 U.S.C.
22 31, 1332, and 1340; classify lands as to their mineral and
23 water resources; give engineering supervision to power per-
24 mittees and Federal Energy Regulatory Commission licens-
25 ees; administer the minerals exploration program (30

1 *U.S.C. 641); conduct inquiries into the economic conditions*
2 *affecting mining and materials processing industries (30*
3 *U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related*
4 *purposes as authorized by law; and to publish and dissemi-*
5 *nate data relative to the foregoing activities;*
6 *\$1,270,957,000, to remain available until September 30,*
7 *2021; of which \$84,337,000 shall remain available until ex-*
8 *pended for satellite operations; and of which \$76,164,000*
9 *shall be available until expended for deferred maintenance*
10 *and capital improvement projects that exceed \$100,000 in*
11 *cost: Provided, That none of the funds provided for the eco-*
12 *system research activity shall be used to conduct new sur-*
13 *veys on private property, unless specifically authorized in*
14 *writing by the property owner: Provided further, That no*
15 *part of this appropriation shall be used to pay more than*
16 *one-half the cost of topographic mapping or water resources*
17 *data collection and investigations carried on in cooperation*
18 *with States and municipalities.*

19 *ADMINISTRATIVE PROVISIONS*

20 *From within the amount appropriated for activities*
21 *of the United States Geological Survey such sums as are*
22 *necessary shall be available for contracting for the fur-*
23 *nishing of topographic maps and for the making of geo-*
24 *physical or other specialized surveys when it is administra-*
25 *tively determined that such procedures are in the public in-*

1 *terest; construction and maintenance of necessary buildings*
2 *and appurtenant facilities; acquisition of lands for gauging*
3 *stations, observation wells, and seismic equipment; expenses*
4 *of the United States National Committee for Geological*
5 *Sciences; and payment of compensation and expenses of*
6 *persons employed by the Survey duly appointed to represent*
7 *the United States in the negotiation and administration*
8 *of interstate compacts: Provided, That activities funded by*
9 *appropriations herein made may be accomplished through*
10 *the use of contracts, grants, or cooperative agreements as*
11 *defined in section 6302 of title 31, United States Code: Pro-*
12 *vided further, That the United States Geological Survey*
13 *may enter into contracts or cooperative agreements directly*
14 *with individuals or indirectly with institutions or non-*
15 *profit organizations, without regard to 41 U.S.C. 6101, for*
16 *the temporary or intermittent services of students or recent*
17 *graduates, who shall be considered employees for the pur-*
18 *pose of chapters 57 and 81 of title 5, United States Code,*
19 *relating to compensation for travel and work injuries, and*
20 *chapter 171 of title 28, United States Code, relating to tort*
21 *claims, but shall not be considered to be Federal employees*
22 *for any other purposes.*

1 *BUREAU OF OCEAN ENERGY MANAGEMENT*2 *OCEAN ENERGY MANAGEMENT*

3 *For expenses necessary for granting and administering*
4 *leases, easements, rights-of-way and agreements for use for*
5 *oil and gas, other minerals, energy, and marine-related*
6 *purposes on the Outer Continental Shelf and approving op-*
7 *erations related thereto, as authorized by law; for environ-*
8 *mental studies, as authorized by law; for implementing*
9 *other laws and to the extent provided by Presidential or*
10 *Secretarial delegation; and for matching grants or coopera-*
11 *tive agreements, \$191,611,000, of which \$131,611,000 is to*
12 *remain available until September 30, 2021, and of which*
13 *\$60,000,000 is to remain available until expended: Pro-*
14 *vided, That this total appropriation shall be reduced by*
15 *amounts collected by the Secretary and credited to this ap-*
16 *propriation from additions to receipts resulting from in-*
17 *creases to lease rental rates in effect on August 5, 1993,*
18 *and from cost recovery fees from activities conducted by the*
19 *Bureau of Ocean Energy Management pursuant to the*
20 *Outer Continental Shelf Lands Act, including studies, as-*
21 *sessments, analysis, and miscellaneous administrative ac-*
22 *tivities: Provided further, That the sum herein appropriated*
23 *shall be reduced as such collections are received during the*
24 *fiscal year, so as to result in a final fiscal year 2020 appro-*
25 *priation estimated at not more than \$131,611,000: Pro-*

1 *vided further, That not to exceed \$3,000 shall be available*
2 *for reasonable expenses related to promoting volunteer beach*
3 *and marine cleanup activities.*

4 *BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT*
5 *OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT*
6 *(INCLUDING RESCISSION OF FUNDS)*

7 *For expenses necessary for the regulation of operations*
8 *related to leases, easements, rights-of-way and agreements*
9 *for use for oil and gas, other minerals, energy, and marine-*
10 *related purposes on the Outer Continental Shelf, as author-*
11 *ized by law; for enforcing and implementing laws and regu-*
12 *lations as authorized by law and to the extent provided by*
13 *Presidential or Secretarial delegation; and for matching*
14 *grants or cooperative agreements, \$149,333,000, of which*
15 *\$123,333,000 is to remain available until September 30,*
16 *2021, and of which \$26,000,000 is to remain available until*
17 *expended: Provided, That this total appropriation shall be*
18 *reduced by amounts collected by the Secretary and credited*
19 *to this appropriation from additions to receipts resulting*
20 *from increases to lease rental rates in effect on August 5,*
21 *1993, and from cost recovery fees from activities conducted*
22 *by the Bureau of Safety and Environmental Enforcement*
23 *pursuant to the Outer Continental Shelf Lands Act, includ-*
24 *ing studies, assessments, analysis, and miscellaneous ad-*
25 *ministrative activities: Provided further, That the sum*

1 *herein appropriated shall be reduced as such collections are*
2 *received during the fiscal year, so as to result in a final*
3 *fiscal year 2020 appropriation estimated at not more than*
4 *\$123,333,000: Provided further, That of the unobligated bal-*
5 *ances from amounts made available under this heading*
6 *\$4,788,000 is permanently rescinded: Provided further,*
7 *That no amounts may be rescinded from amounts that were*
8 *designated by the Congress as an emergency requirement*
9 *pursuant to the Concurrent Resolution on the Budget or*
10 *the Balanced Budget and Emergency Deficit Control Act*
11 *of 1985.*

12 *For an additional amount, \$43,479,000, to remain*
13 *available until expended, to be reduced by amounts collected*
14 *by the Secretary and credited to this appropriation, which*
15 *shall be derived from non-refundable inspection fees col-*
16 *lected in fiscal year 2020, as provided in this Act: Provided,*
17 *That to the extent that amounts realized from such inspec-*
18 *tion fees exceed \$43,479,000, the amounts realized in excess*
19 *of \$43,479,000 shall be credited to this appropriation and*
20 *remain available until expended: Provided further, That for*
21 *fiscal year 2020, not less than 50 percent of the inspection*
22 *fees expended by the Bureau of Safety and Environmental*
23 *Enforcement will be used to fund personnel and mission-*
24 *related costs to expand capacity and expedite the orderly*
25 *development, subject to environmental safeguards, of the*

1 *Outer Continental Shelf pursuant to the Outer Continental*
2 *Shelf Lands Act (43 U.S.C. 1331 et seq.), including the re-*
3 *view of applications for permits to drill.*

4 *OIL SPILL RESEARCH*

5 *For necessary expenses to carry out title I, section*
6 *1016, title IV, sections 4202 and 4303, title VII, and title*
7 *VIII, section 8201 of the Oil Pollution Act of 1990,*
8 *\$14,899,000, which shall be derived from the Oil Spill Li-*
9 *ability Trust Fund, to remain available until expended.*

10 *OFFICE OF SURFACE MINING RECLAMATION AND*

11 *ENFORCEMENT*

12 *REGULATION AND TECHNOLOGY*

13 *For necessary expenses to carry out the provisions of*
14 *the Surface Mining Control and Reclamation Act of 1977,*
15 *Public Law 95–87, \$117,768,000, to remain available until*
16 *September 30, 2021: Provided, That appropriations for the*
17 *Office of Surface Mining Reclamation and Enforcement*
18 *may provide for the travel and per diem expenses of State*
19 *and tribal personnel attending Office of Surface Mining*
20 *Reclamation and Enforcement sponsored training.*

21 *In addition, for costs to review, administer, and en-*
22 *force permits issued by the Office pursuant to section 507*
23 *of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to remain*
24 *available until expended: Provided, That fees assessed and*
25 *collected by the Office pursuant to such section 507 shall*

1 *be credited to this account as discretionary offsetting collec-*
2 *tions, to remain available until expended: Provided further,*
3 *That the sum herein appropriated from the general fund*
4 *shall be reduced as collections are received during the fiscal*
5 *year, so as to result in a fiscal year 2020 appropriation*
6 *estimated at not more than \$117,768,000.*

7 *ABANDONED MINE RECLAMATION FUND*

8 *For necessary expenses to carry out title IV of the Sur-*
9 *face Mining Control and Reclamation Act of 1977, Public*
10 *Law 95–87, \$24,713,000, to be derived from receipts of the*
11 *Abandoned Mine Reclamation Fund and to remain avail-*
12 *able until expended: Provided, That pursuant to Public*
13 *Law 97–365, the Department of the Interior is authorized*
14 *to use up to 20 percent from the recovery of the delinquent*
15 *debt owed to the United States Government to pay for con-*
16 *tracts to collect these debts: Provided further, That funds*
17 *made available under title IV of Public Law 95–87 may*
18 *be used for any required non-Federal share of the cost of*
19 *projects funded by the Federal Government for the purpose*
20 *of environmental restoration related to treatment or abate-*
21 *ment of acid mine drainage from abandoned mines: Pro-*
22 *vided further, That such projects must be consistent with*
23 *the purposes and priorities of the Surface Mining Control*
24 *and Reclamation Act: Provided further, That amounts pro-*
25 *vided under this heading may be used for the travel and*

1 *per diem expenses of State and tribal personnel attending*
2 *Office of Surface Mining Reclamation and Enforcement*
3 *sponsored training.*

4 *In addition, \$115,000,000, to remain available until*
5 *expended, for grants to States and federally recognized In-*
6 *dian Tribes for reclamation of abandoned mine lands and*
7 *other related activities in accordance with the terms and*
8 *conditions described in the explanatory statement described*
9 *in section 4 (in the matter preceding division A of this con-*
10 *solidated Act): Provided, That such additional amount shall*
11 *be used for economic and community development in con-*
12 *junction with the priorities in section 403(a) of the Surface*
13 *Mining Control and Reclamation Act of 1977 (30 U.S.C.*
14 *1233(a)): Provided further, That of such additional*
15 *amount, \$75,000,000 shall be distributed in equal amounts*
16 *to the 3 Appalachian States with the greatest amount of*
17 *unfunded needs to meet the priorities described in para-*
18 *graphs (1) and (2) of such section, \$30,000,000 shall be dis-*
19 *tributed in equal amounts to the 3 Appalachian States with*
20 *the subsequent greatest amount of unfunded needs to meet*
21 *such priorities, and \$10,000,000 shall be for grants to feder-*
22 *ally recognized Indian Tribes without regard to their status*
23 *as certified or uncertified under the Surface Mining Control*
24 *and Reclamation Act of 1977 (30 U.S.C. 1233(a)), for rec-*
25 *lamation of abandoned mine lands and other related activi-*

1 *ties in accordance with the terms and conditions described*
2 *in the explanatory statement described in section 4 (in the*
3 *matter preceding division A of this consolidated Act) and*
4 *shall be used for economic and community development in*
5 *conjunction with the priorities in section 403(a) of the Sur-*
6 *face Mining Control and Reclamation Act of 1977: Pro-*
7 *vided further, That such additional amount shall be allo-*
8 *cated to States and Indian Tribes within 60 days after the*
9 *date of enactment of this Act.*

10

INDIAN AFFAIRS

11

BUREAU OF INDIAN AFFAIRS

12

OPERATION OF INDIAN PROGRAMS

13

(INCLUDING TRANSFERS OF FUNDS)

14

For expenses necessary for the operation of Indian pro-
15 *grams, as authorized by law, including the Snyder Act of*
16 *November 2, 1921 (25 U.S.C. 13), the Indian Self-Deter-*
17 *mination and Education Assistance Act of 1975 (25 U.S.C.*
18 *5301 et seq.), \$1,577,110,000, to remain available until*
19 *September 30, 2021, except as otherwise provided herein;*
20 *of which not to exceed \$8,500 may be for official reception*
21 *and representation expenses; of which not to exceed*
22 *\$74,734,000 shall be for welfare assistance payments: Pro-*
23 *vided, That in cases of designated Federal disasters, the Sec-*
24 *retary may exceed such cap for welfare payments from the*
25 *amounts provided herein, to provide for disaster relief to*

1 *Indian communities affected by the disaster: Provided fur-*
2 *ther, That federally recognized Indian tribes and tribal or-*
3 *ganizations of federally recognized Indian tribes may use*
4 *their tribal priority allocations for unmet welfare assistance*
5 *costs: Provided further, That not to exceed \$57,424,000 shall*
6 *remain available until expended for housing improvement,*
7 *road maintenance, attorney fees, litigation support, land*
8 *records improvement, and the Navajo-Hopi Settlement Pro-*
9 *gram: Provided further, That any forestry funds allocated*
10 *to a federally recognized tribe which remain unobligated as*
11 *of September 30, 2021, may be transferred during fiscal*
12 *year 2022 to an Indian forest land assistance account estab-*
13 *lished for the benefit of the holder of the funds within the*
14 *holder's trust fund account: Provided further, That any*
15 *such unobligated balances not so transferred shall expire on*
16 *September 30, 2022: Provided further, That in order to en-*
17 *hance the safety of Bureau field employees, the Bureau may*
18 *use funds to purchase uniforms or other identifying articles*
19 *of clothing for personnel: Provided further, That the Bureau*
20 *of Indian Affairs may accept transfers of funds from United*
21 *States Customs and Border Protection to supplement any*
22 *other funding available for reconstruction or repair of roads*
23 *owned by the Bureau of Indian Affairs as identified on the*
24 *National Tribal Transportation Facility Inventory, 23*
25 *U.S.C. 202(b)(1).*

1 2, 1921 (25 U.S.C. 13), shall be made available on a nonre-
2 imburseable basis: Provided further, That this appropriation
3 may be reimbursed from the Office of the Special Trustee
4 for American Indians appropriation for the appropriate
5 share of construction costs for space expansion needed in
6 agency offices to meet trust reform implementation: Pro-
7 vided further, That of the funds made available under this
8 heading, \$10,000,000 shall be derived from the Indian Irri-
9 gation Fund established by section 3211 of the WIIN Act
10 (Public Law 114-322; 130 Stat. 1749).

11 Of the unobligated balances made available for the
12 "Construction, Resources Management" account,
13 \$2,000,000 is permanently rescinded: Provided, That no
14 amounts may be rescinded from amounts that were des-
15 ignated by the Congress as an emergency requirement pur-
16 suant to the Concurrent Resolution on the Budget or the
17 Balanced Budget and Emergency Deficit Control Act of
18 1985.

19 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
20 MISCELLANEOUS PAYMENTS TO INDIANS

21 For payments and necessary administrative expenses
22 for implementation of Indian land and water claim settle-
23 ments pursuant to Public Laws 99-264, 100-580, 101-618,
24 111-11, 111-291, and 114-322, and for implementation of

1 *other land and water rights settlements, \$45,644,000, to re-*
2 *main available until expended.*

3 *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

4 *For the cost of guaranteed loans and insured loans,*
5 *\$11,779,000, of which \$1,590,000 is for administrative ex-*
6 *penses, as authorized by the Indian Financing Act of 1974:*
7 *Provided, That such costs, including the cost of modifying*
8 *such loans, shall be as defined in section 502 of the Congres-*
9 *sional Budget Act of 1974: Provided further, That these*
10 *funds are available to subsidize total loan principal, any*
11 *part of which is to be guaranteed or insured, not to exceed*
12 *\$183,476,740.*

13 *BUREAU OF INDIAN EDUCATION*

14 *OPERATION OF INDIAN EDUCATION PROGRAMS*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For expenses necessary for the operation of Indian edu-*
17 *cation programs, as authorized by law, including the Sny-*
18 *der Act of November 2, 1921 (25 U.S.C. 13), the Indian*
19 *Self-Determination and Education Assistance Act of 1975*
20 *(25 U.S.C. 5301 et seq.), the Education Amendments of*
21 *1978 (25 U.S.C. 2001–2019), and the Tribally Controlled*
22 *Schools Act of 1988 (25 U.S.C. 2501 et seq.), \$943,077,000,*
23 *to remain available until September 30, 2021, except as oth-*
24 *erwise provided herein: Provided, That Federally recognized*
25 *Indian tribes and tribal organizations of Federally recog-*

1 nized Indian tribes may use their tribal priority allocations
2 for unmet welfare assistance costs: Provided further, That
3 not to exceed \$702,837,000 for school operations costs of Bu-
4 reau-funded schools and other education programs shall be-
5 come available on July 1, 2020, and shall remain available
6 until September 30, 2021: Provided further, That notwith-
7 standing any other provision of law, including but not lim-
8 ited to the Indian Self-Determination Act of 1975 (25
9 U.S.C. 5301 et seq.) and section 1128 of the Education
10 Amendments of 1978 (25 U.S.C. 2008), not to exceed
11 \$83,407,000 within and only from such amounts made
12 available for school operations shall be available for admin-
13 istrative cost grants associated with grants approved prior
14 to July 1, 2020: Provided further, That in order to enhance
15 the safety of Bureau field employees, the Bureau may use
16 funds to purchase uniforms or other identifying articles of
17 clothing for personnel.

18 *EDUCATION CONSTRUCTION*

19 *For construction, repair, improvement, and mainte-*
20 *nance of buildings, utilities, and other facilities necessary*
21 *for the operation of Indian education programs, including*
22 *architectural and engineering services by contract; acquisi-*
23 *tion of lands, and interests in lands; \$248,257,000 to re-*
24 *main available until expended: Provided, That in order to*
25 *ensure timely completion of construction projects, the Sec-*

1 *retary may assume control of a project and all funds related*
2 *to the project, if, not later than 18 months after the date*
3 *of the enactment of this Act, any Public Law 100–297 (25*
4 *U.S.C. 2501, et seq.) grantee receiving funds appropriated*
5 *in this Act or in any prior Act, has not completed the plan-*
6 *ning and design phase of the project and commenced con-*
7 *struction.*

8 *ADMINISTRATIVE PROVISIONS*

9 *(INCLUDING TRANSFERS OF FUNDS)*

10 *The Bureau of Indian Affairs and the Bureau of In-*
11 *dian Education may carry out the operation of Indian pro-*
12 *grams by direct expenditure, contracts, cooperative agree-*
13 *ments, compacts, and grants, either directly or in coopera-*
14 *tion with States and other organizations.*

15 *Notwithstanding Public Law 87–279 (25 U.S.C. 15),*
16 *the Bureau of Indian Affairs may contract for services in*
17 *support of the management, operation, and maintenance of*
18 *the Power Division of the San Carlos Irrigation Project.*

19 *Notwithstanding any other provision of law, no funds*
20 *available to the Bureau of Indian Affairs or the Bureau*
21 *of Indian Education for central office oversight and Execu-*
22 *tive Direction and Administrative Services (except execu-*
23 *tive direction and administrative services funding for Trib-*
24 *al Priority Allocations, regional offices, and facilities oper-*
25 *ations and maintenance) shall be available for contracts,*

1 *grants, compacts, or cooperative agreements with the Bu-*
2 *reau of Indian Affairs or the Bureau of Indian Education*
3 *under the provisions of the Indian Self-Determination Act*
4 *or the Tribal Self-Governance Act of 1994 (Public Law*
5 *103-413).*

6 *In the event any tribe returns appropriations made*
7 *available by this Act to the Bureau of Indian Affairs or*
8 *the Bureau of Indian Education, this action shall not di-*
9 *minish the Federal Government's trust responsibility to*
10 *that tribe, or the government-to-government relationship be-*
11 *tween the United States and that tribe, or that tribe's abil-*
12 *ity to access future appropriations.*

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

19 *No funds available to the Bureau of Indian Education*
20 *shall be used to support expanded grades for any school or*
21 *dormitory beyond the grade structure in place or approved*
22 *by the Secretary of the Interior at each school in the Bureau*
23 *of Indian Education school system as of October 1, 1995,*
24 *except that the Secretary of the Interior may waive this*
25 *prohibition to support expansion of up to one additional*

1 *grade when the Secretary determines such waiver is needed*
2 *to support accomplishment of the mission of the Bureau of*
3 *Indian Education, or more than one grade to expand the*
4 *elementary grade structure for Bureau-funded schools with*
5 *a K–2 grade structure on October 1, 1996. Appropriations*
6 *made available in this or any prior Act for schools funded*
7 *by the Bureau shall be available, in accordance with the*
8 *Bureau’s funding formula, only to the schools in the Bureau*
9 *school system as of September 1, 1996, and to any school*
10 *or school program that was reinstated in fiscal year 2012.*
11 *Funds made available under this Act may not be used to*
12 *establish a charter school at a Bureau-funded school (as that*
13 *term is defined in section 1141 of the Education Amend-*
14 *ments of 1978 (25 U.S.C. 2021)), except that a charter*
15 *school that is in existence on the date of the enactment of*
16 *this Act and that has operated at a Bureau-funded school*
17 *before September 1, 1999, may continue to operate during*
18 *that period, but only if the charter school pays to the Bu-*
19 *reau a pro rata share of funds to reimburse the Bureau*
20 *for the use of the real and personal property (including*
21 *buses and vans), the funds of the charter school are kept*
22 *separate and apart from Bureau funds, and the Bureau*
23 *does not assume any obligation for charter school programs*
24 *of the State in which the school is located if the charter*
25 *school loses such funding. Employees of Bureau-funded*

1 *schools sharing a campus with a charter school and per-*
2 *forming functions related to the charter school's operation*
3 *and employees of a charter school shall not be treated as*
4 *Federal employees for purposes of chapter 171 of title 28,*
5 *United States Code.*

6 *Notwithstanding any other provision of law, including*
7 *section 113 of title I of appendix C of Public Law 106-*
8 *113, if in fiscal year 2003 or 2004 a grantee received indi-*
9 *rect and administrative costs pursuant to a distribution*
10 *formula based on section 5(f) of Public Law 101-301, the*
11 *Secretary shall continue to distribute indirect and adminis-*
12 *trative cost funds to such grantee using the section 5(f) dis-*
13 *tribution formula.*

14 *Funds available under this Act may not be used to*
15 *establish satellite locations of schools in the Bureau school*
16 *system as of September 1, 1996, except that the Secretary*
17 *may waive this prohibition in order for an Indian tribe*
18 *to provide language and cultural immersion educational*
19 *programs for non-public schools located within the jurisdic-*
20 *tional area of the tribal government which exclusively serve*
21 *tribal members, do not include grades beyond those cur-*
22 *rently served at the existing Bureau-funded school, provide*
23 *an educational environment with educator presence and*
24 *academic facilities comparable to the Bureau-funded school,*
25 *comply with all applicable Tribal, Federal, or State health*

1 *and safety standards, and the Americans with Disabilities*
 2 *Act, and demonstrate the benefits of establishing operations*
 3 *at a satellite location in lieu of incurring extraordinary*
 4 *costs, such as for transportation or other impacts to stu-*
 5 *dents such as those caused by busing students extended dis-*
 6 *tances: Provided, That no funds available under this Act*
 7 *may be used to fund operations, maintenance, rehabilita-*
 8 *tion, construction or other facilities-related costs for such*
 9 *assets that are not owned by the Bureau: Provided further,*
 10 *That the term “satellite school” means a school location*
 11 *physically separated from the existing Bureau school by*
 12 *more than 50 miles but that forms part of the existing*
 13 *school in all other respects.*

14 *Funds made available for Tribal Priority Allocations*
 15 *within Operation of Indian Programs and Operation of In-*
 16 *dian Education Programs may be used to execute requested*
 17 *adjustments in tribal priority allocations initiated by an*
 18 *Indian Tribe.*

19 *DEPARTMENTAL OFFICES*

20 *OFFICE OF THE SECRETARY*

21 *DEPARTMENTAL OPERATIONS*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *For necessary expenses for management of the Depart-*
 24 *ment of the Interior and for grants and cooperative agree-*
 25 *ments, as authorized by law, \$131,832,000, to remain avail-*

1 *able until September 30, 2021; of which no less than*
2 *\$1,000,000 shall be for the hiring of additional personnel*
3 *to assist the Department with its compliance responsibil-*
4 *ities under 5 U.S.C. 552; of which not to exceed \$15,000*
5 *may be for official reception and representation expenses;*
6 *and of which up to \$1,000,000 shall be available for workers*
7 *compensation payments and unemployment compensation*
8 *payments associated with the orderly closure of the United*
9 *States Bureau of Mines; and of which \$10,000,000 for the*
10 *Appraisal and Valuation Services Office is to be derived*
11 *from the Land and Water Conservation Fund and shall re-*
12 *main available until expended; and of which \$11,061,000*
13 *for Indian land, mineral, and resource valuation activities*
14 *shall remain available until expended: Provided, That*
15 *funds for Indian land, mineral, and resource valuation ac-*
16 *tivities may, as needed, be transferred to and merged with*
17 *the Bureau of Indian Affairs “Operation of Indian Pro-*
18 *grams” and Bureau of Indian Education “Operation of In-*
19 *dian Education Programs” accounts and the Office of the*
20 *Special Trustee for American Indians “Federal Trust Pro-*
21 *grams” account: Provided further, That funds made avail-*
22 *able through contracts or grants obligated during fiscal year*
23 *2020, as authorized by the Indian Self-Determination Act*
24 *of 1975 (25 U.S.C. 5301 et seq.), shall remain available*
25 *until expended by the contractor or grantee.*

1 *Law 108–188, \$102,881,000, of which: (1) \$93,390,000 shall*
2 *remain available until expended for territorial assistance,*
3 *including general technical assistance, maintenance assist-*
4 *ance, disaster assistance, coral reef initiative and natural*
5 *resources activities, and brown tree snake control and re-*
6 *search; grants to the judiciary in American Samoa for com-*
7 *pensation and expenses, as authorized by law (48 U.S.C.*
8 *1661(c)); grants to the Government of American Samoa, in*
9 *addition to current local revenues, for construction and sup-*
10 *port of governmental functions; grants to the Government*
11 *of the Virgin Islands, as authorized by law; grants to the*
12 *Government of Guam, as authorized by law; and grants to*
13 *the Government of the Northern Mariana Islands, as au-*
14 *thorized by law (Public Law 94–241; 90 Stat. 272); and*
15 *(2) \$9,491,000 shall be available until September 30, 2021,*
16 *for salaries and expenses of the Office of Insular Affairs:*
17 *Provided, That all financial transactions of the territorial*
18 *and local governments herein provided for, including such*
19 *transactions of all agencies or instrumentalities established*
20 *or used by such governments, may be audited by the Gov-*
21 *ernment Accountability Office, at its discretion, in accord-*
22 *ance with chapter 35 of title 31, United States Code: Pro-*
23 *vided further, That Northern Mariana Islands Covenant*
24 *grant funding shall be provided according to those terms*
25 *of the Agreement of the Special Representatives on Future*

1 *United States Financial Assistance for the Northern Mar-*
2 *iana Islands approved by Public Law 104–134: Provided*
3 *further, That the funds for the program of operations and*
4 *maintenance improvement are appropriated to institu-*
5 *tionalize routine operations and maintenance improvement*
6 *of capital infrastructure with territorial participation and*
7 *cost sharing to be determined by the Secretary based on the*
8 *grantee’s commitment to timely maintenance of its capital*
9 *assets: Provided further, That any appropriation for dis-*
10 *aster assistance under this heading in this Act or previous*
11 *appropriations Acts may be used as non–Federal matching*
12 *funds for the purpose of hazard mitigation grants provided*
13 *pursuant to section 404 of the Robert T. Stafford Disaster*
14 *Relief and Emergency Assistance Act (42 U.S.C. 5170c).*

15 *COMPACT OF FREE ASSOCIATION*

16 *For grants and necessary expenses, \$8,463,000, to re-*
17 *main available until expended, as provided for in sections*
18 *221(a)(2) and 233 of the Compact of Free Association for*
19 *the Republic of Palau; and section 221(a)(2) of the Com-*
20 *pacts of Free Association for the Government of the Repub-*
21 *lic of the Marshall Islands and the Federated States of Mi-*
22 *cronesia, as authorized by Public Law 99–658 and Public*
23 *Law 108–188: Provided, That of the funds appropriated*
24 *under this heading, \$5,000,000 is for deposit into the Com-*
25 *pact Trust Fund of the Republic of the Marshall Islands*

1 *as compensation authorized by Public Law 108–188 for ad-*
2 *verse financial and economic impacts.*

3 *ADMINISTRATIVE PROVISIONS*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *At the request of the Governor of Guam, the Secretary*
6 *may transfer discretionary funds or mandatory funds pro-*
7 *vided under section 104(e) of Public Law 108–188 and Pub-*
8 *lic Law 104–134, that are allocated for Guam, to the Sec-*
9 *retary of Agriculture for the subsidy cost of direct or guar-*
10 *anteed loans, plus not to exceed three percent of the amount*
11 *of the subsidy transferred for the cost of loan administra-*
12 *tion, for the purposes authorized by the Rural Electrifica-*
13 *tion Act of 1936 and section 306(a)(1) of the Consolidated*
14 *Farm and Rural Development Act for construction and re-*
15 *pair projects in Guam, and such funds shall remain avail-*
16 *able until expended: Provided, That such costs, including*
17 *the cost of modifying such loans, shall be as defined in sec-*
18 *tion 502 of the Congressional Budget Act of 1974: Provided*
19 *further, That such loans or loan guarantees may be made*
20 *without regard to the population of the area, credit else-*
21 *where requirements, and restrictions on the types of eligible*
22 *entities under the Rural Electrification Act of 1936 and*
23 *section 306(a)(1) of the Consolidated Farm and Rural De-*
24 *velopment Act: Provided further, That any funds trans-*
25 *ferred to the Secretary of Agriculture shall be in addition*

1 *to funds otherwise made available to make or guarantee*
2 *loans under such authorities.*

3 *OFFICE OF THE SOLICITOR*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Office of the Solicitor,*
6 *\$66,816,000.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Office of Inspector Gen-*
10 *eral, \$55,986,000, to remain available until September 30,*
11 *2021.*

12 *OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN*

13 *INDIANS*

14 *FEDERAL TRUST PROGRAMS*

15 *(INCLUDING TRANSFER AND RESCISSION OF FUNDS)*

16 *For the operation of trust programs for Indians by di-*
17 *rect expenditure, contracts, cooperative agreements, com-*
18 *pacts, and grants, \$111,540,000, to remain available until*
19 *expended, of which not to exceed \$19,016,000 from this or*
20 *any other Act, may be available for historical accounting:*
21 *Provided, That funds for trust management improvements*
22 *and litigation support may, as needed, be transferred to or*
23 *merged with the Bureau of Indian Affairs, “Operation of*
24 *Indian Programs” and Bureau of Indian Education, “Op-*
25 *eration of Indian Education Programs” accounts; the Office*

1 of the Solicitor, “Salaries and Expenses” account; and the
2 Office of the Secretary, “Departmental Operations” ac-
3 count: Provided further, That funds made available through
4 contracts or grants obligated during fiscal year 2020, as
5 authorized by the Indian Self-Determination Act of 1975
6 (25 U.S.C. 5301 et seq.), shall remain available until ex-
7 pended by the contractor or grantee: Provided further, That
8 notwithstanding any other provision of law, the Secretary
9 shall not be required to provide a quarterly statement of
10 performance for any Indian trust account that has not had
11 activity for at least 15 months and has a balance of \$15
12 or less: Provided further, That the Secretary shall issue an
13 annual account statement and maintain a record of any
14 such accounts and shall permit the balance in each such
15 account to be withdrawn upon the express written request
16 of the account holder: Provided further, That not to exceed
17 \$50,000 is available for the Secretary to make payments
18 to correct administrative errors of either disbursements
19 from or deposits to Individual Indian Money or Tribal ac-
20 counts after September 30, 2002: Provided further, That er-
21 roneous payments that are recovered shall be credited to and
22 remain available in this account for this purpose: Provided
23 further, That the Secretary shall not be required to reconcile
24 Special Deposit Accounts with a balance of less than \$500
25 unless the Office of the Special Trustee receives proof of

1 *ownership from a Special Deposit Accounts claimant: Pro-*
2 *vided further, That notwithstanding section 102 of the*
3 *American Indian Trust Fund Management Reform Act of*
4 *1994 (Public Law 103-412) or any other provision of law,*
5 *the Secretary may aggregate the trust accounts of individ-*
6 *uals whose whereabouts are unknown for a continuous pe-*
7 *riod of at least five years and shall not be required to gen-*
8 *erate periodic statements of performance for the individual*
9 *accounts: Provided further, That with respect to the eighth*
10 *proviso, the Secretary shall continue to maintain sufficient*
11 *records to determine the balance of the individual accounts,*
12 *including any accrued interest and income, and such funds*
13 *shall remain available to the individual account holders.*

14 *Of the unobligated balances from amounts made avail-*
15 *able for the Office of the Special Trustee for American Indi-*
16 *ans, \$3,000,000 is permanently rescinded: Provided, That*
17 *no amounts may be rescinded from amounts that were des-*
18 *ignated by the Congress as an emergency requirement pur-*
19 *suant to the Concurrent Resolution on the Budget or the*
20 *Balanced Budget and Emergency Deficit Control Act of*
21 *1985.*

*DEPARTMENT-WIDE PROGRAMS**WILDLAND FIRE MANAGEMENT**(INCLUDING TRANSFERS OF FUNDS)*

1 *For necessary expenses for fire preparedness, fire sup-*
2 *pression operations, fire science and research, emergency re-*
3 *habilitation, fuels management activities, and rural fire as-*
4 *sistance by the Department of the Interior, \$952,338,000,*
5 *to remain available until expended, of which not to exceed*
6 *\$18,427,000 shall be for the renovation or construction of*
7 *fire facilities: Provided, That such funds are also available*
8 *for repayment of advances to other appropriation accounts*
9 *from which funds were previously transferred for such pur-*
10 *poses: Provided further, That of the funds provided*
11 *\$194,000,000 is for fuels management activities: Provided*
12 *further, That of the funds provided \$20,470,000 is for*
13 *burned area rehabilitation: Provided further, That persons*
14 *hired pursuant to 43 U.S.C. 1469 may be furnished subsist-*
15 *ence and lodging without cost from funds available from*
16 *this appropriation: Provided further, That notwithstanding*
17 *42 U.S.C. 1856d, sums received by a bureau or office of*
18 *the Department of the Interior for fire protection rendered*
19 *pursuant to 42 U.S.C. 1856 et seq., protection of United*
20 *States property, may be credited to the appropriation from*
21 *which funds were expended to provide that protection, and*
22 *are available without fiscal year limitation: Provided fur-*
23
24
25

1 *ther, That using the amounts designated under this title*
2 *of this Act, the Secretary of the Interior may enter into*
3 *procurement contracts, grants, or cooperative agreements,*
4 *for fuels management activities, and for training and moni-*
5 *toring associated with such fuels management activities on*
6 *Federal land, or on adjacent non-Federal land for activities*
7 *that benefit resources on Federal land: Provided further,*
8 *That the costs of implementing any cooperative agreement*
9 *between the Federal Government and any non-Federal enti-*
10 *ty may be shared, as mutually agreed on by the affected*
11 *parties: Provided further, That notwithstanding require-*
12 *ments of the Competition in Contracting Act, the Secretary,*
13 *for purposes of fuels management activities, may obtain*
14 *maximum practicable competition among: (1) local private,*
15 *nonprofit, or cooperative entities; (2) Youth Conservation*
16 *Corps crews, Public Lands Corps (Public Law 109–154),*
17 *or related partnerships with State, local, or nonprofit youth*
18 *groups; (3) small or micro-businesses; or (4) other entities*
19 *that will hire or train locally a significant percentage, de-*
20 *finied as 50 percent or more, of the project workforce to com-*
21 *plete such contracts: Provided further, That in imple-*
22 *menting this section, the Secretary shall develop written*
23 *guidance to field units to ensure accountability and con-*
24 *sistent application of the authorities provided herein: Pro-*
25 *vided further, That funds appropriated under this heading*

1 *may be used to reimburse the United States Fish and Wild-*
2 *life Service and the National Marine Fisheries Service for*
3 *the costs of carrying out their responsibilities under the En-*
4 *dangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to*
5 *consult and conference, as required by section 7 of such Act,*
6 *in connection with wildland fire management activities:*
7 *Provided further, That the Secretary of the Interior may*
8 *use wildland fire appropriations to enter into leases of real*
9 *property with local governments, at or below fair market*
10 *value, to construct capitalized improvements for fire facili-*
11 *ties on such leased properties, including but not limited to*
12 *fire guard stations, retardant stations, and other initial at-*
13 *tack and fire support facilities, and to make advance pay-*
14 *ments for any such lease or for construction activity associ-*
15 *ated with the lease: Provided further, That the Secretary*
16 *of the Interior and the Secretary of Agriculture may author-*
17 *ize the transfer of funds appropriated for wildland fire*
18 *management, in an aggregate amount not to exceed*
19 *\$50,000,000 between the Departments when such transfers*
20 *would facilitate and expedite wildland fire management*
21 *programs and projects: Provided further, That funds pro-*
22 *vided for wildfire suppression shall be available for support*
23 *of Federal emergency response actions: Provided further,*
24 *That funds appropriated under this heading shall be avail-*
25 *able for assistance to or through the Department of State*

1 *in connection with forest and rangeland research, technical*
2 *information, and assistance in foreign countries, and, with*
3 *the concurrence of the Secretary of State, shall be available*
4 *to support forestry, wildland fire management, and related*
5 *natural resource activities outside the United States and*
6 *its territories and possessions, including technical assist-*
7 *ance, education and training, and cooperation with United*
8 *States and international organizations: Provided further,*
9 *That of the funds provided under this heading \$383,657,000*
10 *is provided to meet the terms of section 251(b)(2)(F)(ii)(I)*
11 *of the Balanced Budget and Emergency Deficit Control Act*
12 *of 1985, as amended.*

13 *WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND*

14 *(INCLUDING TRANSFERS OF FUNDS)*

15 *In addition to the amounts provided under the heading*
16 *“Department of the Interior—Department-Wide Pro-*
17 *grams—Wildland Fire Management” for wildfire suppres-*
18 *sion operations, \$300,000,000, to remain available until*
19 *transferred, is additional new budget authority as specified*
20 *for purposes of section 251(b)(2)(F) of the Balanced Budget*
21 *and Emergency Deficit Control Act of 1985: Provided, That*
22 *such amounts may be transferred to and merged with*
23 *amounts made available under the headings “Department*
24 *of Agriculture—Forest Service—Wildland Fire Manage-*
25 *ment” and “Department of the Interior—Department-Wide*

1 *Programs—Wildland Fire Management” for wildfire sup-*
2 *pression operations in the fiscal year in which such*
3 *amounts are transferred: Provided further, That amounts*
4 *may be transferred to the “Wildland Fire Management” ac-*
5 *counts in the Department of Agriculture or the Department*
6 *of the Interior only upon the notification of the House and*
7 *Senate Committees on Appropriations that all wildfire sup-*
8 *pression operations funds appropriated under that heading*
9 *in this and prior appropriations Acts to the agency to*
10 *which the funds will be transferred will be obligated within*
11 *30 days: Provided further, That the transfer authority pro-*
12 *vided under this heading is in addition to any other trans-*
13 *fer authority provided by law.*

14 *CENTRAL HAZARDOUS MATERIALS FUND*

15 *For necessary expenses of the Department of the Inte-*
16 *rior and any of its component offices and bureaus for the*
17 *response action, including associated activities, performed*
18 *pursuant to the Comprehensive Environmental Response,*
19 *Compensation, and Liability Act (42 U.S.C. 9601 et seq.),*
20 *\$10,010,000, to remain available until expended.*

21 *For an additional amount for a competitive grant pro-*
22 *gram to fund radium decontamination and remediation at*
23 *any land-grant university that has been subjected to such*
24 *contamination as a result of actions of the former United*
25 *States Bureau of Mines, \$12,000,000.*

1 *reasonable charges to State, local and tribal government em-*
2 *ployees for training services provided by the National In-*
3 *dian Program Training Center, other than training related*
4 *to Public Law 93–638: Provided further, That the Secretary*
5 *may lease or otherwise provide space and related facilities,*
6 *equipment or professional services of the National Indian*
7 *Program Training Center to State, local and tribal govern-*
8 *ment employees or persons or organizations engaged in cul-*
9 *tural, educational, or recreational activities (as defined in*
10 *section 3306(a) of title 40, United States Code) at the pre-*
11 *vailing rate for similar space, facilities, equipment, or serv-*
12 *ices in the vicinity of the National Indian Program Train-*
13 *ing Center: Provided further, That all funds received pursu-*
14 *ant to the two preceding provisos shall be credited to this*
15 *account, shall be available until expended, and shall be used*
16 *by the Secretary for necessary expenses of the National In-*
17 *dian Program Training Center: Provided further, That the*
18 *Secretary may enter into grants and cooperative agree-*
19 *ments to support the Office of Natural Resource Revenue’s*
20 *collection and disbursement of royalties, fees, and other*
21 *mineral revenue proceeds, as authorized by law.*

22 *ADMINISTRATIVE PROVISION*

23 *There is hereby authorized for acquisition from avail-*
24 *able resources within the Working Capital Fund, aircraft*
25 *which may be obtained by donation, purchase or through*

1 *available excess surplus property: Provided, That existing*
2 *aircraft being replaced may be sold, with proceeds derived*
3 *or trade-in value used to offset the purchase price for the*
4 *replacement aircraft.*

5 *OFFICE OF NATURAL RESOURCES REVENUE*

6 *For necessary expenses for management of the collec-*
7 *tion and disbursement of royalties, fees, and other mineral*
8 *revenue proceeds, and for grants and cooperative agree-*
9 *ments, as authorized by law, \$147,330,000, to remain avail-*
10 *able until September 30, 2021; of which \$50,651,000 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 shall be avail-*
14 *able for refunds of overpayments in connection with certain*
15 *Indian leases in which the Secretary concurred with the*
16 *claimed refund due, to pay amounts owed to Indian*
17 *allottees or tribes, or to correct prior unrecoverable erro-*
18 *neous payments.*

19 *GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR*

20 *(INCLUDING TRANSFERS OF FUNDS)*

21 *EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU*

22 *SEC. 101. Appropriations made in this title shall be*
23 *available for expenditure or transfer (within each bureau*
24 *or office), with the approval of the Secretary, for the emer-*
25 *gency reconstruction, replacement, or repair of aircraft,*

1 *buildings, utilities, or other facilities or equipment dam-*
2 *aged or destroyed by fire, flood, storm, or other unavoidable*
3 *causes: Provided, That no funds shall be made available*
4 *under this authority until funds specifically made available*
5 *to the Department of the Interior for emergencies shall have*
6 *been exhausted: Provided further, That all funds used pur-*
7 *suant to this section must be replenished by a supplemental*
8 *appropriation, which must be requested as promptly as pos-*
9 *sible.*

10 *EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE*

11 *SEC. 102. The Secretary may authorize the expendi-*
12 *ture or transfer of any no year appropriation in this title,*
13 *in addition to the amounts included in the budget programs*
14 *of the several agencies, for the suppression or emergency*
15 *prevention of wildland fires on or threatening lands under*
16 *the jurisdiction of the Department of the Interior; for the*
17 *emergency rehabilitation of burned-over lands under its ju-*
18 *risdiction; for emergency actions related to potential or ac-*
19 *tual earthquakes, floods, volcanoes, storms, or other un-*
20 *avoidable causes; for contingency planning subsequent to*
21 *actual oil spills; for response and natural resource damage*
22 *assessment activities related to actual oil spills or releases*
23 *of hazardous substances into the environment; for the pre-*
24 *vention, suppression, and control of actual or potential*
25 *grasshopper and Mormon cricket outbreaks on lands under*

1 *the jurisdiction of the Secretary, pursuant to the authority*
2 *in section 417(b) of Public Law 106–224 (7 U.S.C.*
3 *7717(b)); for emergency reclamation projects under section*
4 *410 of Public Law 95–87; and shall transfer, from any no*
5 *year funds available to the Office of Surface Mining Rec-*
6 *lamation and Enforcement, such funds as may be necessary*
7 *to permit assumption of regulatory authority in the event*
8 *a primacy State is not carrying out the regulatory provi-*
9 *sions of the Surface Mining Act: Provided, That appropria-*
10 *tions made in this title for wildland fire operations shall*
11 *be available for the payment of obligations incurred during*
12 *the preceding fiscal year, and for reimbursement to other*
13 *Federal agencies for destruction of vehicles, aircraft, or*
14 *other equipment in connection with their use for wildland*
15 *fire operations, with such reimbursement to be credited to*
16 *appropriations currently available at the time of receipt*
17 *thereof: Provided further, That for wildland fire operations,*
18 *no funds shall be made available under this authority until*
19 *the Secretary determines that funds appropriated for*
20 *“wildland fire suppression” shall be exhausted within 30*
21 *days: Provided further, That all funds used pursuant to this*
22 *section must be replenished by a supplemental appropria-*
23 *tion, which must be requested as promptly as possible: Pro-*
24 *vided further, That such replenishment funds shall be used*

1 *to reimburse, on a pro rata basis, accounts from which*
2 *emergency funds were transferred.*

3 *AUTHORIZED USE OF FUNDS*

4 *SEC. 103. Appropriations made to the Department of*
5 *the Interior in this title shall be available for services as*
6 *authorized by section 3109 of title 5, United States Code,*
7 *when authorized by the Secretary, in total amount not to*
8 *exceed \$500,000; purchase and replacement of motor vehi-*
9 *cles, including specially equipped law enforcement vehicles;*
10 *hire, maintenance, and operation of aircraft; hire of pas-*
11 *senger motor vehicles; purchase of reprints; payment for*
12 *telephone service in private residences in the field, when au-*
13 *thorized under regulations approved by the Secretary; and*
14 *the payment of dues, when authorized by the Secretary, for*
15 *library membership in societies or associations which issue*
16 *publications to members only or at a price to members*
17 *lower than to subscribers who are not members.*

18 *AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT*

19 *SEC. 104. Appropriations made in this Act under the*
20 *headings Bureau of Indian Affairs and Bureau of Indian*
21 *Education, and Office of the Special Trustee for American*
22 *Indians and any unobligated balances from prior appro-*
23 *priations Acts made under the same headings shall be avail-*
24 *able for expenditure or transfer for Indian trust manage-*
25 *ment and reform activities. Total funding for historical ac-*

1 *counting activities shall not exceed amounts specifically*
2 *designated in this Act for such purpose. The Secretary shall*
3 *notify the House and Senate Committees on Appropriations*
4 *within 60 days of the expenditure or transfer of any funds*
5 *under this section, including the amount expended or trans-*
6 *ferred and how the funds will be used.*

7 *REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS*

8 *SEC. 105. Notwithstanding any other provision of law,*
9 *the Secretary of the Interior is authorized to redistribute*
10 *any Tribal Priority Allocation funds, including tribal base*
11 *funds, to alleviate tribal funding inequities by transferring*
12 *funds to address identified, unmet needs, dual enrollment,*
13 *overlapping service areas or inaccurate distribution meth-*
14 *odologies. No tribe shall receive a reduction in Tribal Pri-*
15 *ority Allocation funds of more than 10 percent in fiscal*
16 *year 2020. Under circumstances of dual enrollment, over-*
17 *lapping service areas or inaccurate distribution methodolo-*
18 *gies, the 10 percent limitation does not apply.*

19 *ELLIS, GOVERNORS, AND LIBERTY ISLANDS*

20 *SEC. 106. Notwithstanding any other provision of law,*
21 *the Secretary of the Interior is authorized to acquire lands,*
22 *waters, or interests therein including the use of all or part*
23 *of any pier, dock, or landing within the State of New York*
24 *and the State of New Jersey, for the purpose of operating*
25 *and maintaining facilities in the support of transportation*

1 *and accommodation of visitors to Ellis, Governors, and Lib-*
2 *erty Islands, and of other program and administrative ac-*
3 *tivities, by donation or with appropriated funds, including*
4 *franchise fees (and other monetary consideration), or by ex-*
5 *change; and the Secretary is authorized to negotiate and*
6 *enter into leases, subleases, concession contracts or other*
7 *agreements for the use of such facilities on such terms and*
8 *conditions as the Secretary may determine reasonable.*

9 *OUTER CONTINENTAL SHELF INSPECTION FEES*

10 *SEC. 107. (a) In fiscal year 2020, the Secretary shall*
11 *collect a nonrefundable inspection fee, which shall be depos-*
12 *ited in the “Offshore Safety and Environmental Enforce-*
13 *ment” account, from the designated operator for facilities*
14 *subject to inspection under 43 U.S.C. 1348(c).*

15 *(b) Annual fees shall be collected for facilities that are*
16 *above the waterline, excluding drilling rigs, and are in*
17 *place at the start of the fiscal year. Fees for fiscal year 2020*
18 *shall be—*

19 *(1) \$10,500 for facilities with no wells, but with*
20 *processing equipment or gathering lines;*

21 *(2) \$17,000 for facilities with 1 to 10 wells, with*
22 *any combination of active or inactive wells; and*

23 *(3) \$31,500 for facilities with more than 10*
24 *wells, with any combination of active or inactive*
25 *wells.*

1 (c) Fees for drilling rigs shall be assessed for all inspec-
2 tions completed in fiscal year 2020. Fees for fiscal year
3 2020 shall be—

4 (1) \$30,500 per inspection for rigs operating in
5 water depths of 500 feet or more; and

6 (2) \$16,700 per inspection for rigs operating in
7 water depths of less than 500 feet.

8 (d) Fees for inspection of well operations conducted via
9 non-rig units as outlined in title 30 CFR 250 subparts D,
10 E, F, and Q shall be assessed for all inspections completed
11 in fiscal year 2020. Fees for fiscal year 2020 shall be—

12 (1) \$13,260 per inspection for non-rig units op-
13 erating in water depths of 2,500 feet or more;

14 (2) \$11,530 per inspection for non-rig units op-
15 erating in water depths between 500 and 2,499 feet;
16 and

17 (3) \$4,470 per inspection for non-rig units oper-
18 ating in water depths of less than 500 feet.

19 (e) The Secretary shall bill designated operators under
20 subsection (b) quarterly, with payment required within 30
21 days of billing. The Secretary shall bill designated operators
22 under subsection (c) within 30 days of the end of the month
23 in which the inspection occurred, with payment required
24 within 30 days of billing. The Secretary shall bill des-

1 *ignated operators under subsection (d) with payment re-*
2 *quired by the end of the following quarter.*

3 *CONTRACTS AND AGREEMENTS FOR WILD HORSE AND*
4 *BURRO HOLDING FACILITIES*

5 *SEC. 108. Notwithstanding any other provision of this*
6 *Act, the Secretary of the Interior may enter into multiyear*
7 *cooperative agreements with nonprofit organizations and*
8 *other appropriate entities, and may enter into multiyear*
9 *contracts in accordance with the provisions of section 3903*
10 *of title 41, United States Code (except that the 5-year term*
11 *restriction in subsection (a) shall not apply), for the long-*
12 *term care and maintenance of excess wild free roaming*
13 *horses and burros by such organizations or entities on pri-*
14 *vate land. Such cooperative agreements and contracts may*
15 *not exceed 10 years, subject to renewal at the discretion of*
16 *the Secretary.*

17 *MASS MARKING OF SALMONIDS*

18 *SEC. 109. The United States Fish and Wildlife Service*
19 *shall, in carrying out its responsibilities to protect threat-*
20 *ened and endangered species of salmon, implement a system*
21 *of mass marking of salmonid stocks, intended for harvest,*
22 *that are released from federally operated or federally fi-*
23 *nanced hatcheries including but not limited to fish releases*
24 *of coho, chinook, and steelhead species. Marked fish must*

1 *have a visible mark that can be readily identified by com-*
2 *mercial and recreational fishers.*

3 *CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS*

4 *SEC. 110. Notwithstanding any other provision of law,*
5 *during fiscal year 2020, in carrying out work involving co-*
6 *operation with State, local, and tribal governments or any*
7 *political subdivision thereof, Indian Affairs may record ob-*
8 *ligations against accounts receivable from any such entities,*
9 *except that total obligations at the end of the fiscal year*
10 *shall not exceed total budgetary resources available at the*
11 *end of the fiscal year.*

12 *DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES*

13 *PROGRAM*

14 *SEC. 111. (a) Notwithstanding any other provision of*
15 *law relating to Federal grants and cooperative agreements,*
16 *the Secretary of the Interior is authorized to make grants*
17 *to, or enter into cooperative agreements with, private non-*
18 *profit organizations designated by the Secretary of Labor*
19 *under title V of the Older Americans Act of 1965 to utilize*
20 *the talents of older Americans in programs authorized by*
21 *other provisions of law administered by the Secretary and*
22 *consistent with such provisions of law.*

23 *(b) Prior to awarding any grant or agreement under*
24 *subsection (a), the Secretary shall ensure that the agreement*
25 *would not—*

1 (1) result in the displacement of individuals cur-
2 rently employed by the Department, including partial
3 displacement through reduction of non-overtime
4 hours, wages, or employment benefits;

5 (2) result in the use of an individual under the
6 Department of the Interior Experienced Services Pro-
7 gram for a job or function in a case in which a Fed-
8 eral employee is in a layoff status from the same or
9 substantially equivalent job within the Department;

10 or

11 (3) affect existing contracts for services.

12 OBLIGATION OF FUNDS

13 SEC. 112. Amounts appropriated by this Act to the De-
14 partment of the Interior shall be available for obligation
15 and expenditure not later than 60 days after the date of
16 enactment of this Act.

17 EXTENSION OF AUTHORITIES

18 SEC. 113. (a) Section 512 of title V of division J of
19 Public Law 108–447 is amended by striking “on the date
20 that is 15 years after the date that funds are first made
21 available for this title.” and inserting “after September 30,
22 2022.”.

23 (b) Section 608 of title VI of division J of Public Law
24 108–447 is amended by striking “the expiration of the 15-
25 year period beginning on the date that funds are first made

1 *available for this title.” and inserting “September 30,*
2 *2022.”.*

3 *(c) Section 109 of title I of Public Law 103–449, as*
4 *amended by Public Law 111–11, title VIII section 8201(c),*
5 *is further amended by striking “\$15,000,000” and inserting*
6 *“\$17,000,000”.*

7 *(d) Section 608(a) of division II of Public Law 104–*
8 *333, as amended by Public Law 110–229 section 461, is*
9 *further amended by striking “\$15,000,000” and inserting*
10 *“\$17,000,000”.*

11 *(e) Section 810(a)(1) of title VIII of division B of ap-*
12 *pendix D of Public Law 106–554, as amended by Public*
13 *Law 115–31, division G, title I section 115(b), is further*
14 *amended by striking “\$12,000,000” and inserting*
15 *“\$14,000,000”.*

16 *SEPARATION OF ACCOUNTS*

17 *SEC. 114. The Secretary of the Interior, in order to*
18 *implement an orderly transition to separate accounts of the*
19 *Bureau of Indian Affairs and the Bureau of Indian Edu-*
20 *cation, may transfer funds among and between the successor*
21 *offices and bureaus affected by the reorganization only in*
22 *conformance with the reprogramming guidelines described*
23 *in this Act.*

1 *PAYMENTS IN LIEU OF TAXES (PILT)*

2 *SEC. 115. Section 6906 of title 31, United States Code,*
3 *shall be applied by substituting “fiscal year 2020” for “fis-*
4 *cal year 2019”.*

5 *SAGE-GROUSE*

6 *SEC. 116. None of the funds made available by this*
7 *or any other Act may be used by the Secretary of the Inte-*
8 *rior to write or issue pursuant to section 4 of the Endan-*
9 *gered Species Act of 1973 (16 U.S.C. 1533)—*

10 (1) *a proposed rule for greater sage-grouse*
11 *(Centrocercus urophasianus);*

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

14 *DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE*

15 *APPROVAL*

16 *SEC. 117. (a) Subject to subsection (b), beginning no*
17 *later than 180 days after the enactment of this Act, in any*
18 *case in which the Bureau of Safety and Environmental En-*
19 *forcement or the Bureau of Ocean Energy Management pre-*
20 *scribes or approves any departure or use of alternate proce-*
21 *dure or equipment, in regards to a plan or permit, under*
22 *30 C.F.R. § 585.103, 30 C.F.R. § 550.141; 30 C.F.R.*
23 *§550.142; 30 C.F.R. § 250.141, or 30 C.F.R. § 250.142,*
24 *the head of such bureau shall post a description of such de-*
25 *parture or alternate procedure or equipment use approval*

1 *on such bureau's publicly available website not more than*
2 *15 business days after such issuance.*

3 *(b) The head of each bureau may exclude confidential*
4 *business information.*

5

TITLE II

6

ENVIRONMENTAL PROTECTION AGENCY

7

SCIENCE AND TECHNOLOGY

8 *For science and technology, including research and de-*
9 *velopment activities, which shall include research and devel-*
10 *opment activities under the Comprehensive Environmental*
11 *Response, Compensation, and Liability Act of 1980; nec-*
12 *essary expenses for personnel and related costs and travel*
13 *expenses; procurement of laboratory equipment and sup-*
14 *plies; and other operating expenses in support of research*
15 *and development, \$716,449,000, to remain available until*
16 *September 30, 2021: Provided, That of the funds included*
17 *under this heading, \$6,000,000 shall be for Research: Na-*
18 *tional Priorities as specified in the explanatory statement*
19 *described in section 4 (in the matter preceding division A*
20 *of this consolidated Act).*

21

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

22

23 *For environmental programs and management, in-*
24 *cluding necessary expenses, not otherwise provided for, for*
25 *personnel and related costs and travel expenses; hire of pas-*
senger motor vehicles; hire, maintenance, and operation of

1 aircraft; purchase of reprints; library memberships in soci-
2 eties or associations which issue publications to members
3 only or at a price to members lower than to subscribers
4 who are not members; administrative costs of the
5 brownfields program under the Small Business Liability
6 Relief and Brownfields Revitalization Act of 2002; imple-
7 mentation of a coal combustion residual permit program
8 under section 2301 of the Water and Waste Act of 2016;
9 and not to exceed \$31,000 for official reception and rep-
10 resentation expenses, \$2,663,356,000, to remain available
11 until September 30, 2021: Provided, That of the funds in-
12 cluded under this heading, \$17,700,000 shall be for Envi-
13 ronmental Protection: National Priorities as specified in
14 the explanatory statement described in section 4 (in the
15 matter preceding division A of this consolidated Act): Pro-
16 vided further, That of the funds included under this head-
17 ing, \$510,276,000 shall be for Geographic Programs speci-
18 fied in the explanatory statement described in section 4 (in
19 the matter preceding division A of this consolidated Act).

20 In addition, \$5,000,000 to remain available until ex-
21 pended, for necessary expenses of activities described in sec-
22 tion 26(b)(1) of the Toxic Substances Control Act (15
23 U.S.C. 2625(b)(1)): Provided, That fees collected pursuant
24 to that section of that Act and deposited in the “TSCA Serv-
25 ice Fee Fund” as discretionary offsetting receipts in fiscal

1 *year 2020 shall be retained and used for necessary salaries*
2 *and expenses in this appropriation and shall remain avail-*
3 *able until expended: Provided further, That the sum herein*
4 *appropriated in this paragraph from the general fund for*
5 *fiscal year 2020 shall be reduced by the amount of discre-*
6 *tionary offsetting receipts received during fiscal year 2020,*
7 *so as to result in a final fiscal year 2020 appropriation*
8 *from the general fund estimated at not more than \$0: Pro-*
9 *vided further, That to the extent that amounts realized from*
10 *such receipts exceed \$5,000,000, those amount in excess of*
11 *\$5,000,000 shall be deposited in the “TSCA Service Fee*
12 *Fund” as discretionary offsetting receipts in fiscal year*
13 *2020, shall be retained and used for necessary salaries and*
14 *expenses in this account, and shall remain available until*
15 *expended: Provided further, That of the funds included in*
16 *the first paragraph under this heading, the Chemical Risk*
17 *Review and Reduction program project shall be allocated*
18 *for this fiscal year, excluding the amount of any fees appro-*
19 *priated, not less than the amount of appropriations for that*
20 *program project for fiscal year 2014.*

21 *HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM*

22 *FUND*

23 *For necessary expenses to carry out section 3024 of the*
24 *Solid Waste Disposal Act (42 U.S.C. 6939g), including the*
25 *development, operation, maintenance, and upgrading of the*

1 *hazardous waste electronic manifest system established by*
2 *such section, \$8,000,000, to remain available until ex-*
3 *pended: Provided, That the sum herein appropriated from*
4 *the general fund shall be reduced as offsetting collections*
5 *under such section 3024 are received during fiscal year*
6 *2020, which shall remain available until expended and be*
7 *used for necessary expenses in this appropriation, so as to*
8 *result in a final fiscal year 2020 appropriation from the*
9 *general fund estimated at not more than \$0: Provided fur-*
10 *ther, That to the extent such offsetting collections received*
11 *in fiscal year 2020 exceed \$8,000,000, those excess amounts*
12 *shall remain available until expended and be used for nec-*
13 *essary expenses in this appropriation.*

14 *OFFICE OF INSPECTOR GENERAL*

15 *For necessary expenses of the Office of Inspector Gen-*
16 *eral in carrying out the provisions of the Inspector General*
17 *Act of 1978, \$41,489,000, to remain available until Sep-*
18 *tember 30, 2021.*

19 *BUILDINGS AND FACILITIES*

20 *For construction, repair, improvement, extension, al-*
21 *teration, and purchase of fixed equipment or facilities of,*
22 *or for use by, the Environmental Protection Agency,*
23 *\$33,598,000, to remain available until expended.*

*HAZARDOUS SUBSTANCE SUPERFUND**(INCLUDING TRANSFERS OF FUNDS)*

1 *For necessary expenses to carry out the Comprehensive*
2 *Environmental Response, Compensation, and Liability Act*
3 *of 1980 (CERCLA), including sections 111(c)(3), (c)(5),*
4 *(c)(6), and (e)(4) (42 U.S.C. 9611), and hire, maintenance,*
5 *and operation of aircraft, \$1,184,755,000, to remain avail-*
6 *able until expended, consisting of such sums as are available*
7 *in the Trust Fund on September 30, 2019, as authorized*
8 *by section 517(a) of the Superfund Amendments and Reau-*
9 *thorization Act of 1986 (SARA) and up to \$1,184,755,000*
10 *as a payment from general revenues to the Hazardous Sub-*
11 *stance Superfund for purposes as authorized by section*
12 *517(b) of SARA: Provided, That funds appropriated under*
13 *this heading may be allocated to other Federal agencies in*
14 *accordance with section 111(a) of CERCLA: Provided fur-*
15 *ther, That of the funds appropriated under this heading,*
16 *\$11,586,000 shall be paid to the “Office of Inspector Gen-*
17 *eral” appropriation to remain available until September*
18 *30, 2021, and \$30,747,000 shall be paid to the “Science*
19 *and Technology” appropriation to remain available until*
20 *September 30, 2021.*

1 *LEAKING UNDERGROUND STORAGE TANK TRUST FUND*
2 *PROGRAM*

3 *For necessary expenses to carry out leaking under-*
4 *ground storage tank cleanup activities authorized by sub-*
5 *title I of the Solid Waste Disposal Act, \$91,941,000, to re-*
6 *main available until expended, of which \$66,572,000 shall*
7 *be for carrying out leaking underground storage tank clean-*
8 *up activities authorized by section 9003(h) of the Solid*
9 *Waste Disposal Act; \$25,369,000 shall be for carrying out*
10 *the other provisions of the Solid Waste Disposal Act speci-*
11 *fied in section 9508(c) of the Internal Revenue Code: Pro-*
12 *vided, That the Administrator is authorized to use appro-*
13 *priations made available under this heading to implement*
14 *section 9013 of the Solid Waste Disposal Act to provide fi-*
15 *nancial assistance to federally recognized Indian tribes for*
16 *the development and implementation of programs to man-*
17 *age underground storage tanks.*

18 *INLAND OIL SPILL PROGRAMS*

19 *For expenses necessary to carry out the Environmental*
20 *Protection Agency's responsibilities under the Oil Pollution*
21 *Act of 1990, including hire, maintenance, and operation*
22 *of aircraft, \$19,581,000, to be derived from the Oil Spill*
23 *Liability trust fund, to remain available until expended.*

1 *STATE AND TRIBAL ASSISTANCE GRANTS*

2 *For environmental programs and infrastructure as-*
3 *sistance, including capitalization grants for State revolving*
4 *funds and performance partnership grants, \$4,246,232,000,*
5 *to remain available until expended, of which—*

6 (1) *\$1,638,826,000 shall be for making capital-*
7 *ization grants for the Clean Water State Revolving*
8 *Funds under title VI of the Federal Water Pollution*
9 *Control Act; and of which \$1,126,088,000 shall be for*
10 *making capitalization grants for the Drinking Water*
11 *State Revolving Funds under section 1452 of the Safe*
12 *Drinking Water Act: Provided, That for fiscal year*
13 *2020, to the extent there are sufficient eligible project*
14 *applications and projects are consistent with State*
15 *Intended Use Plans, not less than 10 percent of the*
16 *funds made available under this title to each State for*
17 *Clean Water State Revolving Fund capitalization*
18 *grants shall be used by the State for projects to ad-*
19 *dress green infrastructure, water or energy efficiency*
20 *improvements, or other environmentally innovative*
21 *activities: Provided further, That for fiscal year 2020,*
22 *funds made available under this title to each State for*
23 *Drinking Water State Revolving Fund capitalization*
24 *grants may, at the discretion of each State, be used*
25 *for projects to address green infrastructure, water or*

1 *energy efficiency improvements, or other environ-*
2 *mentally innovative activities: Provided further, That*
3 *notwithstanding section 603(d)(7) of the Federal*
4 *Water Pollution Control Act, the limitation on the*
5 *amounts in a State water pollution control revolving*
6 *fund that may be used by a State to administer the*
7 *fund shall not apply to amounts included as prin-*
8 *cipal in loans made by such fund in fiscal year 2020*
9 *and prior years where such amounts represent costs*
10 *of administering the fund to the extent that such*
11 *amounts are or were deemed reasonable by the Ad-*
12 *ministrator, accounted for separately from other as-*
13 *sets in the fund, and used for eligible purposes of the*
14 *fund, including administration: Provided further,*
15 *That for fiscal year 2020, notwithstanding the provi-*
16 *sions of subsections (g)(1), (h), and (l) of section 201*
17 *of the Federal Water Pollution Control Act, grants*
18 *made under title II of such Act for American Samoa,*
19 *Guam, the commonwealth of the Northern Marianas,*
20 *the United States Virgin Islands, and the District of*
21 *Columbia may also be made for the purpose of pro-*
22 *viding assistance: (1) solely for facility plans, design*
23 *activities, or plans, specifications, and estimates for*
24 *any proposed project for the construction of treatment*
25 *works; and (2) for the construction, repair, or replace-*

1 *ment of privately owned treatment works serving one*
2 *or more principal residences or small commercial es-*
3 *tablishments: Provided further, That for fiscal year*
4 *2020, notwithstanding the provisions of such sub-*
5 *sections (g)(1), (h), and (l) of section 201 and section*
6 *518(c) of the Federal Water Pollution Control Act,*
7 *funds reserved by the Administrator for grants under*
8 *section 518(c) of the Federal Water Pollution Control*
9 *Act may also be used to provide assistance: (1) solely*
10 *for facility plans, design activities, or plans, speci-*
11 *fications, and estimates for any proposed project for*
12 *the construction of treatment works; and (2) for the*
13 *construction, repair, or replacement of privately*
14 *owned treatment works serving one or more principal*
15 *residences or small commercial establishments: Pro-*
16 *vided further, That for fiscal year 2020, notwith-*
17 *standing any provision of the Federal Water Pollu-*
18 *tion Control Act and regulations issued pursuant*
19 *thereof, up to a total of \$2,000,000 of the funds re-*
20 *served by the Administrator for grants under section*
21 *518(c) of such Act may also be used for grants for*
22 *training, technical assistance, and educational pro-*
23 *grams relating to the operation and management of*
24 *the treatment works specified in section 518(c) of such*
25 *Act: Provided further, That for fiscal year 2020, funds*

1 reserved under section 518(c) of such Act shall be
2 available for grants only to Indian tribes, as defined
3 in section 518(h) of such Act and former Indian res-
4 ervations in Oklahoma (as determined by the Sec-
5 retary of the Interior) and Native Villages as defined
6 in Public Law 92–203: Provided further, That for fis-
7 cal year 2020, notwithstanding the limitation on
8 amounts in section 518(c) of the Federal Water Pollu-
9 tion Control Act, up to a total of 2 percent of the
10 funds appropriated, or \$30,000,000, whichever is
11 greater, and notwithstanding the limitation on
12 amounts in section 1452(i) of the Safe Drinking
13 Water Act, up to a total of 2 percent of the funds ap-
14 propriated, or \$20,000,000, whichever is greater, for
15 State Revolving Funds under such Acts may be re-
16 served by the Administrator for grants under section
17 518(c) and section 1452(i) of such Acts: Provided fur-
18 ther, That for fiscal year 2020, notwithstanding the
19 amounts specified in section 205(c) of the Federal
20 Water Pollution Control Act, up to 1.5 percent of the
21 aggregate funds appropriated for the Clean Water
22 State Revolving Fund program under the Act less any
23 sums reserved under section 518(c) of the Act, may be
24 reserved by the Administrator for grants made under
25 title II of the Federal Water Pollution Control Act for

1 *American Samoa, Guam, the Commonwealth of the*
2 *Northern Marianas, and United States Virgin Is-*
3 *lands: Provided further, That for fiscal year 2020,*
4 *notwithstanding the limitations on amounts specified*
5 *in section 1452(j) of the Safe Drinking Water Act, up*
6 *to 1.5 percent of the funds appropriated for the*
7 *Drinking Water State Revolving Fund programs*
8 *under the Safe Drinking Water Act may be reserved*
9 *by the Administrator for grants made under section*
10 *1452(j) of the Safe Drinking Water Act: Provided fur-*
11 *ther, That 10 percent of the funds made available*
12 *under this title to each State for Clean Water State*
13 *Revolving Fund capitalization grants and 14 percent*
14 *of the funds made available under this title to each*
15 *State for Drinking Water State Revolving Fund cap-*
16 *italization grants shall be used by the State to pro-*
17 *vide additional subsidy to eligible recipients in the*
18 *form of forgiveness of principal, negative interest*
19 *loans, or grants (or any combination of these), and*
20 *shall be so used by the State only where such funds*
21 *are provided as initial financing for an eligible re-*
22 *recipient or to buy, refinance, or restructure the debt*
23 *obligations of eligible recipients only where such debt*
24 *was incurred on or after the date of enactment of this*
25 *Act, or where such debt was incurred prior to the date*

1 *of enactment of this Act if the State, with concurrence*
2 *from the Administrator, determines that such funds*
3 *could be used to help address a threat to public health*
4 *from heightened exposure to lead in drinking water or*
5 *if a Federal or State emergency declaration has been*
6 *issued due to a threat to public health from height-*
7 *ened exposure to lead in a municipal drinking water*
8 *supply before the date of enactment of this Act: Pro-*
9 *vided further, That in a State in which such an emer-*
10 *gency declaration has been issued, the State may use*
11 *more than 14 percent of the funds made available*
12 *under this title to the State for Drinking Water State*
13 *Revolving Fund capitalization grants to provide ad-*
14 *ditional subsidy to eligible recipients;*

15 (2) *\$25,000,000 shall be for architectural, engi-*
16 *neering, planning, design, construction and related*
17 *activities in connection with the construction of high*
18 *priority water and wastewater facilities in the area*
19 *of the United States-Mexico Border, after consultation*
20 *with the appropriate border commission: Provided,*
21 *That no funds provided by this appropriations Act to*
22 *address the water, wastewater and other critical in-*
23 *frastructure needs of the colonias in the United States*
24 *along the United States-Mexico border shall be made*
25 *available to a county or municipal government unless*

1 *that government has established an enforceable local*
2 *ordinance, or other zoning rule, which prevents in*
3 *that jurisdiction the development or construction of*
4 *any additional colonia areas, or the development*
5 *within an existing colonia the construction of any*
6 *new home, business, or other structure which lacks*
7 *water, wastewater, or other necessary infrastructure;*

8 *(3) \$29,186,000 shall be for grants to the State*
9 *of Alaska to address drinking water and wastewater*
10 *infrastructure needs of rural and Alaska Native Vil-*
11 *lages: Provided, That of these funds: (A) the State of*
12 *Alaska shall provide a match of 25 percent; (B) no*
13 *more than 5 percent of the funds may be used for ad-*
14 *ministrative and overhead expenses; and (C) the State*
15 *of Alaska shall make awards consistent with the*
16 *Statewide priority list established in conjunction with*
17 *the Agency and the U.S. Department of Agriculture*
18 *for all water, sewer, waste disposal, and similar*
19 *projects carried out by the State of Alaska that are*
20 *funded under section 221 of the Federal Water Pollu-*
21 *tion Control Act (33 U.S.C. 1301) or the Consolidated*
22 *Farm and Rural Development Act (7 U.S.C. 1921 et*
23 *seq.) which shall allocate not less than 25 percent of*
24 *the funds provided for projects in regional hub com-*
25 *munities;*

1 (4) \$89,000,000 shall be to carry out section
2 104(k) of the Comprehensive Environmental Re-
3 sponse, Compensation, and Liability Act of 1980
4 (CERCLA), including grants, interagency agree-
5 ments, and associated program support costs: Pro-
6 vided, That at least 10 percent shall be allocated for
7 assistance in persistent poverty counties: Provided
8 further, That for purposes of this section, the term
9 “persistent poverty counties” means any county that
10 has had 20 percent or more of its population living
11 in poverty over the past 30 years, as measured by the
12 1990 and 2000 decennial censuses and the most recent
13 Small Area Income and Poverty Estimates, or any
14 territory or possession of the United States;

15 (5) \$87,000,000 shall be for grants under title
16 VII, subtitle G of the Energy Policy Act of 2005;

17 (6) \$56,306,000 shall be for targeted airshed
18 grants in accordance with the terms and conditions
19 in the explanatory statement described in section 4
20 (in the matter preceding division A of this consoli-
21 dated Act);

22 (7) \$4,000,000 shall be to carry out the water
23 quality program authorized in section 5004(d) of the
24 Water Infrastructure Improvements for the Nation
25 Act (Public Law 114–322);

1 (8) \$25,408,000 shall be for grants under sub-
2 sections (a) through (j) of section 1459A of the Safe
3 Drinking Water Act (42 U.S.C. 300j-19a);

4 (9) \$26,000,000 shall be for grants under section
5 1464(d) of the Safe Drinking Water Act (42 U.S.C.
6 300j-24(d));

7 (10) \$19,511,000 shall be for grants under sec-
8 tion 1459B of the Safe Drinking Water Act (42
9 U.S.C. 300j-19b);

10 (11) \$3,000,000 shall be for grants under section
11 1459A(l) of the Safe Drinking Water Act (42 U.S.C.
12 300j-19a(l));

13 (12) \$12,000,000 shall be for grants under sec-
14 tion 104(b)(8) of the Federal Water Pollution Control
15 Act (33 U.S.C. 1254(b)(8));

16 (13) \$28,000,000 shall be for grants under sec-
17 tion 221 of the Federal Water Pollution Control Act
18 (33 U.S.C. 1301);

19 (14) \$1,000,000 shall be for grants under section
20 4304(b) of the America's Water Infrastructure Act of
21 2018 (Public Law 115-270); and

22 (15) \$1,075,907,000 shall be for grants, includ-
23 ing associated program support costs, to States, feder-
24 ally recognized tribes, interstate agencies, tribal con-
25 sortia, and air pollution control agencies for multi-

1 *media or single media pollution prevention, control*
2 *and abatement and related activities, including ac-*
3 *tivities pursuant to the provisions set forth under this*
4 *heading in Public Law 104–134, and for making*
5 *grants under section 103 of the Clean Air Act for par-*
6 *ticulate matter monitoring and data collection activi-*
7 *ties subject to terms and conditions specified by the*
8 *Administrator, of which: \$46,190,000 shall be for car-*
9 *rying out section 128 of CERCLA; \$9,332,000 shall*
10 *be for Environmental Information Exchange Network*
11 *grants, including associated program support costs;*
12 *\$1,449,000 shall be for grants to States under section*
13 *2007(f)(2) of the Solid Waste Disposal Act, which*
14 *shall be in addition to funds appropriated under the*
15 *heading “Leaking Underground Storage Tank Trust*
16 *Fund Program” to carry out the provisions of the*
17 *Solid Waste Disposal Act specified in section 9508(c)*
18 *of the Internal Revenue Code other than section*
19 *9003(h) of the Solid Waste Disposal Act; \$17,848,000*
20 *of the funds available for grants under section 106 of*
21 *the Federal Water Pollution Control Act shall be for*
22 *State participation in national- and State-level sta-*
23 *tistical surveys of water resources and enhancements*
24 *to State monitoring programs; \$13,000,000 shall be*

1 *for multipurpose grants, including interagency agree-*
2 *ments.*

3 *WATER INFRASTRUCTURE FINANCE AND INNOVATION*

4 *PROGRAM ACCOUNT*

5 *For the cost of direct loans and for the cost of guaran-*
6 *teed loans, as authorized by the Water Infrastructure Fi-*
7 *nance and Innovation Act of 2014, \$55,000,000, to remain*
8 *available until expended: Provided, That such costs, includ-*
9 *ing the cost of modifying such loans, shall be as defined*
10 *in section 502 of the Congressional Budget Act of 1974: Pro-*
11 *vided further, That these funds are available to subsidize*
12 *gross obligations for the principal amount of direct loans,*
13 *including capitalized interest, and total loan principal, in-*
14 *cluding capitalized interest, any part of which is to be*
15 *guaranteed, not to exceed \$11,500,000,000: Provided fur-*
16 *ther, That of the funds made available under this heading,*
17 *\$5,000,000 shall be used solely for the cost of direct loans*
18 *and for the cost of guaranteed loans for projects described*
19 *in section 5026(9) of the Water Infrastructure Finance and*
20 *Innovation Act of 2014 to State infrastructure financing*
21 *authorities, as authorized by section 5033(e) of such Act:*
22 *Provided further, That the Administrator, together with the*
23 *Director of the Office of Management and Budget and the*
24 *Secretary of the Treasury, shall jointly develop criteria for*
25 *project eligibility for direct loans and loan guarantees au-*

1 *thorized by the Water Infrastructure Finance and Innova-*
2 *tion Act of 2014 that limit Federal participation in a*
3 *project consistent with the requirements for the budgetary*
4 *treatment provided for in section 504 of the Federal Credit*
5 *Reform Act of 1990 and based on the recommendations con-*
6 *tained in the 1967 Report of the President's Commission*
7 *on Budget Concepts; and the Administrator, the Director,*
8 *and the Secretary, shall, not later than 120 days after the*
9 *date of enactment of this Act, publish such criteria in the*
10 *Federal Register: Provided further, That, in developing the*
11 *criteria to be used, the Administrator, the Director, and the*
12 *Secretary, shall consult with the Director of the Congres-*
13 *sional Budget Office: Provided further, That the require-*
14 *ments of section 553 of title 5, United States Code, shall*
15 *not apply to the development and publication of such cri-*
16 *teria: Provided further, That the use of direct loans or loan*
17 *guarantee authority under this heading for direct loans or*
18 *commitments to guarantee loans for any project shall be*
19 *in accordance with the criteria published pursuant to this*
20 *Act: Provided further, That the Administrator, the Director,*
21 *and the Secretary, shall also certify, and publish such cer-*
22 *tification in the Federal Register, that the criteria is com-*
23 *pliant with this paragraph, at the same time the Adminis-*
24 *trator, the Director, and the Secretary, publish the criteria*
25 *in the Federal Register: Provided further, That the Admin-*

1 *istrator may not issue a Notice of Funding Availability for*
2 *applications for credit assistance under the Water Infra-*
3 *structure Finance and Innovation Act Program in fiscal*
4 *year 2020 until the criteria have been developed and pub-*
5 *lished pursuant to the fourth proviso and certified pursuant*
6 *to the previous proviso: Provided further, That none of the*
7 *direct loans or loan guarantee authority made available*
8 *under this heading shall be available for any project unless*
9 *the Administrator and the Director of the Office of Manage-*
10 *ment and Budget have certified in advance in writing that*
11 *the direct loan or loan guarantee, as applicable, and the*
12 *project comply with the criteria developed and published*
13 *pursuant to this Act: Provided further, That the criteria*
14 *developed and published pursuant to this Act shall not*
15 *apply to the use of direct loans or loan guarantee authority*
16 *provided by prior appropriations Acts: Provided further,*
17 *That not later than 15 days after the date upon which cri-*
18 *teria have been published pursuant to the fourth proviso,*
19 *the Administrator shall report to the Committees on Appro-*
20 *priations of the House of Representatives and Senate, the*
21 *Committees on Energy and Commerce and Transportation*
22 *and Infrastructure of the House of Representatives, and the*
23 *Committee on Environment and Public Works of the Senate*
24 *on any statutory improvements to the Water Infrastructure*
25 *Finance and Innovation Act of 2014 or to the Water Infra-*

1 *structure Finance and Innovation Act Program Account's*
2 *appropriations language that would further align such Act*
3 *and such language with the budgetary treatment and rec-*
4 *ommendations referred to in the fourth proviso: Provided*
5 *further, That, for the purposes of carrying out the Congres-*
6 *sional Budget Act of 1974, the Director of the Congressional*
7 *Budget Office may request, and the Administrator shall*
8 *promptly provide, documentation and information relating*
9 *to a project identified in a Letter of Interest submitted to*
10 *the Administrator pursuant to a Notice of Funding Avail-*
11 *ability for applications for credit assistance under the*
12 *Water Infrastructure Finance and Innovation Act Pro-*
13 *gram, including with respect to a project that was initiated*
14 *or completed before the date of enactment of this Act.*

15 *In addition, fees authorized to be collected pursuant*
16 *to sections 5029 and 5030 of the Water Infrastructure Fi-*
17 *nance and Innovation Act of 2014 shall be deposited in this*
18 *account, to remain available until expended.*

19 *In addition, for administrative expenses to carry out*
20 *the direct and guaranteed loan programs, notwithstanding*
21 *section 5033 of the Water Infrastructure Finance and Inno-*
22 *vation Act of 2014, \$5,000,000, to remain available until*
23 *September 30, 2021.*

1 *ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL*2 *PROTECTION AGENCY*3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For fiscal year 2020, notwithstanding 31 U.S.C.*
5 *6303(1) and 6305(1), the Administrator of the Environ-*
6 *mental Protection Agency, in carrying out the Agency's*
7 *function to implement directly Federal environmental pro-*
8 *grams required or authorized by law in the absence of an*
9 *acceptable tribal program, may award cooperative agree-*
10 *ments to federally recognized Indian tribes or Intertribal*
11 *consortia, if authorized by their member tribes, to assist the*
12 *Administrator in implementing Federal environmental*
13 *programs for Indian tribes required or authorized by law,*
14 *except that no such cooperative agreements may be awarded*
15 *from funds designated for State financial assistance agree-*
16 *ments.*

17 *The Administrator of the Environmental Protection*
18 *Agency is authorized to collect and obligate pesticide reg-*
19 *istration service fees in accordance with section 33 of the*
20 *Federal Insecticide, Fungicide, and Rodenticide Act, as*
21 *amended by Public Law 116–8, the Pesticide Registration*
22 *Improvement Extension Act of 2018.*

23 *Notwithstanding section 33(d)(2) of the Federal Insec-*
24 *ticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C.*
25 *136w–8(d)(2)), the Administrator of the Environmental*

1 *Protection Agency may assess fees under section 33 of*
2 *FIFRA (7 U.S.C. 136w–8) for fiscal year 2020.*

3 *The Administrator is authorized to transfer up to*
4 *\$320,000,000 of the funds appropriated for the Great Lakes*
5 *Restoration Initiative under the heading “Environmental*
6 *Programs and Management” to the head of any Federal de-*
7 *partment or agency, with the concurrence of such head, to*
8 *carry out activities that would support the Great Lakes*
9 *Restoration Initiative and Great Lakes Water Quality*
10 *Agreement programs, projects, or activities; to enter into*
11 *an interagency agreement with the head of such Federal de-*
12 *partment or agency to carry out these activities; and to*
13 *make grants to governmental entities, nonprofit organiza-*
14 *tions, institutions, and individuals for planning, research,*
15 *monitoring, outreach, and implementation in furtherance*
16 *of the Great Lakes Restoration Initiative and the Great*
17 *Lakes Water Quality Agreement.*

18 *The Science and Technology, Environmental Programs*
19 *and Management, Office of Inspector General, Hazardous*
20 *Substance Superfund, and Leaking Underground Storage*
21 *Tank Trust Fund Program Accounts, are available for the*
22 *construction, alteration, repair, rehabilitation, and renova-*
23 *tion of facilities, provided that the cost does not exceed*
24 *\$150,000 per project.*

1 *For fiscal year 2020, 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 the*
4 *amounts appropriated for any fiscal year under section 319*
5 *of the Act to make grants to Indian tribes pursuant to sec-*
6 *tions 319(h) and 518(e) of that Act.*

7 *The Administrator is authorized to use the amounts*
8 *appropriated under the heading “Environmental Programs*
9 *and Management” for fiscal year 2020 to provide grants*
10 *to implement the Southeastern New England Watershed*
11 *Restoration Program.*

12 *Notwithstanding the limitations on amounts in section*
13 *320(i)(2)(B) of the Federal Water Pollution Control Act,*
14 *not less than \$1,350,000 of the funds made available under*
15 *this title for the National Estuary Program shall be for*
16 *making competitive awards described in section 320(g)(4).*

17 *The fourth paragraph under heading “Administrative*
18 *Provisions” in title II of Public Law 109–54 is amended*
19 *by striking “2020” and inserting “2025”.*

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TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

*OFFICE OF THE UNDER SECRETARY FOR NATURAL
RESOURCES AND ENVIRONMENT*

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, \$875,000: Provided, That funds made available by this Act to any agency in the Natural Resources and Environment mission area for salaries and expenses are available to fund up to one administrative support staff for the office.

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$305,000,000, to remain available through September 30, 2023: Provided, That of the funds provided, \$77,000,000 is for the forest inventory and analysis program: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, terri-

1 *tories, possessions, and others, and for forest health manage-*
2 *ment, and conducting an international program as author-*
3 *ized, \$346,990,000, to remain available through September*
4 *30, 2023, as authorized by law; of which \$63,990,000 is to*
5 *be derived from the Land and Water Conservation Fund*
6 *to be used for the Forest Legacy Program, to remain avail-*
7 *able until expended.*

8 *NATIONAL FOREST SYSTEM*

9 *For necessary expenses of the Forest Service, not other-*
10 *wise provided for, for management, protection, improve-*
11 *ment, and utilization of the National Forest System, and*
12 *for hazardous fuels management on or adjacent to such*
13 *lands, \$1,957,510,000, to remain available through Sep-*
14 *tember 30, 2023: Provided, That of the funds provided,*
15 *\$40,000,000 shall be deposited in the Collaborative Forest*
16 *Landscape Restoration Fund for ecological restoration*
17 *treatments as authorized by 16 U.S.C. 7303(f): Provided*
18 *further, That of the funds provided, \$373,000,000 shall be*
19 *for forest products: Provided further, That of the funds pro-*
20 *vided, \$445,310,000 shall be for hazardous fuels manage-*
21 *ment activities, of which not to exceed \$15,000,000 may be*
22 *used to make grants, using any authorities available to the*
23 *Forest Service under the “State and Private Forestry” ap-*
24 *propriation, for the purpose of creating incentives for in-*
25 *creased use of biomass from National Forest System lands:*

1 *Provided further, That \$20,000,000 may be used by the Sec-*
2 *retary of Agriculture to enter into procurement contracts*
3 *or cooperative agreements or to issue grants for hazardous*
4 *fuels management activities, and for training or moni-*
5 *toring associated with such hazardous fuels management*
6 *activities on Federal land, or on non-Federal land if the*
7 *Secretary determines such activities benefit resources on*
8 *Federal land: Provided further, That funds made available*
9 *to implement the Community Forestry Restoration Act,*
10 *Public Law 106–393, title VI, shall be available for use on*
11 *non-Federal lands in accordance with authorities made*
12 *available to the Forest Service under the “State and Private*
13 *Forestry” appropriations: Provided further, That notwith-*
14 *standing section 33 of the Bankhead Jones Farm Tenant*
15 *Act (7 U.S.C. 1012), the Secretary of Agriculture, in calcu-*
16 *lating a fee for grazing on a National Grassland, may pro-*
17 *vide a credit of up to 50 percent of the calculated fee to*
18 *a Grazing Association or direct permittee for a conservation*
19 *practice approved by the Secretary in advance of the fiscal*
20 *year in which the cost of the conservation practice is in-*
21 *curred. And, that the amount credited shall remain avail-*
22 *able to the Grazing Association or the direct permittee, as*
23 *appropriate, in the fiscal year in which the credit is made*
24 *and each fiscal year thereafter for use on the project for*
25 *conservation practices approved by the Secretary.*

1 *CAPITAL IMPROVEMENT AND MAINTENANCE*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For necessary expenses of the Forest Service, not other-*
4 *wise provided for, \$455,000,000, to remain available*
5 *through September 30, 2023, for construction, capital im-*
6 *provement, maintenance and acquisition of buildings and*
7 *other facilities and infrastructure; and for construction, re-*
8 *construction, decommissioning of roads that are no longer*
9 *needed, including unauthorized roads that are not part of*
10 *the transportation system, and maintenance of forest roads*
11 *and trails by the Forest Service as authorized by 16 U.S.C.*
12 *532–538 and 23 U.S.C. 101 and 205: Provided, That funds*
13 *becoming available in fiscal year 2020 under the Act of*
14 *March 4, 1913 (16 U.S.C. 501) shall be transferred to the*
15 *General Fund of the Treasury and shall not be available*
16 *for transfer or obligation for any other purpose unless the*
17 *funds are appropriated.*

18 *LAND ACQUISITION*19 *(INCLUDING RESCISSION OF FUNDS)*

20 *For expenses necessary to carry out the provisions of*
21 *chapter 2003 of title 54, United States Code, including ad-*
22 *ministrative expenses, and for acquisition of land or waters,*
23 *or interest therein, in accordance with statutory authority*
24 *applicable to the Forest Service, \$78,898,000, to be derived*

1 *ties, and for authorized expenditures from funds deposited*
2 *by non-Federal parties pursuant to Land Sale and Ex-*
3 *change Acts, pursuant to the Act of December 4, 1967 (16*
4 *U.S.C. 484a), to remain available through September 30,*
5 *2023, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Pub-*
6 *lic Law 76–589, 76–591; and Public Law 78–310).*

7 *RANGE BETTERMENT FUND*

8 *For necessary expenses of range rehabilitation, protec-*
9 *tion, and improvement, 50 percent of all moneys received*
10 *during the prior fiscal year, as fees for grazing domestic*
11 *livestock on lands in National Forests in the 16 Western*
12 *States, pursuant to section 401(b)(1) of Public Law 94–*
13 *579, to remain available through September 30, 2023, of*
14 *which not to exceed 6 percent shall be available for adminis-*
15 *trative expenses associated with on-the-ground range reha-*
16 *bilitation, protection, and improvements.*

17 *GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND*

18 *RANGELAND RESEARCH*

19 *For expenses authorized by 16 U.S.C. 1643(b),*
20 *\$45,000, to remain available through September 30, 2023,*
21 *to be derived from the fund established pursuant to the*
22 *above Act.*

1 *such reimbursements by the Forest Service for non-fire*
2 *emergencies are fully repaid by the responsible emergency*
3 *management agency: Provided further, That funds provided*
4 *shall be available for support to Federal emergency re-*
5 *sponse: Provided further, That the costs of implementing*
6 *any cooperative agreement between the Federal Government*
7 *and any non-Federal entity may be shared, as mutually*
8 *agreed on by the affected parties: Provided further, That*
9 *of the funds provided under this heading, \$1,011,000,000*
10 *shall be available for wildfire suppression operations, and*
11 *is provided to the meet the terms of section*
12 *251(b)(2)(F)(ii)(I) of the Balanced Budget and Emergency*
13 *Deficit Control Act of 1985, as amended.*

14 *WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *In addition to the amounts provided under the heading*
17 *“Department of Agriculture—Forest Service—Wildland*
18 *Fire Management” for wildfire suppression operations,*
19 *\$1,950,000,000, to remain available until transferred, is ad-*
20 *ditional new budget authority as specified for purposes of*
21 *section 251(b)(2)(F) of the Balanced Budget and Emer-*
22 *gency Deficit Control Act of 1985: Provided, That such*
23 *amounts may be transferred to and merged with amounts*
24 *made available under the headings “Department of the Inte-*
25 *rior—Department-Wide Programs—Wildland Fire Man-*

1 agement” and “Department of Agriculture—Forest Serv-
2 ice—Wildland Fire Management” for wildfire suppression
3 operations in the fiscal year in which such amounts are
4 transferred: Provided further, That amounts may be trans-
5 ferred to the “Wildland Fire Management” accounts in the
6 Department of the Interior or the Department of Agri-
7 culture only upon the notification of the House and Senate
8 Committees on Appropriations that all wildfire suppression
9 operations funds appropriated under that heading in this
10 and prior appropriations Acts to the agency to which the
11 funds will be transferred will be obligated within 30 days:
12 Provided further, That the transfer authority provided
13 under this heading is in addition to any other transfer au-
14 thority provided by law.

15 COMMUNICATIONS SITE ADMINISTRATION

16 Amounts collected in this fiscal year pursuant to sec-
17 tion 8705(f)(2) of the Agriculture Improvement Act of 2018
18 (Public Law 115–334), as amended by this Act, shall be
19 deposited in the special account established by section
20 8705(f)(1) of such Act, shall be available to cover the costs
21 described in subsection (c)(3) of such section of such Act,
22 and shall remain available until expended: Provided, That
23 such amounts shall be transferred to the “National Forest
24 System” account.

1 *ADMINISTRATIVE PROVISIONS—FOREST SERVICE*2 *(INCLUDING TRANSFERS OF FUNDS)*

3 *Appropriations to the Forest Service for the current*
4 *fiscal year shall be available for: (1) purchase of passenger*
5 *motor vehicles; acquisition of passenger motor vehicles from*
6 *excess sources, and hire of such vehicles; purchase, lease, op-*
7 *eration, maintenance, and acquisition of aircraft to main-*
8 *tain the operable fleet for use in Forest Service wildland*
9 *fire programs and other Forest Service programs; notwith-*
10 *standing other provisions of law, existing aircraft being re-*
11 *placed may be sold, with proceeds derived or trade-in value*
12 *used to offset the purchase price for the replacement air-*
13 *craft; (2) services pursuant to 7 U.S.C. 2225, and not to*
14 *exceed \$100,000 for employment under 5 U.S.C. 3109; (3)*
15 *purchase, erection, and alteration of buildings and other*
16 *public improvements (7 U.S.C. 2250); (4) acquisition of*
17 *land, waters, and interests therein pursuant to 7 U.S.C.*
18 *428a; (5) for expenses pursuant to the Volunteers in the Na-*
19 *tional Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a*
20 *note); (6) the cost of uniforms as authorized by 5 U.S.C.*
21 *5901–5902; and (7) for debt collection contracts in accord-*
22 *ance with 31 U.S.C. 3718(c).*

23 *Any appropriations or funds available to the Forest*
24 *Service may be transferred to the Wildland Fire Manage-*
25 *ment appropriation for forest firefighting, emergency reha-*

1 *bilitation of burned-over or damaged lands or waters under*
2 *its jurisdiction, and fire preparedness due to severe burning*
3 *conditions upon the Secretary's notification of the House*
4 *and Senate Committees on Appropriations that all fire sup-*
5 *pression funds appropriated under the heading "Wildland*
6 *Fire Management" will be obligated within 30 days: Pro-*
7 *vided, That all funds used pursuant to this paragraph must*
8 *be replenished by a supplemental appropriation which must*
9 *be requested as promptly as possible.*

10 *Not more than \$50,000,000 of funds appropriated to*
11 *the Forest Service shall be available for expenditure or*
12 *transfer to the Department of the Interior for wildland fire*
13 *management, hazardous fuels management, and State fire*
14 *assistance when such transfers would facilitate and expedite*
15 *wildland fire management programs and projects.*

16 *Notwithstanding any other provision of this Act, the*
17 *Forest Service may transfer unobligated balances of discre-*
18 *tionary funds appropriated to the Forest Service by this*
19 *Act to or within the National Forest System Account, or*
20 *reprogram funds to be used for the purposes of hazardous*
21 *fuels management and urgent rehabilitation of burned-over*
22 *National Forest System lands and water, such transferred*
23 *funds shall remain available through September 30, 2023:*
24 *Provided, That none of the funds transferred pursuant to*
25 *this section shall be available for obligation without written*

1 *notification to and the prior approval of the Committees*
2 *on Appropriations of both Houses of Congress: Provided*
3 *further, That this section does not apply to funds derived*
4 *from the Land and Water Conservation Fund.*

5 *Funds appropriated to the Forest Service shall be*
6 *available for assistance to or through the Agency for Inter-*
7 *national Development in connection with forest and range-*
8 *land research, technical information, and assistance in for-*
9 *ign countries, and shall be available to support forestry*
10 *and related natural resource activities outside the United*
11 *States and its territories and possessions, including tech-*
12 *nical assistance, education and training, and cooperation*
13 *with U.S., private, and international organizations. The*
14 *Forest Service, acting for the International Program, may*
15 *sign direct funding agreements with foreign governments*
16 *and institutions as well as other domestic agencies (includ-*
17 *ing the U.S. Agency for International Development, the De-*
18 *partment of State, and the Millennium Challenge Corpora-*
19 *tion), U.S. private sector firms, institutions and organiza-*
20 *tions to provide technical assistance and training programs*
21 *overseas on forestry and rangeland management.*

22 *Funds appropriated to the Forest Service shall be*
23 *available for expenditure or transfer to the Department of*
24 *the Interior, Bureau of Land Management, for removal,*
25 *preparation, and adoption of excess wild horses and burros*

1 *from National Forest System lands, and for the perform-*
2 *ance of cadastral surveys to designate the boundaries of such*
3 *lands.*

4 *None of the funds made available to the Forest Service*
5 *in this Act or any other Act with respect to any fiscal year*
6 *shall be subject to transfer under the provisions of section*
7 *702(b) of the Department of Agriculture Organic Act of*
8 *1944 (7 U.S.C. 2257), section 442 of Public Law 106–224*
9 *(7 U.S.C. 7772), or section 10417(b) of Public Law 107–*
10 *171 (7 U.S.C. 8316(b)).*

11 *Not more than \$82,000,000 of funds available to the*
12 *Forest Service shall be transferred to the Working Capital*
13 *Fund of the Department of Agriculture and not more than*
14 *\$14,500,000 of funds available to the Forest Service shall*
15 *be transferred to the Department of Agriculture for Depart-*
16 *ment Reimbursable Programs, commonly referred to as*
17 *Greenbook charges. Nothing in this paragraph shall pro-*
18 *hibit or limit the use of reimbursable agreements requested*
19 *by the Forest Service in order to obtain information tech-*
20 *nology services, including telecommunications and system*
21 *modifications or enhancements, from the Working Capital*
22 *Fund of the Department of Agriculture.*

23 *Of the funds available to the Forest Service, up to*
24 *\$5,000,000 shall be available for priority projects within*
25 *the scope of the approved budget, which shall be carried out*

1 *by the Youth Conservation Corps and shall be carried out*
2 *under the authority of the Public Lands Corps Act of 1993*
3 *(16 U.S.C. 1721 et seq.).*

4 *Of the funds available to the Forest Service, \$4,000 is*
5 *available to the Chief of the Forest Service for official recep-*
6 *tion and representation expenses.*

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

1 *Pursuant to section 2(b)(2) of Public Law 98-244, up*
2 *to \$3,000,000 of the funds available to the Forest Service*
3 *may be advanced to the National Fish and Wildlife Foun-*
4 *dation in a lump sum to aid cost-share conservation*
5 *projects, without regard to when expenses are incurred, on*
6 *or benefitting National Forest System lands or related to*
7 *Forest Service programs: Provided, That such funds shall*
8 *be matched on at least a one-for-one basis by the Founda-*
9 *tion or its sub-recipients: Provided further, That the Foun-*
10 *dation may transfer Federal funds to a Federal or non-*
11 *Federal recipient for a project at the same rate that the*
12 *recipient has obtained the non-Federal matching funds.*

13 *Funds appropriated to the Forest Service shall be*
14 *available for interactions with and providing technical as-*
15 *sistance to rural communities and natural resource-based*
16 *businesses for sustainable rural development purposes.*

17 *Funds appropriated to the Forest Service shall be*
18 *available for payments to counties within the Columbia*
19 *River Gorge National Scenic Area, pursuant to section*
20 *14(c)(1) and (2), and section 16(a)(2) of Public Law 99-*
21 *663.*

22 *Any funds appropriated to the Forest Service may be*
23 *used to meet the non-Federal share requirement in section*
24 *502(c) of the Older Americans Act of 1965 (42 U.S.C.*
25 *3056(c)(2)).*

1 *The Forest Service shall not assess funds for the pur-*
2 *pose of performing fire, administrative, and other facilities*
3 *maintenance and decommissioning.*

4 *Notwithstanding any other provision of law, of any*
5 *appropriations or funds available to the Forest Service, not*
6 *to exceed \$500,000 may be used to reimburse the Office of*
7 *the General Counsel (OGC), Department of Agriculture, for*
8 *travel and related expenses incurred as a result of OGC as-*
9 *sistance or participation requested by the Forest Service at*
10 *meetings, training sessions, management reviews, land pur-*
11 *chase negotiations and similar matters unrelated to civil*
12 *litigation. Future budget justifications for both the Forest*
13 *Service and the Department of Agriculture should clearly*
14 *display the sums previously transferred and the sums re-*
15 *quested for transfer.*

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

21 *Notwithstanding any other provision of this Act,*
22 *through the Office of Budget and Program Analysis, the*
23 *Forest Service shall report no later than 30 business days*
24 *following the close of each fiscal quarter all current and*
25 *prior year unobligated balances, by fiscal year, budget line*

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

3 *DEPARTMENT OF HEALTH AND HUMAN*
4 *SERVICES*

5 *INDIAN HEALTH SERVICE*

6 *INDIAN HEALTH SERVICES*

7 *For expenses necessary to carry out the Act of August*
8 *5, 1954 (68 Stat. 674), the Indian Self-Determination and*
9 *Education Assistance Act, the Indian Health Care Improve-*
10 *ment Act, and titles II and III of the Public Health Service*
11 *Act with respect to the Indian Health Service,*
12 *\$4,315,205,000 to remain available until September 30,*
13 *2021, except as otherwise provided herein, together with*
14 *payments received during the fiscal year pursuant to sec-*
15 *tions 231(b) and 233 of the Public Health Service Act (42*
16 *U.S.C. 238(b) and 238b), for services furnished by the In-*
17 *dian Health Service: Provided, That funds made available*
18 *to tribes and tribal organizations through contracts, grant*
19 *agreements, or any other agreements or compacts authorized*
20 *by the Indian Self-Determination and Education Assist-*
21 *ance Act of 1975 (25 U.S.C. 450), shall be deemed to be*
22 *obligated at the time of the grant or contract award and*
23 *thereafter shall remain available to the tribe or tribal orga-*
24 *nization without fiscal year limitation: Provided further,*
25 *That \$2,000,000 shall be available for grants or contracts*

1 *with public or private institutions to provide alcohol or*
2 *drug treatment services to Indians, including alcohol de-*
3 *toxification services: Provided further, That \$964,819,000*
4 *for Purchased/Referred Care, including \$53,000,000 for the*
5 *Indian Catastrophic Health Emergency Fund, shall remain*
6 *available until expended: Provided further, That of the*
7 *funds provided, up to \$40,000,000 shall remain available*
8 *until expended for implementation of the loan repayment*
9 *program under section 108 of the Indian Health Care Im-*
10 *provement Act: Provided further, That of the funds pro-*
11 *vided, \$125,000,000 shall remain available until expended*
12 *to supplement funds available for operational costs at tribal*
13 *clinics operated under an Indian Self-Determination and*
14 *Education Assistance Act compact or contract where health*
15 *care is delivered in space acquired through a full service*
16 *lease, which is not eligible for maintenance and improve-*
17 *ment and equipment funds from the Indian Health Service,*
18 *and \$58,000,000 shall be for costs related to or resulting*
19 *from accreditation emergencies, including supplementing*
20 *activities funded under the heading “Indian Health Facili-*
21 *ties,” of which up to \$4,000,000 may be used to supplement*
22 *amounts otherwise available for Purchased/Referred Care:*
23 *Provided further, That the amounts collected by the Federal*
24 *Government as authorized by sections 104 and 108 of the*
25 *Indian Health Care Improvement Act (25 U.S.C. 1613a*

1 and 1616a) during the preceding fiscal year for breach of
2 contracts shall be deposited in the Fund authorized by sec-
3 tion 108A of that Act (25 U.S.C. 1616a-1) and shall re-
4 main available until expended and, notwithstanding section
5 108A(c) of that Act (25 U.S.C. 1616a-1(c)), funds shall be
6 available to make new awards under the loan repayment
7 and scholarship programs under sections 104 and 108 of
8 that Act (25 U.S.C. 1613a and 1616a): Provided further,
9 That the amounts made available within this account for
10 the Substance Abuse and Suicide Prevention Program, for
11 Opioid Prevention, Treatment and Recovery Services, for
12 the Domestic Violence Prevention Program, for the Zero
13 Suicide Initiative, for the housing subsidy authority for ci-
14 vilian employees, for Aftercare Pilot Programs at Youth Re-
15 gional Treatment Centers, for transformation and mod-
16 ernization costs of the Indian Health Service Electronic
17 Health Record system, for national quality and oversight
18 activities, to improve collections from public and private
19 insurance at Indian Health Service and tribally operated
20 facilities, and for accreditation emergencies shall be allo-
21 cated at the discretion of the Director of the Indian Health
22 Service and shall remain available until expended: Pro-
23 vided further, That funds provided in this Act may be used
24 for annual contracts and grants that fall within 2 fiscal
25 years, provided the total obligation is recorded in the year

1 *the funds are appropriated: Provided further, That the*
2 *amounts collected by the Secretary of Health and Human*
3 *Services under the authority of title IV of the Indian Health*
4 *Care Improvement Act (25 U.S.C. 1613) shall remain*
5 *available until expended for the purpose of achieving com-*
6 *pliance with the applicable conditions and requirements of*
7 *titles XVIII and XIX of the Social Security Act, except for*
8 *those related to the planning, design, or construction of new*
9 *facilities: Provided further, That funding contained herein*
10 *for scholarship programs under the Indian Health Care Im-*
11 *provement Act (25 U.S.C. 1613) shall remain available*
12 *until expended: Provided further, That amounts received by*
13 *tribes and tribal organizations under title IV of the Indian*
14 *Health Care Improvement Act shall be reported and ac-*
15 *counted for and available to the receiving tribes and tribal*
16 *organizations until expended: Provided further, That the*
17 *Bureau of Indian Affairs may collect from the Indian*
18 *Health Service, and from tribes and tribal organizations*
19 *operating health facilities pursuant to Public Law 93-638,*
20 *such individually identifiable health information relating*
21 *to disabled children as may be necessary for the purpose*
22 *of carrying out its functions under the Individuals with*
23 *Disabilities Education Act (20 U.S.C. 1400 et seq.): Pro-*
24 *vided further, That of the funds provided, \$72,280,000 is*
25 *for the Indian Health Care Improvement Fund and may*

1 *be used, as needed, to carry out activities typically funded*
2 *under the Indian Health Facilities account: Provided fur-*
3 *ther, That none of the funds appropriated by this Act to*
4 *the Indian Health Service for the Electronic Health Record*
5 *system shall be available for obligation or expenditure for*
6 *the selection or implementation of a new Information Tech-*
7 *nology infrastructure system, unless the Committees on Ap-*
8 *propriations of the House of Representatives and the Senate*
9 *are consulted 90 days in advance of such obligation.*

10 *CONTRACT SUPPORT COSTS*

11 *For payments to tribes and tribal organizations for*
12 *contract support costs associated with Indian Self-Deter-*
13 *mination and Education Assistance Act agreements with*
14 *the Indian Health Service for fiscal year 2020, such sums*
15 *as may be necessary: Provided, That notwithstanding any*
16 *other provision of law, no amounts made available under*
17 *this heading shall be available for transfer to another budget*
18 *account.*

19 *INDIAN HEALTH FACILITIES*

20 *For construction, repair, maintenance, improvement,*
21 *and equipment of health and related auxiliary facilities, in-*
22 *cluding quarters for personnel; preparation of plans, speci-*
23 *fications, and drawings; acquisition of sites, purchase and*
24 *erection of modular buildings, and purchases of trailers;*
25 *and for provision of domestic and community sanitation*

1 *facilities for Indians, as authorized by section 7 of the Act*
2 *of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Deter-*
3 *mination Act, and the Indian Health Care Improvement*
4 *Act, and for expenses necessary to carry out such Acts and*
5 *titles II and III of the Public Health Service Act with re-*
6 *spect to environmental health and facilities support activi-*
7 *ties of the Indian Health Service, \$911,889,000 to remain*
8 *available until expended: Provided, That notwithstanding*
9 *any other provision of law, funds appropriated for the plan-*
10 *ning, design, construction, renovation or expansion of*
11 *health facilities for the benefit of an Indian tribe or tribes*
12 *may be used to purchase land on which such facilities will*
13 *be located: Provided further, That not to exceed \$500,000*
14 *may be used by the Indian Health Service to purchase*
15 *TRANSAM equipment from the Department of Defense for*
16 *distribution to the Indian Health Service and tribal facili-*
17 *ties: Provided further, That none of the funds appropriated*
18 *to the Indian Health Service may be used for sanitation*
19 *facilities construction for new homes funded with grants by*
20 *the housing programs of the United States Department of*
21 *Housing and Urban Development: Provided further, That*
22 *not to exceed \$2,700,000 from this account and the “Indian*
23 *Health Services” account may be used by the Indian Health*
24 *Service to obtain ambulances for the Indian Health Service*
25 *and tribal facilities in conjunction with an existing inter-*

1 *agency agreement between the Indian Health Service and*
2 *the General Services Administration: Provided further,*
3 *That not to exceed \$500,000 may be placed in a Demolition*
4 *Fund, to remain available until expended, and be used by*
5 *the Indian Health Service for the demolition of Federal*
6 *buildings.*

7 *ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE*

8 *Appropriations provided in this Act to the Indian*
9 *Health Service shall be available for services as authorized*
10 *by 5 U.S.C. 3109 at rates not to exceed the per diem rate*
11 *equivalent to the maximum rate payable for senior-level po-*
12 *sitions under 5 U.S.C. 5376; hire of passenger motor vehi-*
13 *cles and aircraft; purchase of medical equipment; purchase*
14 *of reprints; purchase, renovation and erection of modular*
15 *buildings and renovation of existing facilities; payments for*
16 *telephone service in private residences in the field, when au-*
17 *thorized under regulations approved by the Secretary of*
18 *Health and Human Services; uniforms or allowances there-*
19 *for as authorized by 5 U.S.C. 5901–5902; and for expenses*
20 *of attendance at meetings that relate to the functions or ac-*
21 *tivities of the Indian Health Service: Provided, That in ac-*
22 *cordance with the provisions of the Indian Health Care Im-*
23 *provement Act, non-Indian patients may be extended health*
24 *care at all tribally administered or Indian Health Service*
25 *facilities, subject to charges, and the proceeds along with*

1 *funds recovered under the Federal Medical Care Recovery*
2 *Act (42 U.S.C. 2651–2653) shall be credited to the account*
3 *of the facility providing the service and shall be available*
4 *without fiscal year limitation: Provided further, That not-*
5 *withstanding any other law or regulation, funds transferred*
6 *from the Department of Housing and Urban Development*
7 *to the Indian Health Service shall be administered under*
8 *Public Law 86–121, the Indian Sanitation Facilities Act*
9 *and Public Law 93–638: Provided further, That funds ap-*
10 *propriated to the Indian Health Service in this Act, except*
11 *those used for administrative and program direction pur-*
12 *poses, shall not be subject to limitations directed at cur-*
13 *tailing Federal travel and transportation: Provided further,*
14 *That none of the funds made available to the Indian Health*
15 *Service in this Act shall be used for any assessments or*
16 *charges by the Department of Health and Human Services*
17 *unless identified in the budget justification and provided*
18 *in this Act, or approved by the House and Senate Commit-*
19 *tees on Appropriations through the reprogramming process:*
20 *Provided further, That notwithstanding any other provision*
21 *of law, funds previously or herein made available to a tribe*
22 *or tribal organization through a contract, grant, or agree-*
23 *ment authorized by title I or title V of the Indian Self-*
24 *Determination and Education Assistance Act of 1975 (25*
25 *U.S.C. 450 et seq.), may be deobligated and reobligated to*

1 a self-determination contract under title I, or a self-govern-
2 ance agreement under title V of such Act and thereafter
3 shall remain available to the tribe or tribal organization
4 without fiscal year limitation: Provided further, That none
5 of the funds made available to the Indian Health Service
6 in this Act shall be used to implement the final rule pub-
7 lished in the Federal Register on September 16, 1987, by
8 the Department of Health and Human Services, relating
9 to the eligibility for the health care services of the Indian
10 Health Service until the Indian Health Service has sub-
11 mitted a budget request reflecting the increased costs associ-
12 ated with the proposed final rule, and such request has been
13 included in an appropriations Act and enacted into law:
14 Provided further, That with respect to functions transferred
15 by the Indian Health Service to tribes or tribal organiza-
16 tions, the Indian Health Service is authorized to provide
17 goods and services to those entities on a reimbursable basis,
18 including payments in advance with subsequent adjust-
19 ment, and the reimbursements received therefrom, along
20 with the funds received from those entities pursuant to the
21 Indian Self-Determination Act, may be credited to the same
22 or subsequent appropriation account from which the funds
23 were originally derived, with such amounts to remain
24 available until expended: Provided further, That reimburse-
25 ments for training, technical assistance, or services pro-

1 *vided by the Indian Health Service will contain total costs,*
2 *including direct, administrative, and overhead costs associ-*
3 *ated with the provision of goods, services, or technical as-*
4 *sistance: Provided further, That the Indian Health Service*
5 *may provide to civilian medical personnel serving in hos-*
6 *pitals operated by the Indian Health Service housing allow-*
7 *ances equivalent to those that would be provided to members*
8 *of the Commissioned Corps of the United States Public*
9 *Health Service serving in similar positions at such hos-*
10 *pitals: Provided further, That the appropriation structure*
11 *for the Indian Health Service may not be altered without*
12 *advance notification to the House and Senate Committees*
13 *on Appropriations.*

14 *NATIONAL INSTITUTES OF HEALTH*

15 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*

16 *SCIENCES*

17 *For necessary expenses for the National Institute of*
18 *Environmental Health Sciences in carrying out activities*
19 *set forth in section 311(a) of the Comprehensive Environ-*
20 *mental Response, Compensation, and Liability Act of 1980*
21 *(42 U.S.C. 9660(a)) and section 126(g) of the Superfund*
22 *Amendments and Reauthorization Act of 1986,*
23 *\$81,000,000.*

1 *AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY*

2 *TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH*

3 *For necessary expenses for the Agency for Toxic Sub-*
4 *stances and Disease Registry (ATSDR) in carrying out ac-*
5 *tivities set forth in sections 104(i) and 111(c)(4) of the*
6 *Comprehensive Environmental Response, Compensation,*
7 *and Liability Act of 1980 (CERCLA) and section 3019 of*
8 *the Solid Waste Disposal Act, \$76,691,000: Provided, That*
9 *notwithstanding any other provision of law, in lieu of per-*
10 *forming a health assessment under section 104(i)(6) of*
11 *CERCLA, the Administrator of ATSDR may conduct other*
12 *appropriate health studies, evaluations, or activities, in-*
13 *cluding, without limitation, biomedical testing, clinical*
14 *evaluations, medical monitoring, and referral to accredited*
15 *healthcare providers: Provided further, That in performing*
16 *any such health assessment or health study, evaluation, or*
17 *activity, the Administrator of ATSDR shall not be bound*
18 *by the deadlines in section 104(i)(6)(A) of CERCLA: Pro-*
19 *vided further, That none of the funds appropriated under*
20 *this heading shall be available for ATSDR to issue in excess*
21 *of 40 toxicological profiles pursuant to section 104(i) of*
22 *CERCLA during fiscal year 2020, and existing profiles*
23 *may be updated as necessary.*

1 *OTHER RELATED AGENCIES*
2 *EXECUTIVE OFFICE OF THE PRESIDENT*
3 *COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF*
4 *ENVIRONMENTAL QUALITY*

5 *For necessary expenses to continue functions assigned*
6 *to the Council on Environmental Quality and Office of En-*
7 *vironmental Quality pursuant to the National Environ-*
8 *mental Policy Act of 1969, the Environmental Quality Im-*
9 *provement Act of 1970, and Reorganization Plan No. 1 of*
10 *1977, and not to exceed \$750 for official reception and rep-*
11 *resentation expenses, \$2,994,000: Provided, That notwith-*
12 *standing section 202 of the National Environmental Policy*
13 *Act of 1970, the Council shall consist of one member, ap-*
14 *pointed by the President, by and with the advice and con-*
15 *sent of the Senate, serving as chairman and exercising all*
16 *powers, functions, and duties of the Council.*

17 *CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD*
18 *SALARIES AND EXPENSES*

19 *For necessary expenses in carrying out activities pur-*
20 *suant to section 112(r)(6) of the Clean Air Act, including*
21 *hire of passenger vehicles, uniforms or allowances therefor,*
22 *as authorized by 5 U.S.C. 5901–5902, and for services au-*
23 *thorized by 5 U.S.C. 3109 but at rates for individuals not*
24 *to exceed the per diem equivalent to the maximum rate pay-*
25 *able for senior level positions under 5 U.S.C. 5376,*

1 \$12,000,000: *Provided, That the Chemical Safety and Haz-*
2 *ard Investigation Board (Board) shall have not more than*
3 *three career Senior Executive Service positions: Provided*
4 *further, That notwithstanding any other provision of law,*
5 *the individual appointed to the position of Inspector Gen-*
6 *eral of the Environmental Protection Agency (EPA) shall,*
7 *by virtue of such appointment, also hold the position of In-*
8 *spector General of the Board: Provided further, That not-*
9 *withstanding any other provision of law, the Inspector Gen-*
10 *eral of the Board shall utilize personnel of the Office of In-*
11 *spector General of EPA in performing the duties of the In-*
12 *spector General of the Board, and shall not appoint any*
13 *individuals to positions within the Board.*

14 *OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the Office of Navajo and*
17 *Hopi Indian Relocation as authorized by Public Law 93-*
18 *531, \$7,500,000, to remain available until expended: Pro-*
19 *vided, That funds provided in this or any other appropria-*
20 *tions Act are to be used to relocate eligible individuals and*
21 *groups including evictees from District 6, Hopi-partitioned*
22 *lands residents, those in significantly substandard housing,*
23 *and all others certified as eligible and not included in the*
24 *preceding categories: Provided further, That none of the*
25 *funds contained in this or any other Act may be used by*

1 *the Office of Navajo and Hopi Indian Relocation to evict*
2 *any single Navajo or Navajo family who, as of November*
3 *30, 1985, was physically domiciled on the lands partitioned*
4 *to the Hopi Tribe unless a new or replacement home is pro-*
5 *vided for such household: Provided further, That no*
6 *relocatee will be provided with more than one new or re-*
7 *placement home: Provided further, That the Office shall re-*
8 *locate any certified eligible relocatees who have selected and*
9 *received an approved homesite on the Navajo reservation*
10 *or selected a replacement residence off the Navajo reserva-*
11 *tion or on the land acquired pursuant to section 11 of Pub-*
12 *lic Law 93–531 (88 Stat. 1716).*

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

15 *PAYMENT TO THE INSTITUTE*

16 *For payment to the Institute of American Indian and*
17 *Alaska Native Culture and Arts Development, as authorized*
18 *by part A of title XV of Public Law 99–498 (20 U.S.C.*
19 *4411 et seq.), \$10,458,000, which shall become available on*
20 *July 1, 2020, and shall remain available until September*
21 *30, 2021.*

22 *SMITHSONIAN INSTITUTION*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Smithsonian Institution,*
25 *as authorized by law, including research in the fields of art,*

1 *science, and history; development, preservation, and docu-*
2 *mentation of the National Collections; presentation of pub-*
3 *lic exhibits and performances; collection, preparation, dis-*
4 *semination, and exchange of information and publications;*
5 *conduct of education, training, and museum assistance pro-*
6 *grams; maintenance, alteration, operation, lease agreements*
7 *of no more than 30 years, and protection of buildings, fa-*
8 *cilities, and approaches; not to exceed \$100,000 for services*
9 *as authorized by 5 U.S.C. 3109; and purchase, rental, re-*
10 *pair, and cleaning of uniforms for employees, \$793,658,000,*
11 *to remain available until September 30, 2021, except as oth-*
12 *erwise provided herein; of which not to exceed \$6,908,000*
13 *for the instrumentation program, collections acquisition,*
14 *exhibition reinstallation, and the repatriation of skeletal re-*
15 *mains program shall remain available until expended; and*
16 *including such funds as may be necessary to support Amer-*
17 *ican overseas research centers: Provided, That funds appro-*
18 *priated herein are available for advance payments to inde-*
19 *pendent contractors performing research services or partici-*
20 *pating in official Smithsonian presentations: Provided fur-*
21 *ther, That the Smithsonian Institution may expend Federal*
22 *appropriations designated in this Act for lease or rent pay-*
23 *ments, as rent payable to the Smithsonian Institution, and*
24 *such rent payments may be deposited into the general trust*
25 *funds of the Institution to be available as trust funds for*

1 *expenses associated with the purchase of a portion of the*
2 *building at 600 Maryland Avenue, S.W., Washington, D.C.*
3 *to the extent that Federally supported activities will be*
4 *housed there: Provided further, That the use of such*
5 *amounts in the general trust funds of the Institution for*
6 *such purpose shall not be construed as Federal debt service*
7 *for, a Federal guarantee of, a transfer of risk to, or an obli-*
8 *gation of the Federal Government: Provided further, That*
9 *no appropriated funds may be used directly to service debt*
10 *which is incurred to finance the costs of acquiring a portion*
11 *of the building at 600 Maryland Avenue, S.W., Washington,*
12 *D.C., or of planning, designing, and constructing improve-*
13 *ments to such building: Provided further, That any agree-*
14 *ment entered into by the Smithsonian Institution for the*
15 *sale of its ownership interest, or any portion thereof, in such*
16 *building so acquired may not take effect until the expiration*
17 *of a 30 day period which begins on the date on which the*
18 *Secretary submits to the Committees on Appropriations of*
19 *the House of Representatives and Senate, the Committees*
20 *on House Administration and Transportation and Infra-*
21 *structure of the House of Representatives, and the Com-*
22 *mittee on Rules and Administration of the Senate a report,*
23 *as outlined in the explanatory statement described in sec-*
24 *tion 4 (in the matter preceding division A of this consoli-*
25 *dated Act), on the intended sale.*

1 *FACILITIES CAPITAL*

2 *For necessary expenses of repair, revitalization, and*
3 *alteration of facilities owned or occupied by the Smithso-*
4 *nian Institution, by contract or otherwise, as authorized by*
5 *section 2 of the Act of August 22, 1949 (63 Stat. 623), and*
6 *for construction, including necessary personnel,*
7 *\$253,700,000, to remain available until expended, of which*
8 *not to exceed \$10,000 shall be for services as authorized by*
9 *5 U.S.C. 3109.*

10 *NATIONAL GALLERY OF ART*11 *SALARIES AND EXPENSES*

12 *For the upkeep and operations of the National Gallery*
13 *of Art, the protection and care of the works of art therein,*
14 *and administrative expenses incident thereto, as authorized*
15 *by the Act of March 24, 1937 (50 Stat. 51), as amended*
16 *by the public resolution of April 13, 1939 (Public Resolu-*
17 *tion 9, Seventy-sixth Congress), including services as au-*
18 *thorized by 5 U.S.C. 3109; payment in advance when au-*
19 *thorized by the treasurer of the Gallery for membership in*
20 *library, museum, and art associations or societies whose*
21 *publications or services are available to members only, or*
22 *to members at a price lower than to the general public; pur-*
23 *chase, repair, and cleaning of uniforms for guards, and uni-*
24 *forms, or allowances therefor, for other employees as author-*
25 *ized by law (5 U.S.C. 5901–5902); purchase or rental of*

1 *devices and services for protecting buildings and contents*
2 *thereof, and maintenance, alteration, improvement, and re-*
3 *pair of buildings, approaches, and grounds; and purchase*
4 *of services for restoration and repair of works of art for*
5 *the National Gallery of Art by contracts made, without ad-*
6 *vertising, with individuals, firms, or organizations at such*
7 *rates or prices and under such terms and conditions as the*
8 *Gallery may deem proper, \$147,022,000, to remain avail-*
9 *able until September 30, 2021, of which not to exceed*
10 *\$3,660,000 for the special exhibition program shall remain*
11 *available until expended.*

12 *REPAIR, RESTORATION AND RENOVATION OF BUILDINGS*

13 *For necessary expenses of repair, restoration and ren-*
14 *ovation of buildings, grounds and facilities owned or occu-*
15 *ped by the National Gallery of Art, by contract or other-*
16 *wise, for operating lease agreements of no more than 10*
17 *years, with no extensions or renewals beyond the 10 years,*
18 *that address space needs created by the ongoing renovations*
19 *in the Master Facilities Plan, as authorized, \$26,203,000,*
20 *to remain available until expended: Provided, That of this*
21 *amount, \$1,000,000 shall be available for design of an off-*
22 *site art storage facility in partnership with the Smithso-*
23 *nian Institution: Provided further, That contracts awarded*
24 *for environmental systems, protection systems, and exterior*
25 *repair or renovation of buildings of the National Gallery*

1 *of Art may be negotiated with selected contractors and*
2 *awarded on the basis of contractor qualifications as well*
3 *as price.*

4 *JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS*
5 *OPERATIONS AND MAINTENANCE*

6 *For necessary expenses for the operation, maintenance*
7 *and security of the John F. Kennedy Center for the Per-*
8 *forming Arts, \$25,690,000.*

9 *CAPITAL REPAIR AND RESTORATION*

10 *For necessary expenses for capital repair and restora-*
11 *tion of the existing features of the building and site of the*
12 *John F. Kennedy Center for the Performing Arts,*
13 *\$17,800,000, to remain available until expended.*

14 *WOODROW WILSON INTERNATIONAL CENTER FOR*
15 *SCHOLARS*

16 *SALARIES AND EXPENSES*

17 *For expenses necessary in carrying out the provisions*
18 *of the Woodrow Wilson Memorial Act of 1968 (82 Stat.*
19 *1356) including hire of passenger vehicles and services as*
20 *authorized by 5 U.S.C. 3109, \$14,000,000, to remain avail-*
21 *able until September 30, 2021.*

1 *available for obligation only in such amounts as may be*
2 *equal to the total amounts of gifts, bequests, devises of*
3 *money, and other property accepted by the chairman or by*
4 *grantees of the National Endowment for the Humanities*
5 *under the provisions of sections 11(a)(2)(B) and*
6 *11(a)(3)(B) during the current and preceding fiscal years*
7 *for which equal amounts have not previously been appro-*
8 *priated.*

9 *ADMINISTRATIVE PROVISIONS*

10 *None of the funds appropriated to the National Foun-*
11 *ation on the Arts and the Humanities may be used to*
12 *process any grant or contract documents which do not in-*
13 *clude the text of 18 U.S.C. 1913: Provided, That none of*
14 *the funds appropriated to the National Foundation on the*
15 *Arts and the Humanities may be used for official reception*
16 *and representation expenses: Provided further, That funds*
17 *from nonappropriated sources may be used as necessary for*
18 *official reception and representation expenses: Provided fur-*
19 *ther, That the Chairperson of the National Endowment for*
20 *the Arts may approve grants of up to \$10,000, if in the*
21 *aggregate the amount of such grants does not exceed 5 per-*
22 *cent of the sums appropriated for grantmaking purposes per*
23 *year: Provided further, That such small grant actions are*
24 *taken pursuant to the terms of an expressed and direct dele-*

1 *gation of authority from the National Council on the Arts*
2 *to the Chairperson.*

3 *COMMISSION OF FINE ARTS*

4 *SALARIES AND EXPENSES*

5 *For expenses of the Commission of Fine Arts under*
6 *chapter 91 of title 40, United States Code, \$3,240,000: Pro-*
7 *vided, That the Commission is authorized to charge fees to*
8 *cover the full costs of its publications, and such fees shall*
9 *be credited to this account as an offsetting collection, to re-*
10 *main available until expended without further appropria-*
11 *tion: Provided further, That the Commission is authorized*
12 *to accept gifts, including objects, papers, artwork, drawings*
13 *and artifacts, that pertain to the history and design of the*
14 *Nation's Capital or the history and activities of the Com-*
15 *mission of Fine Arts, for the purpose of artistic display,*
16 *study, or education: Provided further, That one-tenth of one*
17 *percent of the funds provided under this heading may be*
18 *used for official reception and representation expenses.*

19 *NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS*

20 *For necessary expenses as authorized by Public Law*
21 *99–190 (20 U.S.C. 956a), \$5,000,000.*

22 *ADVISORY COUNCIL ON HISTORIC PRESERVATION*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Advisory Council on His-*
25 *toric Preservation (Public Law 89–665), \$7,378,000.*

1 *NATIONAL CAPITAL PLANNING COMMISSION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the National Capital Plan-*
4 *ning Commission under chapter 87 of title 40, United*
5 *States Code, including services as authorized by 5 U.S.C.*
6 *3109, \$8,124,000: Provided, That one-quarter of 1 percent*
7 *of the funds provided under this heading may be used for*
8 *official reception and representational expenses associated*
9 *with hosting international visitors engaged in the planning*
10 *and physical development of world capitals.*

11 *UNITED STATES HOLOCAUST MEMORIAL MUSEUM*12 *HOLOCAUST MEMORIAL MUSEUM*

13 *For expenses of the Holocaust Memorial Museum, as*
14 *authorized by Public Law 106–292 (36 U.S.C. 2301–2310),*
15 *\$60,388,000, of which \$715,000 shall remain available until*
16 *September 30, 2022, for the Museum’s equipment replace-*
17 *ment program; and of which \$2,000,000 for the Museum’s*
18 *repair and rehabilitation program and \$1,264,000 for the*
19 *Museum’s outreach initiatives program shall remain avail-*
20 *able until expended.*

21 *PRESIDIO TRUST*

22 *The Presidio Trust is authorized to issue obligations*
23 *to the Secretary of the Treasury pursuant to section*
24 *104(d)(3) of the Omnibus Parks and Public Lands Manage-*

1 *ment Act of 1996 (Public Law 104–333), in an amount*
2 *not to exceed \$10,000,000.*

3 *DWIGHT D. EISENHOWER MEMORIAL COMMISSION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Dwight D. Eisenhower*
6 *Memorial Commission, \$1,800,000, to remain available*
7 *until expended.*

8 *WOMEN’S SUFFRAGE CENTENNIAL COMMISSION*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses for the Women’s Suffrage Cen-*
11 *tennial Commission, as authorized by the Women’s Suffrage*
12 *Centennial Commission Act (section 431(a)(3) of division*
13 *G of Public Law 115–31), \$1,000,000, to remain available*
14 *until expended.*

15 *WORLD WAR I CENTENNIAL COMMISSION*

16 *SALARIES AND EXPENSES*

17 *Notwithstanding section 9 of the World War I Centen-*
18 *nial Commission Act, as authorized by the World War I*
19 *Centennial Commission Act (Public Law 112–272) and the*
20 *Carl Levin and Howard P. “Buck” McKeon National De-*
21 *fense Authorization Act for Fiscal Year 2015 (Public Law*
22 *113–291), for necessary expenses of the World War I Cen-*
23 *tennial Commission, \$7,000,000, to remain available until*
24 *September 30, 2021: Provided, That in addition to the au-*
25 *thority provided by section 6(g) of such Act, the World War*

1 *I Commission may accept money, in-kind personnel serv-*
2 *ices, contractual support, or any appropriate support from*
3 *any executive branch agency for activities of the Commis-*
4 *sion.*

5 *ALYCE SPOTTED BEAR AND WALTER SOBOLEFF*

6 *COMMISSION ON NATIVE CHILDREN*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For necessary expenses of the Alyce Spotted Bear and*
9 *Walter Soboleff Commission on Native Children (referred*
10 *to in this paragraph as the “Commission”), \$500,000, to*
11 *remain available until September 30, 2021: Provided, That*
12 *amounts made available to the Commission under the head-*
13 *ing “Department of the Interior—Departmental Oper-*
14 *ations—Office of the Secretary—Departmental Operations”*
15 *in division E of the Consolidated Appropriations Act, 2019*
16 *(Public Law 116–6) may be transferred to or merged with*
17 *such amounts: Provided further, That in addition to the*
18 *authority provided by section 3(g)(5) and 3(h) of Public*
19 *Law 114–244, the Commission may hereafter accept in-*
20 *kind personnel services, contractual support, or any appro-*
21 *priate support from any executive branch agency for activi-*
22 *ties of the Commission.*

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TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

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

OBLIGATION OF APPROPRIATIONS

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

DISCLOSURE OF ADMINISTRATIVE EXPENSES

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

1 *mates shall be presented to the Committees on Appropria-*
2 *tions 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 proc-*
7 *ess applications for a patent for any mining or mill site*
8 *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 require-*
13 *ments established under sections 2325 and 2326 of the Re-*
14 *vised Statutes (30 U.S.C. 29 and 30) for vein or lode*
15 *claims, sections 2329, 2330, 2331, and 2333 of the Revised*
16 *Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and*
17 *section 2337 of the Revised Statutes (30 U.S.C. 42) for mill*
18 *site claims, as the case may be, were fully complied with*
19 *by the applicant by that date.*

20 *(c) REPORT.—On September 30, 2021, 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 Related*
2 *Agencies Appropriations Act, 1997 (Public Law 104–208).*

3 (d) *MINERAL EXAMINATIONS.*—*In order to process*
4 *patent applications in a timely and responsible manner,*
5 *upon the request of a patent applicant, the Secretary of the*
6 *Interior shall allow the applicant to fund a qualified third-*
7 *party contractor to be selected by the Director of the Bureau*
8 *of Land Management to conduct a mineral examination of*
9 *the mining claims or mill sites contained in a patent appli-*
10 *cation as set forth in subsection (b). The Bureau of Land*
11 *Management shall have the sole responsibility to choose and*
12 *pay the third-party contractor in accordance with the*
13 *standard procedures employed by the Bureau of Land Man-*
14 *agement in the retention of third-party contractors.*

15 *CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION*

16 *SEC. 405. Sections 405 and 406 of division F of the*
17 *Consolidated and Further Continuing Appropriations Act,*
18 *2015 (Public Law 113–235) shall continue in effect in fiscal*
19 *year 2020.*

20 *CONTRACT SUPPORT COSTS, FISCAL YEAR 2020 LIMITATION*

21 *SEC. 406. Amounts provided by this Act for fiscal year*
22 *2020 under the headings “Department of Health and*
23 *Human Services, Indian Health Service, Contract Support*
24 *Costs” and “Department of the Interior, Bureau of Indian*
25 *Affairs and Bureau of Indian Education, Contract Support*

1 *Costs” are the only amounts available for contract support*
2 *costs arising out of self-determination or self-governance*
3 *contracts, grants, compacts, or annual funding agreements*
4 *for fiscal year 2020 with the Bureau of Indian Affairs, Bu-*
5 *reau of Indian Education, and the Indian Health Service:*
6 *Provided, That such amounts provided by this Act are not*
7 *available for payment of claims for contract support costs*
8 *for prior years, or for repayments of payments for settle-*
9 *ments or judgments awarding contract support costs for*
10 *prior years.*

11 *FOREST MANAGEMENT PLANS*

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

1 *jurisdiction may order completion of the plan on an acceler-*
2 *ated basis.*

3 *PROHIBITION WITHIN NATIONAL MONUMENTS*

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

13 *LIMITATION ON TAKINGS*

14 *SEC. 409. Unless otherwise provided herein, no funds*
15 *appropriated in this Act for the acquisition of lands or in-*
16 *terests in lands may be expended for the filing of declara-*
17 *tions of taking or complaints in condemnation without the*
18 *approval of the House and Senate Committees on Appro-*
19 *priations: Provided, That this provision shall not apply to*
20 *funds appropriated to implement the Everglades National*
21 *Park Protection and Expansion Act of 1989, or to funds*
22 *appropriated for Federal assistance to the State of Florida*
23 *to acquire lands for Everglades restoration purposes.*

1 *PROHIBITION ON NO-BID CONTRACTS*

2 *SEC. 410. None of the funds appropriated or otherwise*
3 *made available by this Act to executive branch agencies may*
4 *be used to enter into any Federal contract unless such con-*
5 *tract is entered into in accordance with the requirements*
6 *of Chapter 33 of title 41, United States Code, or Chapter*
7 *137 of title 10, United States Code, and the Federal Acqui-*
8 *sition Regulation, unless—*

9 (1) *Federal law specifically authorizes a contract*
10 *to be entered into without regard for these require-*
11 *ments, including formula grants for States, or feder-*
12 *ally recognized Indian tribes;*

13 (2) *such contract is authorized by the Indian*
14 *Self-Determination and Education Assistance Act*
15 *(Public Law 93–638, 25 U.S.C. 450 et seq.) or by any*
16 *other Federal laws that specifically authorize a con-*
17 *tract within an Indian tribe as defined in section*
18 *4(e) of that Act (25 U.S.C. 450b(e)); or*

19 (3) *such contract was awarded prior to the date*
20 *of enactment of this Act.*

21 *POSTING OF REPORTS*

22 *SEC. 411. (a) Any agency receiving funds made avail-*
23 *able in this Act, shall, subject to subsections (b) and (c),*
24 *post on the public website of that agency any report re-*
25 *quired to be submitted by the Congress in this or any other*

1 *Act, upon the determination by the head of the agency that*
2 *it shall serve the national interest.*

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

4 *(1) the public posting of the report compromises*
5 *national security; or*

6 *(2) the report contains proprietary information.*

7 *(c) The head of the agency posting such report shall*
8 *do so only after such report has been made available to the*
9 *requesting Committee or Committees of Congress for no less*
10 *than 45 days.*

11 *NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES*

12 *SEC. 412. Of the funds provided to the National En-*
13 *dowment for the Arts—*

14 *(1) The Chairperson shall only award a grant to*
15 *an individual if such grant is awarded to such indi-*
16 *vidual for a literature fellowship, National Heritage*
17 *Fellowship, or American Jazz Masters Fellowship.*

18 *(2) The Chairperson shall establish procedures to*
19 *ensure that no funding provided through a grant, ex-*
20 *cept a grant made to a State or local arts agency, or*
21 *regional group, may be used to make a grant to any*
22 *other organization or individual to conduct activity*
23 *independent of the direct grant recipient. Nothing in*
24 *this subsection shall prohibit payments made in ex-*
25 *change for goods and services.*

1 *Act (42 U.S.C. 9902(2))) applicable to a family of the*
2 *size involved.*

3 *(c) In providing services and awarding financial as-*
4 *sistance under the National Foundation on the Arts and*
5 *Humanities Act of 1965 with funds appropriated by this*
6 *Act, the Chairperson of the National Endowment for the*
7 *Arts shall ensure that priority is given to providing services*
8 *or awarding financial assistance for projects, productions,*
9 *workshops, or programs that will encourage public knowl-*
10 *edge, education, understanding, and appreciation of the*
11 *arts.*

12 *(d) With funds appropriated by this Act to carry out*
13 *section 5 of the National Foundation on the Arts and Hu-*
14 *manities Act of 1965—*

15 *(1) the Chairperson shall establish a grant cat-*
16 *egory for projects, productions, workshops, or pro-*
17 *grams that are of national impact or availability or*
18 *are able to tour several States;*

19 *(2) the Chairperson shall not make grants ex-*
20 *ceeding 15 percent, in the aggregate, of such funds to*
21 *any single State, excluding grants made under the*
22 *authority of paragraph (1);*

23 *(3) the Chairperson shall report to the Congress*
24 *annually and by State, on grants awarded by the*

1 *Chairperson in each grant category under section 5 of*
2 *such Act; and*

3 *(4) the Chairperson shall encourage the use of*
4 *grants to improve and support community-based*
5 *music performance and education.*

6 *STATUS OF BALANCES OF APPROPRIATIONS*

7 *SEC. 414. The Department of the Interior, the Envi-*
8 *ronmental Protection Agency, the Forest Service, and the*
9 *Indian Health Service shall provide the Committees on Ap-*
10 *propriations of the House of Representatives and Senate*
11 *quarterly reports on the status of balances of appropriations*
12 *including all uncommitted, committed, and unobligated*
13 *funds in each program and activity within 60 days of en-*
14 *actment of this Act.*

15 *ALYCE SPOTTED BEAR AND WALTER SOBOLEFF*

16 *COMMISSION ON NATIVE CHILDREN*

17 *SEC. 415. Section 3(a) of the Alyce Spotted Bear and*
18 *Walter Soboleff Commission on Native Children Act (Public*
19 *Law 114–244) is amended by striking “in the Office of*
20 *Tribal Justice of the Department of Justice.”.*

21 *FOREST SERVICE COMMUNICATIONS SITE ADMINISTRATION*

22 *SEC. 416. Subsection (f) of section 8705 of the Agri-*
23 *culture Improvement Act of 2018 (Public Law 115–334) is*
24 *amended by striking paragraph (2) and inserting the fol-*
25 *lowing:*

1 “(2) *REQUIREMENTS FOR FEES COLLECTED.*—
2 *Fees collected by the Forest Service under subsection*
3 *(c)(3) shall be—*

4 “(A) *collected only to the extent provided in*
5 *advance in appropriations Acts;*

6 “(B) *based on the costs described in sub-*
7 *section (c)(3); and*

8 “(C) *competitively neutral, technology neu-*
9 *tral, and nondiscriminatory with respect to other*
10 *users of the communications site.”.*

11 *EXTENSION OF GRAZING PERMITS*

12 *SEC. 417. The terms and conditions of section 325 of*
13 *Public Law 108–108 (117 Stat. 1307), regarding grazing*
14 *permits issued by the Forest Service on any lands not sub-*
15 *ject to administration under section 402 of the Federal*
16 *Lands Policy and Management Act (43 U.S.C. 1752), shall*
17 *remain in effect for fiscal year 2020.*

18 *FUNDING PROHIBITION*

19 *SEC. 418. (a) None of the funds made available in this*
20 *Act may be used to maintain or establish a computer net-*
21 *work unless such network is designed to block access to por-*
22 *nography websites.*

23 *(b) Nothing in subsection (a) shall limit the use of*
24 *funds necessary for any Federal, State, tribal, or local law*

1 *enforcement agency or any other entity carrying out crimi-*
2 *nal investigations, prosecution, or adjudication activities.*

3 *HUMANE TRANSFER AND TREATMENT OF ANIMALS*

4 *SEC. 419. (a) Notwithstanding any other provision of*
5 *law, the Secretary of the Interior, with respect to land ad-*
6 *ministered by the Bureau of Land Management, or the Sec-*
7 *retary of Agriculture, with respect to land administered by*
8 *the Forest Service (referred to in this section as the “Sec-*
9 *retary concerned”), may transfer excess wild horses and*
10 *burros that have been removed from land administered by*
11 *the Secretary concerned to other Federal, State, and local*
12 *government agencies for use as work animals.*

13 *(b) The Secretary concerned may make a transfer*
14 *under subsection (a) immediately on the request of a Fed-*
15 *eral, State, or local government agency.*

16 *(c) An excess wild horse or burro transferred under*
17 *subsection (a) shall lose status as a wild free-roaming horse*
18 *or burro (as defined in section 2 of Public Law 92–195*
19 *(commonly known as the “Wild Free-Roaming Horses and*
20 *Burros Act”) (16 U.S.C. 1332)).*

21 *(d) A Federal, State, or local government agency re-*
22 *ceiving an excess wild horse or burro pursuant to subsection*
23 *(a) shall not—*

1 (1) *destroy the horse or burro in a manner that*
2 *results in the destruction of the horse or burro into a*
3 *commercial product;*

4 (2) *sell or otherwise transfer the horse or burro*
5 *in a manner that results in the destruction of the*
6 *horse or burro for processing into a commercial prod-*
7 *uct; or*

8 (3) *ethanize the horse or burro, except on the*
9 *recommendation of a licensed veterinarian in a case*
10 *of severe injury, illness, or advanced age.*

11 (e) *Amounts appropriated by this Act shall not be*
12 *available for—*

13 (1) *the destruction of any healthy, unadopted,*
14 *and wild horse or burro under the jurisdiction of the*
15 *Secretary concerned (including a contractor); or*

16 (2) *the sale of a wild horse or burro that results*
17 *in the destruction of the wild horse or burro for proc-*
18 *essing into a commercial product.*

19 *FOREST SERVICE FACILITY REALIGNMENT AND*
20 *ENHANCEMENT AUTHORIZATION EXTENSION*

21 *SEC. 420. Section 503(f) of Public Law 109–54 (16*
22 *U.S.C. 580d note) shall be applied by substituting “Sep-*
23 *tember 30, 2020” for “September 30, 2019”.*

1 *USE OF AMERICAN IRON AND STEEL*

2 *SEC. 421. (a)(1) None of the funds made available by*
3 *a State water pollution control revolving fund as authorized*
4 *by section 1452 of the Safe Drinking Water Act (42 U.S.C.*
5 *300j-12) shall be used for a project for the construction,*
6 *alteration, maintenance, or repair of a public water system*
7 *or treatment works unless all of the iron and steel products*
8 *used in the project are produced in the United States.*

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

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

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

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

1 *JOHN F. KENNEDY CENTER REAUTHORIZATION*

2 *SEC. 423. Section 13 of the John F. Kennedy Center*
3 *Act (20 U.S.C. 76r) is amended by striking subsections (a)*
4 *and (b) and inserting the following:*

5 *“(a) MAINTENANCE, REPAIR, AND SECURITY.—There*
6 *is authorized to be appropriated to the Board to carry out*
7 *section 4(a)(1)(H), \$25,690,000 for fiscal year 2020.*

8 *“(b) CAPITAL PROJECTS.—There is authorized to be*
9 *appropriated to the Board to carry out subparagraphs (F)*
10 *and (G) of section 4(a)(1), \$17,800,000 for fiscal year*
11 *2020.”.*

12 *LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-*
13 *FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR*
14 *WILDFIRES*

15 *SEC. 424. The Secretary of the Interior is authorized*
16 *to enter into grants and cooperative agreements with volun-*
17 *teer fire departments, rural fire departments, rangeland fire*
18 *protection associations, and similar organizations to pro-*
19 *vide for wildland fire training and equipment, including*
20 *supplies and communication devices. Notwithstanding*
21 *121(c) of title 40, United States Code, or section 521 of title*
22 *40, United States Code, the Secretary is further authorized*
23 *to transfer title to excess Department of the Interior fire-*
24 *fighting equipment no longer needed to carry out the func-*

1 *tions of the Department's wildland fire management pro-*
2 *gram to such organizations.*

3 *RECREATION FEES*

4 *SEC. 425. Section 810 of the Federal Lands Recreation*
5 *Enhancement Act (16 U.S.C. 6809) shall be applied by sub-*
6 *stituting "October 1, 2021" for "September 30, 2019".*

7 *REPROGRAMMING GUIDELINES*

8 *SEC. 426. None of the funds made available in this*
9 *Act, in this and prior fiscal years, may be reprogrammed*
10 *without the advance approval of the House and Senate*
11 *Committees on Appropriations in accordance with the re-*
12 *programming procedures contained in the explanatory*
13 *statement described in section 4 (in the matter preceding*
14 *division A of this consolidated Act).*

15 *PROJECT INFORMATION*

16 *SEC. 427. (a) Within 60 days of the submission of the*
17 *fiscal year 2021 budget or by April 1, 2020, whichever*
18 *comes first, the Secretary of the Interior and the Secretary*
19 *of Agriculture shall submit to the Committees on Appro-*
20 *priations of the House of Representatives and the Senate*
21 *prioritized and detailed lists of Federal land acquisition*
22 *projects, and Forest Legacy projects, that have been identi-*
23 *fied by each land management Agency.*

24 *(b) The Federal land acquisition project lists required*
25 *by each Agency in subsection (a) shall include individual*

1 *projects for the National Park Service, the U.S. Fish and*
2 *Wildlife Service, the Bureau of Land Management, and the*
3 *U.S. Forest Service, and shall total for each agency no less*
4 *than 150 percent of the amount enacted for that agency for*
5 *the previous fiscal year.*

6 *LOCAL CONTRACTORS*

7 *SEC. 428. Section 412 of Division E of Public Law*
8 *112–74 shall be applied by substituting “fiscal year 2020”*
9 *for “fiscal year 2019”.*

10 *SHASTA-TRINITY MARINA FEE AUTHORITY AUTHORIZATION*

11 *EXTENSION*

12 *SEC. 429. Section 422 of division F of Public Law*
13 *110–161 (121 Stat 1844), as amended, shall be applied by*
14 *substituting “fiscal year 2020” for “fiscal year 2019”.*

15 *INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION*

16 *SEC. 430. Section 426 of division G of Public Law*
17 *113–76 (16 U.S.C. 565a–1 note) shall be applied by sub-*
18 *stituting “September 30, 2020” for “September 30, 2019”.*

19 *PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION*

20 *SEC. 431. The authority provided by the 19th unnum-*
21 *bered paragraph under heading “Administrative Provi-*
22 *sions, Forest Service” in title III of Public Law 109–54,*
23 *as amended, shall be applied by substituting “fiscal year*
24 *2020” for “fiscal year 2019”.*

1 FOREST BOTANICAL PRODUCTS FEE COLLECTION

2 AUTHORIZATION EXTENSION

3 SEC. 432. *Section 339 of the Department of the Inte-*
4 *rior and Related Agencies Appropriations Act, 2000 (as en-*
5 *acted into law by Public Law 106–113; 16 U.S.C. 528*
6 *note), as amended by section 335(6) of Public Law 108–*
7 *108 and section 432 of Public Law 113–76, shall be applied*
8 *by substituting “fiscal year 2020” for “fiscal year 2019”.*

9 ALASKA NATIVE REGIONAL HEALTH ENTITIES

10 AUTHORIZATION EXTENSION

11 SEC. 433. *Section 424(a) of the Consolidated Appro-*
12 *priations Act, 2014 (Public Law 113–76), as amended by*
13 *section 428 of the Consolidated Appropriations Act, 2018*
14 *(Public Law 115–141), shall be applied by substituting*
15 *“October 1, 2020” for “October 1, 2019”.*

16 CHESAPEAKE BAY INITIATIVE

17 SEC. 434. *Section 502(c) of the Chesapeake Bay Initia-*
18 *tive Act of 1998 (Public Law 105–312; 54 U.S.C. 320101*
19 *note) shall be applied by substituting “fiscal year 2020”*
20 *for “fiscal year 2019”.*

21 FOREST SERVICE BUDGET RESTRUCTURE

22 SEC. 435. *(a) The Secretary of Agriculture shall estab-*
23 *lish the “Forest Service Operations” account not later than*
24 *October 1, 2020, for the necessary expenses of the Forest*
25 *Service: (1) for the base salary and expenses of employees*

1 *in the Chief's Office, the Work Environment and Perform-*
2 *ance Office, the Business Operations Deputy Area, and the*
3 *Chief Financial Officer's Office to carry out administrative*
4 *and general management support functions; (2) for the costs*
5 *of facility maintenance, repairs, and leases for buildings*
6 *and sites; (3) for the costs of utility and communication*
7 *expenses, business services, and information technology, in-*
8 *cluding cybersecurity requirements; and (4) for such other*
9 *administrative support function expenses necessary for the*
10 *operation of the Forest Service.*

11 *(b) Subsequent to the establishment of the account*
12 *under subsection (a), the Secretary of Agriculture may exe-*
13 *cute appropriations of the Department for fiscal year 2021*
14 *as provided pursuant to such subsection, including any con-*
15 *tinuing appropriations made available for fiscal year 2021*
16 *before enactment of a regular appropriations Act.*

17 *(c) Notwithstanding any other provision of law, the*
18 *Secretary of Agriculture may transfer any unobligated bal-*
19 *ances made available to the Forest Service by this or prior*
20 *appropriations Acts to the account established under sub-*
21 *section (a) to carry out such subsection, and shall notify*
22 *the Committees on Appropriations of the Senate and the*
23 *House of Representatives within 5 days of such transfer:*
24 *Provided, That no amounts may be transferred from*
25 *amounts that were made available for wildfire suppression*

1 *operations pursuant to section 251(b)(2)(F) of the Balanced*
2 *Budget and Emergency Deficit Control Act of 1985.*

3 *(d)(1) Not later than November 1, 2020, the Secretary*
4 *of Agriculture shall establish the preliminary baseline for*
5 *application of transfer authorities and submit the report*
6 *specified in paragraph (2) to the Committees on Appropria-*
7 *tions for the Senate and the House of Representatives.*

8 *(2) The report required in this subsection shall*
9 *include—*

10 *(A) a delineation of the amount and ac-*
11 *count of each transfer made pursuant to sub-*
12 *section (b) or (c);*

13 *(B) a table for each appropriation with a*
14 *separate column to display the fiscal year 2020*
15 *enacted levels, adjustments made by Congress,*
16 *adjustments due to enacted rescissions, if appro-*
17 *priate, and adjustments made pursuant to the*
18 *transfer authority in subsection (b) or (c), and*
19 *the resulting fiscal year level;*

20 *(C) a delineation in the table for each ap-*
21 *propriation, adjusted as described in paragraph*
22 *(2), both by budget activity and program,*
23 *project, and activity as detailed in the Budget*
24 *Appendix; and*

1 (D) an identification of funds directed for a
2 specific activity.

3 TIMBER SALE REQUIREMENTS

4 SEC. 436. No timber sale in Alaska's Region 10 shall
5 be advertised if the indicated rate is deficit (defined as the
6 value of the timber is not sufficient to cover all logging and
7 stumpage costs and provide a normal profit and risk allow-
8 ance under the Forest Service's appraisal process) when ap-
9 praised using a residual value appraisal. The western red
10 cedar timber from those sales which is surplus to the needs
11 of the domestic processors in Alaska, shall be made available
12 to domestic processors in the contiguous 48 United States
13 at prevailing domestic prices. All additional western red
14 cedar volume not sold to Alaska or contiguous 48 United
15 States domestic processors may be exported to foreign mar-
16 kets at the election of the timber sale holder. All Alaska yel-
17 low cedar may be sold at prevailing export prices at the
18 election of the timber sale holder.

19 PROHIBITION ON USE OF FUNDS

20 SEC. 437. Notwithstanding any other provision of law,
21 none of the funds made available in this Act or any other
22 Act may be used to promulgate or implement any regula-
23 tion requiring the issuance of permits under title V of the
24 Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide,
25 nitrous oxide, water vapor, or methane emissions resulting

1 *from biological processes associated with livestock produc-*
2 *tion.*

3 *GREENHOUSE GAS REPORTING RESTRICTIONS*

4 *SEC. 438. Notwithstanding any other provision of law,*
5 *none of the funds made available in this or any other Act*
6 *may be used to implement any provision in a rule, if that*
7 *provision requires mandatory reporting of greenhouse gas*
8 *emissions from manure management systems.*

9 *FUNDING PROHIBITION*

10 *SEC. 439. None of the funds made available by this*
11 *or any other Act may be used to regulate the lead content*
12 *of ammunition, ammunition components, or fishing tackle*
13 *under the Toxic Substances Control Act (15 U.S.C. 2601*
14 *et seq.) or any other law.*

15 *POLICIES RELATING TO BIOMASS ENERGY*

16 *SEC. 440. To support the key role that forests in the*
17 *United States can play in addressing the energy needs of*
18 *the United States, the Secretary of Energy, the Secretary*
19 *of Agriculture, and the Administrator of the Environmental*
20 *Protection Agency shall, consistent with their missions,*
21 *jointly—*

22 *(1) ensure that Federal policy relating to forest*
23 *bioenergy—*

24 *(A) is consistent across all Federal depart-*
25 *ments and agencies; and*

1 (B) recognizes the full benefits of the use of
2 forest biomass for energy, conservation, and re-
3 sponsible forest management; and

4 (2) establish clear and simple policies for the use
5 of forest biomass as an energy solution, including
6 policies that—

7 (A) reflect the carbon-neutrality of forest
8 bioenergy and recognize biomass as a renewable
9 energy source, provided the use of forest biomass
10 for energy production does not cause conversion
11 of forests to non-forest use;

12 (B) encourage private investment through-
13 out the forest biomass supply chain, including
14 in—

15 (i) working forests;

16 (ii) harvesting operations;

17 (iii) forest improvement operations;

18 (iv) forest bioenergy production;

19 (v) wood products manufacturing; or

20 (vi) paper manufacturing;

21 (C) encourage forest management to im-
22 prove forest health; and

23 (D) recognize State initiatives to produce
24 and use forest biomass.

1 *and designated as the “David R. Obey Northern Great*
 2 *Lakes Visitor Center”.*

3 (b) *REFERENCES.—Any reference in a law, map, regu-*
 4 *lation, document, paper, or other record of the United*
 5 *States to the facility referred to in subsection (a) shall be*
 6 *deemed to be a reference to the “David R. Obey Northern*
 7 *Great Lakes Visitor Center”.*

8 *This division may be cited as the “Department of the*
 9 *Interior, Environment, and Related Agencies Appropria-*
 10 *tions Act, 2020”.*

11 ***DIVISION E—LEGISLATIVE BRANCH***

12 ***APPROPRIATIONS ACT, 2020***

13 *TITLE I*

14 *LEGISLATIVE BRANCH*

15 *SENATE*

16 *EXPENSE ALLOWANCES*

17 *For expense allowances of the Vice President, \$18,760;*
 18 *the President Pro Tempore of the Senate, \$37,520; Majority*
 19 *Leader of the Senate, \$39,920; Minority Leader of the Sen-*
 20 *ate, \$39,920; Majority Whip of the Senate, \$9,980; Minority*
 21 *Whip of the Senate, \$9,980; President Pro Tempore Emer-*
 22 *itus, \$15,000; Chairmen of the Majority and Minority Con-*
 23 *ference Committees, \$4,690 for each Chairman; and Chair-*
 24 *men of the Majority and Minority Policy Committees,*
 25 *\$4,690 for each Chairman; in all, \$189,840.*

1 *For representation allowances of the Majority and Mi-*
2 *nority Leaders of the Senate, \$14,070 for each such Leader;*
3 *in all, \$28,140.*

4 *SALARIES, OFFICERS AND EMPLOYEES*

5 *For compensation of officers, employees, and others as*
6 *authorized by law, including agency contributions,*
7 *\$216,321,170, which shall be paid from this appropriation*
8 *as follows:*

9 *OFFICE OF THE VICE PRESIDENT*

10 *For the Office of the Vice President, \$2,533,000.*

11 *OFFICE OF THE PRESIDENT PRO TEMPORE*

12 *For the Office of the President Pro Tempore, \$759,000.*

13 *OFFICE OF THE PRESIDENT PRO TEMPORE EMERITUS*

14 *For the Office of the President Pro Tempore Emeritus,*
15 *\$326,000.*

16 *OFFICES OF THE MAJORITY AND MINORITY LEADERS*

17 *For Offices of the Majority and Minority Leaders,*
18 *\$5,506,000.*

19 *OFFICES OF THE MAJORITY AND MINORITY WHIPS*

20 *For Offices of the Majority and Minority Whips,*
21 *\$3,525,000.*

22 *COMMITTEE ON APPROPRIATIONS*

23 *For salaries of the Committee on Appropriations,*
24 *\$15,793,000.*

1 CONFERENCE COMMITTEES

2 *For the Conference of the Majority and the Conference*
3 *of the Minority, at rates of compensation to be fixed by the*
4 *Chairman of each such committee, \$1,738,000 for each such*
5 *committee; in all, \$3,476,000.*

6 OFFICES OF THE SECRETARIES OF THE CONFERENCE OF
7 THE MAJORITY AND THE CONFERENCE OF THE MINORITY

8 *For Offices of the Secretaries of the Conference of the*
9 *Majority and the Conference of the Minority, \$862,000.*

10 POLICY COMMITTEES

11 *For salaries of the Majority Policy Committee and the*
12 *Minority Policy Committee, \$1,776,000 for each such com-*
13 *mittee; in all, \$3,552,000.*

14 OFFICE OF THE CHAPLAIN

15 *For Office of the Chaplain, \$510,000.*

16 OFFICE OF THE SECRETARY

17 *For Office of the Secretary, \$26,818,000.*

18 OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

19 *For Office of the Sergeant at Arms and Doorkeeper,*
20 *\$85,867,000.*

21 OFFICES OF THE SECRETARIES FOR THE MAJORITY AND

22 MINORITY

23 *For Offices of the Secretary for the Majority and the*
24 *Secretary for the Minority, \$1,940,000.*

1 *AGENCY CONTRIBUTIONS AND RELATED EXPENSES*

2 *For agency contributions for employee benefits, as au-*
3 *thorized by law, and related expenses, \$64,854,170.*

4 *OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE*

5 *For salaries and expenses of the Office of the Legisla-*
6 *tive Counsel of the Senate, \$6,397,000.*

7 *OFFICE OF SENATE LEGAL COUNSEL*

8 *For salaries and expenses of the Office of Senate Legal*
9 *Counsel, \$1,197,000.*

10 *EXPENSE ALLOWANCES OF THE SECRETARY OF THE SEN-*

11 *ATE, SERGEANT AT ARMS AND DOORKEEPER OF THE*

12 *SENATE, AND SECRETARIES FOR THE MAJORITY AND*

13 *MINORITY OF THE SENATE*

14 *For expense allowances of the Secretary of the Senate,*

15 *\$7,110; Sergeant at Arms and Doorkeeper of the Senate,*

16 *\$7,110; Secretary for the Majority of the Senate, \$7,110;*

17 *Secretary for the Minority of the Senate, \$7,110; in all,*

18 *\$28,440.*

19 *CONTINGENT EXPENSES OF THE SENATE*

20 *INQUIRIES AND INVESTIGATIONS*

21 *For expenses of inquiries and investigations ordered*

22 *by the Senate, or conducted under paragraph 1 of rule*

23 *XXVI of the Standing Rules of the Senate, section 112 of*

24 *the Supplemental Appropriations and Rescission Act, 1980*

25 *(Public Law 96-304), and Senate Resolution 281, 96th*

1 *Congress, agreed to March 11, 1980, \$133,265,000, of which*
2 *\$26,650,000 shall remain available until September 30,*
3 *2022.*

4 *U.S. SENATE CAUCUS ON INTERNATIONAL NARCOTICS*
5 *CONTROL*

6 *For expenses of the United States Senate Caucus on*
7 *International Narcotics Control, \$508,000.*

8 *SECRETARY OF THE SENATE*

9 *For expenses of the Office of the Secretary of the Sen-*
10 *ate, \$14,536,000 of which \$11,436,000 shall remain avail-*
11 *able until September 30, 2024 and of which \$3,100,000*
12 *shall remain available until expended.*

13 *SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE*

14 *For expenses of the Office of the Sergeant at Arms and*
15 *Doorkeeper of the Senate, \$128,753,000, which shall remain*
16 *available until September 30, 2024.*

17 *MISCELLANEOUS ITEMS*

18 *For miscellaneous items, \$18,871,410 which shall re-*
19 *main available until September 30, 2022.*

20 *SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE*

21 *ACCOUNT*

22 *For Senators' Official Personnel and Office Expense*
23 *Account, \$449,000,000 of which \$20,128,950 shall remain*
24 *available until September 30, 2022 and of which \$6,000,000*

1 *shall be allocated solely for the purpose of providing finan-*
2 *cial compensation to Senate interns.*

3 *OFFICIAL MAIL COSTS*

4 *For expenses necessary for official mail costs of the*
5 *Senate, \$300,000.*

6 *ADMINISTRATIVE PROVISION*

7 *REQUIRING AMOUNTS REMAINING IN SENATORS' OFFICIAL*
8 *PERSONNEL AND OFFICE EXPENSE ACCOUNT TO BE*
9 *USED FOR DEFICIT REDUCTION OR TO REDUCE THE*
10 *FEDERAL DEBT*

11 *SEC. 101. Notwithstanding any other provision of law,*
12 *any amounts appropriated under this Act under the head-*
13 *ing "SENATE" under the heading "CONTINGENT EX-*
14 *PENSES OF THE SENATE" under the heading "SENATORS'*
15 *OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT"*
16 *shall be available for obligation only during the fiscal year*
17 *or fiscal years for which such amounts are made available.*
18 *Any unexpended balances under such allowances remaining*
19 *after the end of the period of availability shall be returned*
20 *to the Treasury in accordance with the undesignated para-*
21 *graph under the center heading "GENERAL PROVISION"*
22 *under chapter XI of the Third Supplemental Appropriation*
23 *Act, 1957 (2 U.S.C. 4107) and used for deficit reduction*
24 *(or, if there is no Federal budget deficit after all such pay-*
25 *ments have been made, for reducing the Federal debt, in*

1 *such manner as the Secretary of the Treasury considers ap-*
2 *propriate).*

3 *HOUSE OF REPRESENTATIVES*

4 *SALARIES AND EXPENSES*

5 *For salaries and expenses of the House of Representa-*
6 *tives, \$1,370,725,000, as follows:*

7 *HOUSE LEADERSHIP OFFICES*

8 *For salaries and expenses, as authorized by law,*
9 *\$28,884,000, including: Office of the Speaker, \$8,295,000,*
10 *including \$25,000 for official expenses of the Speaker; Office*
11 *of the Majority Floor Leader, \$2,947,000, including \$10,000*
12 *for official expenses of the Majority Leader; Office of the*
13 *Minority Floor Leader, \$8,295,000, including \$10,000 for*
14 *official expenses of the Minority Leader; Office of the Major-*
15 *ity Whip, including the Chief Deputy Majority Whip,*
16 *\$2,448,000, including \$5,000 for official expenses of the Ma-*
17 *jority Whip; Office of the Minority Whip, including the*
18 *Chief Deputy Minority Whip, \$2,219,000, including \$5,000*
19 *for official expenses of the Minority Whip; Republican Con-*
20 *ference, \$2,340,000; Democratic Caucus, \$2,340,000: Pro-*
21 *vided, That such amount for salaries and expenses shall re-*
22 *main available from January 3, 2020 until January 2,*
23 *2021.*

1 *MEMBERS' REPRESENTATIONAL ALLOWANCES*
2 *INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES*
3 *OF MEMBERS, AND OFFICIAL MAIL*

4 *For Members' representational allowances, including*
5 *Members' clerk hire, official expenses, and official mail,*
6 *\$615,000,000.*

7 *ALLOWANCE FOR COMPENSATION OF INTERNS IN MEMBER*
8 *OFFICES*

9 *For the allowance established under section 120 of the*
10 *Legislative Branch Appropriations Act, 2019 (2 U.S.C.*
11 *5322a) for the compensation of interns who serve in the of-*
12 *fices of Members of the House of Representatives,*
13 *\$11,025,000, to remain available through December 31,*
14 *2020: Provided, That notwithstanding section 120(b) of*
15 *such Act, an office of a Member of the House of Representa-*
16 *tives may use not more than \$25,000 of the allowance avail-*
17 *able under this heading during calendar year 2020.*

18 *ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE*
19 *LEADERSHIP OFFICES*

20 *For the allowance established under section 113 of this*
21 *Act for the compensation of interns who serve in House*
22 *leadership offices, \$365,000, to remain available through*
23 *December 31, 2020: Provided, That of the amount provided*
24 *under this heading, \$200,000 shall be available for the com-*
25 *penation of interns who serve in House leadership offices*

1 *of the majority, to be allocated among such offices by the*
2 *Speaker of the House of Representatives, and \$165,000 shall*
3 *be available for the compensation of interns who serve in*
4 *House leadership offices of the minority, to be allocated*
5 *among such offices by the Minority Floor Leader.*

6 *COMMITTEE EMPLOYEES*

7 *STANDING COMMITTEES, SPECIAL AND SELECT*

8 *For salaries and expenses of standing committees, spe-*
9 *cial and select, authorized by House resolutions,*
10 *\$135,359,000: Provided, That such amount shall remain*
11 *available for such salaries and expenses until December 31,*
12 *2020, except that \$2,850,000 of such amount shall remain*
13 *available until expended for committee room upgrading.*

14 *COMMITTEE ON APPROPRIATIONS*

15 *For salaries and expenses of the Committee on Appro-*
16 *priations, \$24,269,000, including studies and examinations*
17 *of executive agencies and temporary personal services for*
18 *such committee, to be expended in accordance with section*
19 *202(b) of the Legislative Reorganization Act of 1946 and*
20 *to be available for reimbursement to agencies for services*
21 *performed: Provided, That such amount shall remain avail-*
22 *able for such salaries and expenses until December 31, 2020.*

23 *SALARIES, OFFICERS AND EMPLOYEES*

24 *For compensation and expenses of officers and employ-*
25 *ees, as authorized by law, \$231,903,000, including: for sala-*

1 *ries and expenses of the Office of the Clerk, including the*
2 *positions of the Chaplain and the Historian, and including*
3 *not more than \$25,000 for official representation and recep-*
4 *tion expenses, of which not more than \$20,000 is for the*
5 *Family Room and not more than \$2,000 is for the Office*
6 *of the Chaplain, \$30,766,000, of which \$1,500,000 shall re-*
7 *main available until expended; for salaries and expenses*
8 *of the Office of the Sergeant at Arms, including the position*
9 *of Superintendent of Garages and the Office of Emergency*
10 *Management, and including not more than \$3,000 for offi-*
11 *cial representation and reception expenses, \$20,225,000, of*
12 *which \$10,267,000 shall remain available until expended;*
13 *for salaries and expenses of the Office of the Chief Adminis-*
14 *trative Officer including not more than \$3,000 for official*
15 *representation and reception expenses, \$153,550,000, of*
16 *which \$11,639,000 shall remain available until expended;*
17 *for salaries and expenses of the Office of Diversity and In-*
18 *clusion, \$1,000,000; for salaries and expenses of the Office*
19 *of the Whistleblower Ombudsman, \$750,000; for salaries*
20 *and expenses of the Office of the Inspector General,*
21 *\$5,019,000; for salaries and expenses of the Office of General*
22 *Counsel, \$1,751,000; for salaries and expenses of the Office*
23 *of the Parliamentarian, including the Parliamentarian,*
24 *\$2,000 for preparing the Digest of Rules, and not more than*
25 *\$1,000 for official representation and reception expenses,*

1 \$2,088,000; for salaries and expenses of the Office of the
2 Law Revision Counsel of the House, \$3,419,000; for salaries
3 and expenses of the Office of the Legislative Counsel of the
4 House, \$11,937,000; for salaries and expenses of the Office
5 of Interparliamentary Affairs, \$814,000; for other author-
6 ized employees, \$584,000.

7 *ALLOWANCES AND EXPENSES*

8 *For allowances and expenses as authorized by House*
9 *resolution or law, \$323,920,000, including: supplies, mate-*
10 *rials, administrative costs and Federal tort claims,*
11 *\$1,526,000; official mail for committees, leadership offices,*
12 *and administrative offices of the House, \$190,000; Govern-*
13 *ment contributions for health, retirement, Social Security,*
14 *and other applicable employee benefits, \$294,377,000, to re-*
15 *main available until March 31, 2021; salaries and expenses*
16 *for Business Continuity and Disaster Recovery,*
17 *\$17,668,000, of which \$5,000,000 shall remain available*
18 *until expended; transition activities for new members and*
19 *staff, \$4,489,000, to remain available until expended;*
20 *Wounded Warrior Program and the Congressional Gold*
21 *Star Family Fellowship Program, \$3,000,000, to remain*
22 *available until expended; Office of Congressional Ethics,*
23 *\$1,670,000; and miscellaneous items including purchase,*
24 *exchange, maintenance, repair and operation of House*

1 *motor vehicles, interparliamentary receptions, and gratu-*
2 *ities to heirs of deceased employees of the House, \$1,000,000.*

3 *ADMINISTRATIVE PROVISIONS*

4 *REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT*

7 *SEC. 110. (a) Notwithstanding any other provision of*
8 *law, any amounts appropriated under this Act for*
9 *“HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS’ REPRESENTATIONAL ALLOWANCES”*
10 *shall be available only for fiscal year 2020. Any amount*
11 *remaining after all payments are made under such allow-*
12 *ances for fiscal year 2020 shall be deposited in the Treasury*
13 *and used for deficit reduction (or, if there is no Federal*
14 *budget deficit after all such payments have been made, for*
15 *reducing the Federal debt, in such manner as the Secretary*
16 *of the Treasury considers appropriate).*

18 *(b) The Committee on House Administration of the*
19 *House of Representatives shall have authority to prescribe*
20 *regulations to carry out this section.*

21 *(c) As used in this section, the term “Member of the*
22 *House of Representatives” means a Representative in, or*
23 *a Delegate or Resident Commissioner to, the Congress.*

1 *LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES*

2 *SEC. 111. None of the funds made available in this*
3 *Act may be used by the Chief Administrative Officer of the*
4 *House of Representatives to make any payments from any*
5 *Members' Representational Allowance for the leasing of a*
6 *vehicle, excluding mobile district offices, in an aggregate*
7 *amount that exceeds \$1,000 for the vehicle in any month.*

8 *ALLOWANCE FOR COMPENSATION OF INTERNS IN MEMBER*
9 *OFFICES*

10 *SEC. 112. (a) Section 120(f) of the Legislative Branch*
11 *Appropriations Act, 2019 (2 U.S.C. 5322a(f)) is amended*
12 *by striking the period at the end and inserting the fol-*
13 *lowing: “, and such sums as may be necessary for fiscal*
14 *year 2020 and each succeeding fiscal year.”.*

15 *(b) Section 101(c)(2) of the Legislative Branch Appro-*
16 *priations Act, 1993 (2 U.S.C. 5507(c)(2)) is amended by*
17 *striking “and ‘Office of the Attending Physician’.” and in-*
18 *serting “‘Office of the Attending Physician’, and ‘Allowance*
19 *for Compensation of Interns in Member Offices’.”.*

20 *(c) The amendments made by this section shall take*
21 *effect as if included in the enactment of section 120 of the*
22 *Legislative Branch Appropriations Act, 2019 (2 U.S.C.*
23 *5322a).*

1 *ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE*
2 *LEADERSHIP OFFICES*

3 *SEC. 113. (a) There is established for the House of Rep-*
4 *resentatives an allowance which shall be available for the*
5 *compensation of interns who serve in House leadership of-*
6 *fices.*

7 *(b) Section 104(b) of the House of Representatives Ad-*
8 *ministrative Reform Technical Corrections Act (2 U.S.C.*
9 *5321(b)) shall apply with respect to an intern who is com-*
10 *pensated under the allowance under this section in the same*
11 *manner as such section applies with respect to an intern*
12 *who is compensated under the Members' Representational*
13 *Allowance.*

14 *(c) In this section—*

15 *(1) the term “House leadership office” means,*
16 *with respect to a fiscal year, any office for which the*
17 *appropriation for salaries and expenses of the office*
18 *for the fiscal year is provided under the heading*
19 *“House Leadership Offices” in the Act making appro-*
20 *priations for the Legislative Branch for the fiscal*
21 *year; and*

22 *(2) term “intern”, with respect to a House lead-*
23 *ership office, has the meaning given such term with*
24 *respect to a Member of the House of Representatives*
25 *in section 104(c)(2) of the House of Representatives*

1 *Administrative Reform Technical Corrections Act (2*
2 *U.S.C. 5321(c)(2)).*

3 *(d) There are authorized to be appropriated to carry*
4 *out this section such sums as may be necessary for fiscal*
5 *year 2020 and each succeeding fiscal year.*

6 *(e) Section 101(c)(2) of the Legislative Branch Appro-*
7 *priations Act, 1993 (2 U.S.C. 5507(c)(2)), as amended by*
8 *section 112(b), is further amended by striking “, and ‘Al-*
9 *lowance for Compensation of Interns in Member Offices’.”*
10 *and inserting “, ‘Allowance for Compensation of Interns in*
11 *Member Offices’, and ‘Allowance for Compensation of In-*
12 *terns in House Leadership Offices’.”.*

13 *(f) This section and the amendments made by this sec-*
14 *tion shall apply with respect to fiscal year 2020 and each*
15 *succeeding fiscal year.*

16 *CYBERSECURITY ASSISTANCE FOR HOUSE OF*
17 *REPRESENTATIVES*

18 *SEC. 114. The head of any Federal entity that provides*
19 *assistance to the House of Representatives in the House’s*
20 *efforts to deter, prevent, mitigate, or remediate cybersecu-*
21 *rity risks to, and incidents involving, the information sys-*
22 *tems of the House shall take all necessary steps to ensure*
23 *the constitutional integrity of the separate branches of the*
24 *government at all stages of providing the assistance, includ-*

1 *ing applying minimization procedures to limit the spread*
2 *or sharing of privileged House and Member information.*

3 *RESCISSIONS OF FUNDS*

4 *SEC. 115. (a) Of the unobligated balances available*
5 *from prior appropriations Acts from the revolving fund es-*
6 *tablished under House Resolution 94, Ninety-Eighth Con-*
7 *gress, agreed to February 8, 1983, as enacted into perma-*
8 *nent law by section 110 of the Congressional Operations*
9 *Appropriations Act, 1984 (2 U.S.C. 4917), \$1,000,000 is*
10 *hereby rescinded.*

11 *(b) Of the unobligated balances available from prior*
12 *appropriations Acts from the revolving fund established in*
13 *the item relating to “Stationery” under the heading “House*
14 *of Representatives, Contingent Expenses of the House” in*
15 *the first section of the Legislative Branch Appropriation*
16 *Act, 1948 (2 U.S.C. 5534), \$4,000,000 is hereby rescinded.*

17 *USE OF AVAILABLE BALANCES OF EXPIRED*

18 *APPROPRIATIONS*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 116. (a) Subject to section 119 of the Legislative*
21 *Branch Appropriations Act, 2018 (2 U.S.C. 5511), avail-*
22 *able balances of expired appropriations for the House of*
23 *Representatives shall be available to the House of Represent-*
24 *atives—*

1 (1) for the payment of a death gratuity which is
2 specifically appropriated by law and which is made
3 in connection with the death of an employee of the
4 House of Representatives, without regard to the fiscal
5 year in which the payment is made; and

6 (2) for deposit into the account established under
7 section 109 of the Legislative Branch Appropriations
8 Act, 1998 (2 U.S.C. 5508) for making payments of
9 the House of Representatives to the Employees' Com-
10 pensation Fund under section 8147 of title 5, United
11 States Code, and for reimbursing the Secretary of
12 Labor for any amounts paid with respect to unem-
13 ployment compensation payments for former employ-
14 ees of the House.

15 (b) This section shall apply with respect to funds ap-
16 propriated or otherwise made available in fiscal year 2020
17 and each succeeding fiscal year.

18 REDUCTION IN AMOUNT OF TUITION CHARGED FOR

19 CHILDREN OF EMPLOYEES OF HOUSE CHILD CARE CENTER

20 SEC. 117. (a) Section 312(d) of the Legislative Branch
21 Appropriations Act, 1992 (2 U.S.C. 2062(d)) is amended
22 by adding at the end the following new paragraph:

23 “(4) In the case of a child of an employee of the
24 center who is furnished care at the center, the Chief
25 Administrative Officer shall reduce the amount of tui-

1 *the compensation of employees of the joint congressional*
2 *committee.*

3 *JOINT COMMITTEE ON TAXATION*

4 *For salaries and expenses of the Joint Committee on*
5 *Taxation, \$11,563,000, to be disbursed by the Chief Admin-*
6 *istrative Officer of the House of Representatives.*

7 *For other joint items, as follows:*

8 *OFFICE OF THE ATTENDING PHYSICIAN*

9 *For medical supplies, equipment, and contingent ex-*
10 *penses of the emergency rooms, and for the Attending Physi-*
11 *cian and his assistants, including:*

12 *(1) an allowance of \$2,175 per month to the At-*
13 *tending Physician;*

14 *(2) an allowance of \$1,300 per month to the Sen-*
15 *ior Medical Officer;*

16 *(3) an allowance of \$725 per month each to three*
17 *medical officers while on duty in the Office of the At-*
18 *tending Physician;*

19 *(4) an allowance of \$725 per month to 2 assist-*
20 *ants and \$580 per month each not to exceed 11 assist-*
21 *ants on the basis heretofore provided for such assist-*
22 *ants; and*

23 *(5) \$2,800,000 for reimbursement to the Depart-*
24 *ment of the Navy for expenses incurred for staff and*
25 *equipment assigned to the Office of the Attending*

1 *Physician, which shall be advanced and credited to*
2 *the applicable appropriation or appropriations from*
3 *which such salaries, allowances, and other expenses*
4 *are payable and shall be available for all the purposes*
5 *thereof, \$3,868,000, to be disbursed by the Chief Ad-*
6 *ministrative Officer of the House of Representatives.*

7 *OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES*

8 *SALARIES AND EXPENSES*

9 *For salaries and expenses of the Office of Congressional*
10 *Accessibility Services, \$1,509,000, to be disbursed by the*
11 *Secretary of the Senate.*

12 *CAPITOL POLICE*

13 *SALARIES*

14 *For salaries of employees of the Capitol Police, includ-*
15 *ing overtime, hazardous duty pay, and Government con-*
16 *tributions for health, retirement, social security, profes-*
17 *sional liability insurance, and other applicable employee*
18 *benefits, \$379,062,000 of which overtime shall not exceed*
19 *\$47,048,000 unless the Committee on Appropriations of the*
20 *House and Senate are notified, to be disbursed by the Chief*
21 *of the Capitol Police or his designee.*

22 *GENERAL EXPENSES*

23 *For necessary expenses of the Capitol Police, including*
24 *motor vehicles, communications and other equipment, secu-*
25 *rity equipment and installation, uniforms, weapons, sup-*

1 *plies, materials, training, medical services, forensic services,*
2 *stenographic services, personal and professional services, the*
3 *employee assistance program, the awards program, postage,*
4 *communication services, travel advances, relocation of in-*
5 *structor and liaison personnel for the Federal Law Enforce-*
6 *ment Training Center, and not more than \$5,000 to be ex-*
7 *pende on the certification of the Chief of the Capitol Police*
8 *in connection with official representation and reception ex-*
9 *penses, \$85,279,000, to be disbursed by the Chief of the Cap-*
10 *itol Police or his designee: Provided, That, notwithstanding*
11 *any other provision of law, the cost of basic training for*
12 *the Capitol Police at the Federal Law Enforcement Train-*
13 *ing Center for fiscal year 2020 shall be paid by the Sec-*
14 *retary of Homeland Security from funds available to the*
15 *Department of Homeland Security.*

16 *ADMINISTRATIVE PROVISION*

17 *SEC. 120. Section 908(c) of the Emergency Supple-*
18 *mental Act, 2002 (2 U.S.C. 1926(c)), is amended by strik-*
19 *ing “\$40,000” and inserting “\$60,000”.*

20 *OFFICE OF CONGRESSIONAL WORKPLACE*

21 *RIGHTS*

22 *SALARIES AND EXPENSES*

23 *For salaries and expenses necessary for the operation*
24 *of the Office of Congressional Workplace Rights, \$6,333,000,*

1 *of which \$1,000,000 shall remain available until September*
2 *30, 2021, and of which not more than \$1,000 may be ex-*
3 *pended on the certification of the Executive Director in con-*
4 *nection with official representation and reception expenses.*

5 **CONGRESSIONAL BUDGET OFFICE**

6 **SALARIES AND EXPENSES**

7 *For salaries and expenses necessary for operation of*
8 *the Congressional Budget Office, including not more than*
9 *\$6,000 to be expended on the certification of the Director*
10 *of the Congressional Budget Office in connection with offi-*
11 *cial representation and reception expenses, \$54,941,000:*
12 *Provided, That the Director shall use not less than \$500,000*
13 *of the amount made available under this heading for (1)*
14 *improving technical systems, processes, and models for the*
15 *purpose of improving the transparency of estimates of budg-*
16 *etary effects to Members of Congress, employees of Members*
17 *of Congress, and the public, and (2) to increase the avail-*
18 *ability of models, economic assumptions, and data for Mem-*
19 *bers of Congress, employees of Members of Congress, and the*
20 *public.*

21 **ARCHITECT OF THE CAPITOL**

22 **CAPITAL CONSTRUCTION AND OPERATIONS**

23 *For salaries for the Architect of the Capitol, and other*
24 *personal services, at rates of pay provided by law; for all*
25 *necessary expenses for surveys and studies, construction, op-*

1 *eration, and general and administrative support in connec-*
2 *tion with facilities and activities under the care of the Ar-*
3 *chitect of the Capitol including the Botanic Garden; elec-*
4 *trical substations of the Capitol, Senate and House office*
5 *buildings, and other facilities under the jurisdiction of the*
6 *Architect of the Capitol; including furnishings and office*
7 *equipment; including not more than \$5,000 for official re-*
8 *ception and representation expenses, to be expended as the*
9 *Architect of the Capitol may approve; for purchase or ex-*
10 *change, maintenance, and operation of a passenger motor*
11 *vehicle, \$120,000,000.*

12 *CAPITOL BUILDING*

13 *For all necessary expenses for the maintenance, care*
14 *and operation of the Capitol, \$68,878,000, of which*
15 *\$40,899,000 shall remain available until September 30,*
16 *2024.*

17 *CAPITOL GROUNDS*

18 *For all necessary expenses for care and improvement*
19 *of grounds surrounding the Capitol, the Senate and House*
20 *office buildings, and the Capitol Power Plant, \$15,024,000,*
21 *of which \$3,000,000 shall remain available until September*
22 *30, 2024.*

23 *SENATE OFFICE BUILDINGS*

24 *For all necessary expenses for the maintenance, care*
25 *and operation of Senate office buildings; and furniture and*

1 *furnishings to be expended under the control and super-*
2 *vision of the Architect of the Capitol, \$88,424,000, of which*
3 *\$23,100,000 shall remain available until September 30,*
4 *2024.*

5 *HOUSE OFFICE BUILDINGS*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For all necessary expenses for the maintenance, care*
8 *and operation of the House office buildings, \$153,273,000,*
9 *of which \$30,300,000 shall remain available until Sep-*
10 *tember 30, 2024, and of which \$62,000,000 shall remain*
11 *available until expended for the restoration and renovation*
12 *of the Cannon House Office Building: Provided, That of the*
13 *amount made available under this heading, \$8,000,000*
14 *shall be derived by transfer from the House Office Building*
15 *Fund established under section 176(d) of the Continuing*
16 *Appropriations Act, 2017, as added by section 101(3) of*
17 *the Further Continuing Appropriation Act, 2017 (Public*
18 *Law 114–254; 2 U.S.C. 2001 note).*

19 *CAPITOL POWER PLANT*

20 *For all necessary expenses for the maintenance, care*
21 *and operation of the Capitol Power Plant; lighting, heating,*
22 *power (including the purchase of electrical energy) and*
23 *water and sewer services for the Capitol, Senate and House*
24 *office buildings, Library of Congress buildings, and the*
25 *grounds about the same, Botanic Garden, Senate garage,*

1 *and air conditioning refrigeration not supplied from plants*
2 *in any of such buildings; heating the Government Pub-*
3 *lishing Office and Washington City Post Office, and heating*
4 *and chilled water for air conditioning for the Supreme*
5 *Court Building, the Union Station complex, the Thurgood*
6 *Marshall Federal Judiciary Building and the Folger Shake-*
7 *speare Library, expenses for which shall be advanced or re-*
8 *imbursed upon request of the Architect of the Capitol and*
9 *amounts so received shall be deposited into the Treasury*
10 *to the credit of this appropriation, \$98,957,000, of which*
11 *\$15,300,000 shall remain available until September 30,*
12 *2024: Provided, That not more than \$10,000,000 of the*
13 *funds credited or to be reimbursed to this appropriation*
14 *as herein provided shall be available for obligation during*
15 *fiscal year 2020.*

16 *LIBRARY BUILDINGS AND GROUNDS*

17 *For all necessary expenses for the mechanical and*
18 *structural maintenance, care and operation of the Library*
19 *buildings and grounds, \$55,746,000, of which \$25,200,000*
20 *shall remain available until September 30, 2024.*

21 *CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY*

22 *For all necessary expenses for the maintenance, care*
23 *and operation of buildings, grounds and security enhance-*
24 *ments of the United States Capitol Police, wherever located,*
25 *the Alternate Computing Facility, and Architect of the Cap-*

1 *itol security operations, \$55,216,000, of which \$28,000,000*
2 *shall remain available until September 30, 2024.*

3 *BOTANIC GARDEN*

4 *For all necessary expenses for the maintenance, care*
5 *and operation of the Botanic Garden and the nurseries,*
6 *buildings, grounds, and collections; and purchase and ex-*
7 *change, maintenance, repair, and operation of a passenger*
8 *motor vehicle; all under the direction of the Joint Com-*
9 *mittee on the Library, \$16,094,000, of which \$4,000,000*
10 *shall remain available until September 30, 2024: Provided,*
11 *That, of the amount made available under this heading, the*
12 *Architect of the Capitol may obligate and expend such sums*
13 *as may be necessary for the maintenance, care and oper-*
14 *ation of the National Garden established under section*
15 *307E of the Legislative Branch Appropriations Act, 1989*
16 *(2 U.S.C. 2146), upon vouchers approved by the Architect*
17 *of the Capitol or a duly authorized designee.*

18 *CAPITOL VISITOR CENTER*

19 *For all necessary expenses for the operation of the Cap-*
20 *itol Visitor Center, \$24,321,000.*

21 *ADMINISTRATIVE PROVISION*

22 *NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR*
23 *OVER BUDGET*

24 *SEC. 130. None of the funds made available in this*
25 *Act for the Architect of the Capitol may be used to make*

1 *incentive or award payments to contractors for work on*
2 *contracts or programs for which the contractor is behind*
3 *schedule or over budget, unless the Architect of the Capitol,*
4 *or agency-employed designee, determines that any such de-*
5 *viations are due to unforeseeable events, government-driven*
6 *scope changes, or are not significant within the overall*
7 *scope of the project and/or program.*

8 *LIBRARY OF CONGRESS*

9 *SALARIES AND EXPENSES*

10 *For all necessary expenses of the Library of Congress*
11 *not otherwise provided for, including development and*
12 *maintenance of the Library's catalogs; custody and custo-*
13 *dial care of the Library buildings; information technology*
14 *services provided centrally; special clothing; cleaning, laun-*
15 *dering and repair of uniforms; preservation of motion pic-*
16 *tures in the custody of the Library; operation and mainte-*
17 *nance of the American Folklife Center in the Library; prep-*
18 *aration and distribution of catalog records and other publi-*
19 *cations of the Library; hire or purchase of one passenger*
20 *motor vehicle; and expenses of the Library of Congress Trust*
21 *Fund Board not properly chargeable to the income of any*
22 *trust fund held by the Board, \$504,164,000, of which not*
23 *more than \$6,000,000 shall be derived from collections cred-*
24 *ited to this appropriation during fiscal year 2020, and*
25 *shall remain available until expended, under the Act of*

1 *June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150):*
2 *Provided, That the Library of Congress may not obligate*
3 *or expend any funds derived from collections under the Act*
4 *of June 28, 1902, in excess of the amount authorized for*
5 *obligation or expenditure in appropriations Acts: Provided*
6 *further, That the total amount available for obligation shall*
7 *be reduced by the amount by which collections are less than*
8 *\$6,000,000: Provided further, That of the total amount ap-*
9 *propriated, not more than \$18,000 may be expended, on*
10 *the certification of the Librarian of Congress, in connection*
11 *with official representation and reception expenses, includ-*
12 *ing for the Overseas Field Offices: Provided further, That*
13 *of the total amount appropriated, \$9,110,000 shall remain*
14 *available until expended for the digital collections and edu-*
15 *cational curricula program: Provided further, That of the*
16 *total amount appropriated, \$1,350,000 shall remain avail-*
17 *able until expended for upgrade of the Legislative Branch*
18 *Financial Management System: Provided further, That of*
19 *the total amount appropriated, \$250,000 shall remain*
20 *available until expended for the Surplus Books Program to*
21 *promote the program and facilitate a greater number of do-*
22 *nations to eligible entities across the United States: Pro-*
23 *vided further, That of the total amount appropriated,*
24 *\$3,587,000 shall remain available until expended for the*
25 *Veterans History Project to continue digitization efforts of*

1 *already collected materials, reach a greater number of vet-*
2 *erans to record their stories, and promote public access to*
3 *the Project: Provided further, That of the total amount ap-*
4 *propriated, \$10,000,000 shall remain available until ex-*
5 *pended for the development of the Library's Visitor Experi-*
6 *ence project, and may be obligated and expended only upon*
7 *approval by the Subcommittee on the Legislative Branch*
8 *of the Committee on Appropriations of the House of Rep-*
9 *resentatives and by the Subcommittee on the Legislative*
10 *Branch of the Committee on Appropriations of the Senate.*

11 *COPYRIGHT OFFICE*

12 *SALARIES AND EXPENSES*

13 *For all necessary expenses of the Copyright Office,*
14 *\$91,840,000, of which not more than \$43,221,000, to re-*
15 *main available until expended, shall be derived from collec-*
16 *tions credited to this appropriation during fiscal year 2020*
17 *under sections 708(d) and 1316 of title 17, United States*
18 *Code: Provided, That the Copyright Office may not obligate*
19 *or expend any funds derived from collections under such*
20 *section in excess of the amount authorized for obligation*
21 *or expenditure in appropriations Acts: Provided further,*
22 *That not more than \$6,482,000 shall be derived from collec-*
23 *tions during fiscal year 2020 under sections 111(d)(2),*
24 *119(b)(3), 803(e), and 1005 of such title: Provided further,*
25 *That the total amount available for obligation shall be re-*

1 *duced by the amount by which collections are less than*
2 *\$49,703,000: Provided further, That of the funds provided*
3 *under this heading, not less than \$17,100,000 is for mod-*
4 *ernization initiatives, of which \$10,000,000 shall remain*
5 *available until September 30, 2021: Provided further, That*
6 *not more than \$100,000 of the amount appropriated is*
7 *available for the maintenance of an “International Copy-*
8 *right Institute” in the Copyright Office of the Library of*
9 *Congress for the purpose of training nationals of developing*
10 *countries in intellectual property laws and policies: Pro-*
11 *vided further, That not more than \$6,500 may be expended,*
12 *on the certification of the Librarian of Congress, in connec-*
13 *tion with official representation and reception expenses for*
14 *activities of the International Copyright Institute and for*
15 *copyright delegations, visitors, and seminars: Provided fur-*
16 *ther, That, notwithstanding any provision of chapter 8 of*
17 *title 17, United States Code, any amounts made available*
18 *under this heading which are attributable to royalty fees*
19 *and payments received by the Copyright Office pursuant*
20 *to sections 111, 119, and chapter 10 of such title may be*
21 *used for the costs incurred in the administration of the*
22 *Copyright Royalty Judges program, with the exception of*
23 *the costs of salaries and benefits for the Copyright Royalty*
24 *Judges and staff under section 802(e).*

1 *CONGRESSIONAL RESEARCH SERVICE*2 *SALARIES AND EXPENSES*

3 *For all necessary expenses to carry out the provisions*
4 *of section 203 of the Legislative Reorganization Act of 1946*
5 *(2 U.S.C. 166) and to revise and extend the Annotated Con-*
6 *stitution of the United States of America, \$120,495,000:*
7 *Provided, That no part of such amount may be used to pay*
8 *any salary or expense in connection with any publication,*
9 *or preparation of material therefor (except the Digest of*
10 *Public General Bills), to be issued by the Library of Con-*
11 *gress unless such publication has obtained prior approval*
12 *of either the Committee on House Administration of the*
13 *House of Representatives or the Committee on Rules and*
14 *Administration of the Senate: Provided further, That this*
15 *prohibition does not apply to publication of non-confiden-*
16 *tial Congressional Research Service (CRS) products: Pro-*
17 *vided further, That a non-confidential CRS product in-*
18 *cludes any written product containing research or analysis*
19 *that is currently available for general congressional access*
20 *on the CRS Congressional Intranet, or that would be made*
21 *available on the CRS Congressional Intranet in the normal*
22 *course of business and does not include material prepared*
23 *in response to Congressional requests for confidential anal-*
24 *ysis or research.*

1 *NATIONAL LIBRARY SERVICE FOR THE BLIND AND PRINT*
2 *DISABLED*
3 *SALARIES AND EXPENSES*

4 *For all necessary expenses to carry out the Act of*
5 *March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a),*
6 *\$58,563,000: Provided, That of the total amount appro-*
7 *priated, \$650,000 shall be available to contract to provide*
8 *newspapers to blind and physically handicapped residents*
9 *at no cost to the individual.*

10 *ADMINISTRATIVE PROVISION*

11 *REIMBURSABLE AND REVOLVING FUND ACTIVITIES*

12 *SEC. 140. (a) IN GENERAL.—For fiscal year 2020, the*
13 *obligational authority of the Library of Congress for the ac-*
14 *tivities described in subsection (b) may not exceed*
15 *\$231,975,000.*

16 *(b) ACTIVITIES.—The activities referred to in sub-*
17 *section (a) are reimbursable and revolving fund activities*
18 *that are funded from sources other than appropriations to*
19 *the Library in appropriations Acts for the legislative*
20 *branch.*

21 *GOVERNMENT PUBLISHING OFFICE*

22 *CONGRESSIONAL PUBLISHING*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For authorized publishing of congressional informa-*
25 *tion and the distribution of congressional information in*

1 *any format; publishing of Government publications author-*
2 *ized by law to be distributed to Members of Congress; and*
3 *publishing, and distribution of Government publications*
4 *authorized by law to be distributed without charge to the*
5 *recipient, \$79,000,000: Provided, That this appropriation*
6 *shall not be available for paper copies of the permanent edi-*
7 *tion of the Congressional Record for individual Representa-*
8 *tives, Resident Commissioners or Delegates authorized*
9 *under section 906 of title 44, United States Code: Provided*
10 *further, That this appropriation shall be available for the*
11 *payment of obligations incurred under the appropriations*
12 *for similar purposes for preceding fiscal years: Provided*
13 *further, That notwithstanding the 2-year limitation under*
14 *section 718 of title 44, United States Code, none of the funds*
15 *appropriated or made available under this Act or any other*
16 *Act for printing and binding and related services provided*
17 *to Congress under chapter 7 of title 44, United States Code,*
18 *may be expended to print a document, report, or publica-*
19 *tion after the 27-month period beginning on the date that*
20 *such document, report, or publication is authorized by Con-*
21 *gress to be printed, unless Congress reauthorizes such print-*
22 *ing in accordance with section 718 of title 44, United States*
23 *Code: Provided further, That unobligated or unexpended*
24 *balances of expired discretionary funds made available*
25 *under this heading in this Act for this fiscal year may be*

1 transferred to, and merged with, funds under the heading
2 “Government Publishing Office Business Operations Re-
3 volving Fund” no later than the end of the fifth fiscal year
4 after the last fiscal year for which such funds are available
5 for the purposes for which appropriated, to be available for
6 carrying out the purposes of this heading, subject to the ap-
7 proval of the Committee on Appropriations of the House
8 of Representatives and the Senate: Provided further, That
9 notwithstanding sections 901, 902, and 906 of title 44,
10 United States Code, this appropriation may be used to pre-
11 pare indexes to the Congressional Record on only a monthly
12 and session basis.

13 *PUBLIC INFORMATION PROGRAMS OF THE*

14 *SUPERINTENDENT OF DOCUMENTS*

15 *SALARIES AND EXPENSES*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For expenses of the public information programs of the*
18 *Office of Superintendent of Documents necessary to provide*
19 *for the cataloging and indexing of Government publications*
20 *in any format, and their distribution to the public, Mem-*
21 *bers of Congress, other Government agencies, and designated*
22 *depository and international exchange libraries as author-*
23 *ized by law, \$31,296,000: Provided, That amounts of not*
24 *more than \$2,000,000 from current year appropriations are*
25 *authorized for producing and disseminating Congressional*

1 *serial sets and other related publications for fiscal years*
2 *2018 and 2019 to depository and other designated libraries:*
3 *Provided further, That unobligated or unexpended balances*
4 *of expired discretionary funds made available under this*
5 *heading in this Act for this fiscal year may be transferred*
6 *to, and merged with, funds under the heading “Government*
7 *Publishing Office Business Operations Revolving Fund” no*
8 *later than the end of the fifth fiscal year after the last fiscal*
9 *year for which such funds are available for the purposes*
10 *for which appropriated, to be available for carrying out the*
11 *purposes of this heading, subject to the approval of the Com-*
12 *mittees on Appropriations of the House of Representatives*
13 *and the Senate.*

14 *GOVERNMENT PUBLISHING OFFICE BUSINESS*

15 *OPERATIONS REVOLVING FUND*

16 *For payment to the Government Publishing Office*
17 *Business Operations Revolving Fund, \$6,704,000, to re-*
18 *main available until expended, for information technology*
19 *development and facilities repair: Provided, That the Gov-*
20 *ernment Publishing Office is hereby authorized to make*
21 *such expenditures, within the limits of funds available and*
22 *in accordance with law, and to make such contracts and*
23 *commitments without regard to fiscal year limitations as*
24 *provided by section 9104 of title 31, United States Code,*
25 *as may be necessary in carrying out the programs and pur-*

1 poses set forth in the budget for the current fiscal year for
2 the Government Publishing Office Business Operations Re-
3 volving Fund: Provided further, That not more than \$7,500
4 may be expended on the certification of the Director of the
5 Government Publishing Office in connection with official
6 representation and reception expenses: Provided further,
7 That the Business Operations Revolving Fund shall be
8 available for the hire or purchase of not more than 12 pas-
9 senger motor vehicles: Provided further, That expenditures
10 in connection with travel expenses of the advisory councils
11 to the Director of the Government Publishing Office shall
12 be deemed necessary to carry out the provisions of title 44,
13 United States Code: Provided further, That the Business
14 Operations Revolving Fund shall be available for tem-
15 porary or intermittent services under section 3109(b) of
16 title 5, United States Code, but at rates for individuals not
17 more than the daily equivalent of the annual rate of basic
18 pay for level V of the Executive Schedule under section 5316
19 of such title: Provided further, That activities financed
20 through the Business Operations Revolving Fund may pro-
21 vide information in any format: Provided further, That the
22 Business Operations Revolving Fund and the funds pro-
23 vided under the heading "Public Information Programs of
24 the Superintendent of Documents" may not be used for con-

1 *tracted security services at Government Publishing Office's*
2 *passport facility in the District of Columbia.*

3 **GOVERNMENT ACCOUNTABILITY OFFICE**

4 **SALARIES AND EXPENSES**

5 *For necessary expenses of the Government Account-*
6 *ability Office, including not more than \$12,500 to be ex-*
7 *pendent on the certification of the Comptroller General of*
8 *the United States in connection with official representation*
9 *and reception expenses; temporary or intermittent services*
10 *under section 3109(b) of title 5, United States Code, but*
11 *at rates for individuals not more than the daily equivalent*
12 *of the annual rate of basic pay for level IV of the Executive*
13 *Schedule under section 5315 of such title; hire of one pas-*
14 *senger motor vehicle; advance payments in foreign countries*
15 *in accordance with section 3324 of title 31, United States*
16 *Code; benefits comparable to those payable under sections*
17 *901(5), (6), and (8) of the Foreign Service Act of 1980 (22*
18 *U.S.C. 4081(5), (6), and (8)); and under regulations pre-*
19 *scribed by the Comptroller General of the United States,*
20 *rental of living quarters in foreign countries, \$630,000,000:*
21 *Provided, That, in addition, \$24,800,000 of payments re-*
22 *ceived under sections 782, 791, 3521, and 9105 of title 31,*
23 *United States Code, shall be available without fiscal year*
24 *limitation: Provided further, That this appropriation and*
25 *appropriations for administrative expenses of any other de-*

1 *partment or agency which is a member of the National*
2 *Intergovernmental Audit Forum or a Regional Intergovern-*
3 *mental Audit Forum shall be available to finance an appro-*
4 *priate share of either Forum's costs as determined by the*
5 *respective Forum, including necessary travel expenses of*
6 *non-Federal participants: Provided further, That payments*
7 *hereunder to the Forum may be credited as reimbursements*
8 *to any appropriation from which costs involved are ini-*
9 *tially financed.*

10 *OPEN WORLD LEADERSHIP CENTER TRUST*

11 *FUND*

12 *For a payment to the Open World Leadership Center*
13 *Trust Fund for financing activities of the Open World*
14 *Leadership Center under section 313 of the Legislative*
15 *Branch Appropriations Act, 2001 (2 U.S.C. 1151),*
16 *\$5,900,000: Provided, That funds made available to support*
17 *Russian participants shall only be used for those engaging*
18 *in free market development, humanitarian activities, and*
19 *civic engagement, and shall not be used for officials of the*
20 *central government of Russia.*

21 *JOHN C. STENNIS CENTER FOR PUBLIC SERVICE*

22 *TRAINING AND DEVELOPMENT*

23 *For payment to the John C. Stennis Center for Public*
24 *Service Development Trust Fund established under section*

1 *116 of the John C. Stennis Center for Public Service Train-*
2 *ing and Development Act (2 U.S.C. 1105), \$430,000.*

3 *TITLE II*

4 *GENERAL PROVISIONS*

5 *MAINTENANCE AND CARE OF PRIVATE VEHICLES*

6 *SEC. 201. No part of the funds appropriated in this*
7 *Act shall be used for the maintenance or care of private*
8 *vehicles, except for emergency assistance and cleaning as*
9 *may be provided under regulations relating to parking fa-*
10 *cilities for the House of Representatives issued by the Com-*
11 *mittee on House Administration and for the Senate issued*
12 *by the Committee on Rules and Administration.*

13 *FISCAL YEAR LIMITATION*

14 *SEC. 202. No part of the funds appropriated in this*
15 *Act shall remain available for obligation beyond fiscal year*
16 *2020 unless expressly so provided in this Act.*

17 *RATES OF COMPENSATION AND DESIGNATION*

18 *SEC. 203. Whenever in this Act any office or position*
19 *not specifically established by the Legislative Pay Act of*
20 *1929 (46 Stat. 32 et seq.) is appropriated for or the rate*
21 *of compensation or designation of any office or position ap-*
22 *propriated for is different from that specifically established*
23 *by such Act, the rate of compensation and the designation*
24 *in this Act shall be the permanent law with respect thereto:*
25 *Provided, That the provisions in this Act for the various*

1 *items of official expenses of Members, officers, and commit-*
2 *tees of the Senate and House of Representatives, and clerk*
3 *hire for Senators and Members of the House of Representa-*
4 *tives shall be the permanent law with respect thereto.*

5 *CONSULTING SERVICES*

6 *SEC. 204. The expenditure of any appropriation under*
7 *this Act for any consulting service through procurement*
8 *contract, under section 3109 of title 5, United States Code,*
9 *shall be limited to those contracts where such expenditures*
10 *are a matter of public record and available for public in-*
11 *spection, except where otherwise provided under existing*
12 *law, or under existing Executive order issued under existing*
13 *law.*

14 *COSTS OF LBFMC*

15 *SEC. 205. Amounts available for administrative ex-*
16 *penses of any legislative branch entity which participates*
17 *in the Legislative Branch Financial Managers Council*
18 *(LBFMC) established by charter on March 26, 1996, shall*
19 *be available to finance an appropriate share of LBFMC*
20 *costs as determined by the LBFMC, except that the total*
21 *LBFMC costs to be shared among all participating legisla-*
22 *tive branch entities (in such allocations among the entities*
23 *as the entities may determine) may not exceed \$2,000.*

1 *nage or sabotage associated with the acquisition of*
2 *such system, including any risk associated with such*
3 *system being produced, manufactured, or assembled*
4 *by one or more entities identified by the United*
5 *States Government as posing a cyber threat, includ-*
6 *ing but not limited to, those that may be owned, di-*
7 *rected, or subsidized by the People’s Republic of*
8 *China, the Islamic Republic of Iran, the Democratic*
9 *People’s Republic of Korea, or the Russian Federa-*
10 *tion.*

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

16 *(1) developed, in consultation with NIST and*
17 *supply chain risk management experts, a mitigation*
18 *strategy for any identified risks;*

19 *(2) determined, in consultation with NIST and*
20 *the Federal Bureau of Investigation, that the acquisi-*
21 *tion of such system is in the vital national security*
22 *interest of the United States; and*

23 *(3) reported that determination to the Commit-*
24 *tees on Appropriations of the House of Representa-*
25 *tives and the Senate in a manner that identifies the*

1 *system intended for acquisition and a detailed de-*
2 *scription of the mitigation strategies identified in*
3 *paragraph (1), provided that such report may include*
4 *a classified annex as necessary.*

5 *PROHIBITION ON CERTAIN OPERATIONAL EXPENSES*

6 *SEC. 209. (a) None of the funds made available in this*
7 *Act may be used to maintain or establish a computer net-*
8 *work unless such network blocks the viewing, downloading,*
9 *and exchanging of pornography.*

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

15 *PLASTIC WASTE REDUCTION*

16 *SEC. 210. All agencies and offices funded by this divi-*
17 *sion that contract with a food service provider or providers*
18 *shall confer and coordinate with such food service provider*
19 *or providers, in consultation with disability advocacy*
20 *groups, to eliminate or reduce plastic waste, including*
21 *waste from plastic straws, explore the use of biodegradable*
22 *items, and increase recycling and composting opportunities.*

23 *ADJUSTMENT TO NORMAL COST PERCENTAGE RATES*

24 *SEC. 211. Section 8423(a)(1)(B)(i) of title 5, United*
25 *States Code, is amended by inserting “(including a separate*

1 *normal-cost percentage for Congressional employees that are*
 2 *members of the Capitol Police covered under subsection (d)*
 3 *of section 8412 and subsection (c) of section 8425)” after*
 4 *“Congressional employees”.*

5 *CONGRESSIONAL STAFF COMPENSATION*

6 *SEC. 212. (a) SENATE.—*

7 *(1) CHANGE IN MAXIMUM RATES.—*

8 *(A) IN GENERAL.—Section 105 of the Legis-*
 9 *lative Branch Appropriation Act, 1968 (2 U.S.C.*
 10 *4575) is amended—*

11 *(i) in subsection (d)(2), in the second*
 12 *sentence, by striking “or in excess” and all*
 13 *that follows through “per annum.” and in-*
 14 *serting “or in excess of \$173,900.”;*

15 *(ii) in subsection (e)(3)(B), by striking*
 16 *“in excess of” and all that follows and in-*
 17 *serting “in excess of \$173,900.”; and*

18 *(iii) in subsection (f), in the first sen-*
 19 *tence, by striking “or in excess” and all*
 20 *that follows through “unless expressly” and*
 21 *inserting “or in excess of \$173,900, unless*
 22 *expressly”.*

23 *(B) AUTHORITY FOR STATUTORY EMPLOY-*
 24 *EES.—*

1 (i) *FIXED SALARY POSITIONS.*—*For*
2 *any position for which the Secretary of the*
3 *Senate disburses the pay for the position*
4 *and for which the specific amount of the*
5 *rate of pay for the particular position is*
6 *fixed by statute on the day before the effec-*
7 *tive date of the amendments made by this*
8 *section, on and after such effective date the*
9 *amount of the rate of pay for such position*
10 *shall be fixed by the President pro tempore*
11 *in an amount not to exceed the maximum*
12 *rate of pay in effect under section 105(f) of*
13 *the Legislative Branch Appropriation Act,*
14 *1968 (2 U.S.C. 4575(f)).*

15 (ii) *POSITIONS WITH MAXIMUMS.*—*For*
16 *any position for which the Secretary of the*
17 *Senate disburses the pay for the position*
18 *and for which the maximum rate of pay for*
19 *the particular position is fixed by statute*
20 *on the day before the effective date of the*
21 *amendments made by this section, on and*
22 *after such effective date the maximum rate*
23 *of pay for such position shall be fixed by the*
24 *President pro tempore, which shall not ex-*
25 *ceed the maximum rate of pay in effect*

1 under section 105(f) of the Legislative
2 Branch Appropriation Act, 1968 (2 U.S.C.
3 4575(f)).

4 (2) ADJUSTMENTS.—

5 (A) IN GENERAL.—Section 4 of the Federal
6 Pay Comparability Act of 1970 (2 U.S.C. 4571)
7 is amended—

8 (i) in subsection (a)—

9 (I) in paragraph (1)—

10 (aa) in subparagraph (A), by
11 striking “or” at the end; and

12 (bb) by striking subpara-
13 graph (B) and inserting the fol-
14 lowing:

15 “(B) in the case of such personnel appointed to
16 positions for which the rates of pay for the particular
17 positions were fixed by or pursuant to law at specific
18 rates on the day before the effective date of the amend-
19 ments made by section 212 of the Legislative Branch
20 Appropriations Act, 2020, adjust such rates; and

21 “(C) in the case of such personnel appointed to
22 positions for which the maximum rates of pay for the
23 particular positions were fixed by or pursuant to law
24 on the day before such effective date, adjust such max-
25 imum rates; and”;

1 (ii) in the matter following para-
2 graph (2)—

3 (aa) by striking “and with
4 such exceptions as may be nec-
5 essary to provide for appropriate
6 pay relationships between posi-
7 tions”; and

8 (bb) by striking “to restore”
9 and all that follows through “be-
10 tween positions.” and inserting
11 “to maintain the pay relation-
12 ships that existed on the effective
13 date of the amendments made by
14 section 212 of the Legislative
15 Branch Appropriations Act, 2020
16 between the maximum rate of pay
17 for Senate personnel and Sen-
18 ators.”; and

19 (ii) in subsection (d), by striking “to
20 restore” and all that follows and inserting
21 “to maintain the pay relationships that ex-
22 isted on the effective date of the amendments
23 made by section 212 of the Legislative
24 Branch Appropriations Act, 2020 between

1 *the maximum rate of pay for Senate per-*
2 *sonnel and Senators.”.*

3 *(B) OTHER ADJUSTMENTS.—Section 315(a)*
4 *of the Legislative Branch Appropriations Act,*
5 *1991 (2 U.S.C. 4573(a)) is amended by striking*
6 *“to the extent necessary to maintain” and all*
7 *that follows and inserting “(including such per-*
8 *sonnel appointed to positions for which the spe-*
9 *cific amount of the rate of pay for the particular*
10 *position is fixed by statute on the day before the*
11 *effective date of the amendments made by section*
12 *212 of the Legislative Branch Appropriations*
13 *Act, 2020 and such personnel appointed to posi-*
14 *tions for which the maximum rates of pay for*
15 *the particular positions were fixed by or pursu-*
16 *ant to law on the day before such effective date)*
17 *to the extent necessary to maintain the pay rela-*
18 *tionships that existed on such effective date be-*
19 *tween the maximum rate of pay for Senate per-*
20 *sonnel and Senators.”.*

21 *(3) CONFORMING AMENDMENTS.—*

22 *(A) Section 105 of the Legislative Branch*
23 *Appropriation Act, 1976 (Public Law 94–59; 89*
24 *Stat. 275) is repealed.*

1 (B) Section 201(a)(5)(A) of the Congres-
2 sional Budget Act of 1974 (2 U.S.C.
3 601(a)(5)(A)) is amended by striking “the lower
4 of—” and all that follows and inserting “the
5 maximum rate of pay in effect under section
6 105(f) of the Legislative Branch Appropriation
7 Act, 1968 (2 U.S.C. 4575(f)).”.

8 (C) Section 302(a)(2)(B) of the Congres-
9 sional Accountability Act of 1995 (2 U.S.C.
10 1382(a)(2)(B)) is amended by striking “the lesser
11 of—” and all that follows and inserting “the
12 maximum rate of pay in effect under section
13 105(f) of the Legislative Branch Appropriation
14 Act, 1968 (2 U.S.C. 4575(f)).”.

15 (D) The first section of the Act entitled “An
16 Act to fix the annual rates of pay for the Archi-
17 tect of the Capitol and the Assistant Architect of
18 the Capitol” (2 U.S.C. 1802) is amended to read
19 as follows:

20 **“SECTION 1. COMPENSATION.**

21 “The compensation of the Architect of the Capitol shall
22 be at an annual rate which is equal to the maximum rate
23 of pay in effect under section 105(f) of the Legislative
24 Branch Appropriation Act, 1968 (2 U.S.C. 4575(f)).”.

1 (E) Subsection (c) of the first section of the
2 Act entitled “An Act to establish by law the posi-
3 tion of Chief of the Capitol Police, and for other
4 purposes” (2 U.S.C. 1902) is amended by strik-
5 ing “the lower of” and all that follows and in-
6 serting “the maximum rate of pay in effect
7 under section 105(f) of the Legislative Branch
8 Appropriation Act, 1968 (2 U.S.C. 4575(f)).”.

9 (F) Senate Resolution 89, 100th Congress,
10 agreed to January 28, 1987, as enacted into law
11 by section 9 of the Legislative Branch Appro-
12 priations Act, 1990 (2 U.S.C. 6133), is amended
13 in subsection (a) of the first section by striking
14 “by the appropriate Leader” and all that follows
15 and inserting “by the appropriate Leader.”.

16 (G) Section 2(a) of the Legislative Branch
17 Appropriations Act, 1988 (as enacted into law
18 by section 101(i) of Public Law 100–202 (101
19 Stat. 1329–290)) (2 U.S.C. 6651) is repealed.

20 (H) Section 203(g) of the Federal Legisla-
21 tive Salary Act of 1964 (Public Law 88–426; 78
22 Stat. 415) is repealed.

23 (I) Section 701 of the Ethics in Government
24 Act of 1978 (2 U.S.C. 288) is amended—

1 (i) by striking paragraph (4) of sub-
2 section (a); and

3 (ii) in subsection (b)(1), by striking the
4 second sentence.

5 (b) *HOUSE OF REPRESENTATIVES.*—

6 (1) *ADJUSTMENTS BY SPEAKER OF THE*
7 *HOUSE.*—Section 311(d) of the Legislative Branch
8 Appropriations Act, 1988 (as enacted into law by sec-
9 tion 101(i) of Public Law 100–202 (101 Stat. 1329–
10 290)) (2 U.S.C. 4532) is amended—

11 (A) in paragraph (1)—

12 (i) by striking “and” at the end of sub-
13 paragraph (A);

14 (ii) by striking the period at the end of
15 subparagraph (B) and inserting “; and”;
16 and

17 (iii) by adding at the end the following
18 new subparagraph:

19 “(C) the maintenance of the pay relationship de-
20 scribed in paragraph (3).”;

21 (B) by redesignating paragraph (3) as
22 paragraph (4); and

23 (C) by inserting after paragraph (2) the fol-
24 lowing new paragraph:

1 “(3) *The pay relationship described in this paragraph*
 2 *is the relationship in existence as of the effective date of*
 3 *the amendments made by section 212 of the Legislative*
 4 *Branch Appropriations Act, 2020 between—*

5 “(A) *an annual rate of pay of \$173,900; and*

6 “(B) *the annual rate of pay of a Member of the*
 7 *House of Representatives who is not the Speaker, Ma-*
 8 *jority Leader, or Minority Leader of the House.”.*

9 (2) *PAY ADJUSTMENTS BY CHIEF ADMINISTRA-*
 10 *TIVE OFFICER.—Section 4(e) of the Federal Pay Com-*
 11 *parability Act of 1970 (2 U.S.C. 4531(e)) is amended*
 12 *to read as follows:*

13 “(e) *No rate of pay for any position shall be adjusted*
 14 *under this section to an amount in excess of the rate of*
 15 *pay in effect for such position under an order issued by*
 16 *the Speaker of the House of Representatives pursuant to the*
 17 *authority of section 311(d) of the Legislative Branch Appro-*
 18 *priations Act, 1988 (2 U.S.C. 4532).”.*

19 (3) *CERTAIN POSITIONS OF THE HOUSE OF REP-*
 20 *RESENTATIVES.—*

21 (A) *LEGISLATIVE COUNSEL.—Section 523 of*
 22 *the Legislative Reorganization Act of 1970 (2*
 23 *U.S.C. 282b) is amended—*

24 (i) *in subsection (a), by striking “equal*
 25 *to the rate of basic pay” and all that fol-*

1 *lows and inserting “equal to the greater of*
2 *\$173,900 or the rate of pay in effect for*
3 *such position under an order issued by the*
4 *Speaker of the House of Representatives*
5 *pursuant to the authority of section 311(d)*
6 *of the Legislative Branch Appropriations*
7 *Act, 1988 (2 U.S.C. 4532).”;* and

8 *(ii) in subsection (b), by striking “in*
9 *excess of the rate of basic pay” and all that*
10 *follows and inserting “in excess of the ap-*
11 *plicable rate of pay in effect under an order*
12 *issued by the Speaker of the House of Rep-*
13 *resentatives pursuant to the authority of*
14 *section 311(d) of the Legislative Branch Ap-*
15 *propriations Act, 1988 (2 U.S.C. 4532).”.*

16 (B) *LAW REVISION COUNSEL.—Section*
17 *205(f) of House Resolution 988, 93rd Congress,*
18 *agreed to October 8, 1974, as enacted into law by*
19 *the matter under the heading “ADMINISTRATIVE*
20 *PROVISIONS” under the heading “HOUSE OF*
21 *REPRESENTATIVES” under chapter III of*
22 *title I of the Supplemental Appropriations Act,*
23 *1975 (2 U.S.C. 285e), is amended by striking*
24 *“Law Revision Counsel shall be paid” and all*
25 *that follows and inserting “Law Revision Coun-*

1 *sel shall be paid at a per annum gross rate de-*
2 *termined by the Speaker not to exceed the greater*
3 *of \$173,900 or the rate of pay in effect for such*
4 *position under an order issued by the Speaker*
5 *pursuant to the authority of section 311(d) of the*
6 *Legislative Branch Appropriations Act, 1988 (2*
7 *U.S.C. 4532); and members of the staff of the Of-*
8 *fice other than the Law Revision Counsel shall be*
9 *paid at per annum gross rates fixed by the Law*
10 *Revision Counsel with the approval of the Speak-*
11 *er or in accordance with policies approved by the*
12 *Speaker, but not in excess of the applicable rate*
13 *of pay in effect under an order issued by the*
14 *Speaker pursuant to the authority of such sec-*
15 *tion.”.*

16 (C) *PARLIAMENTARIAN.—Section 4 of*
17 *House Resolution 502, 95th Congress, agreed to*
18 *April 20, 1977, as enacted into law by section*
19 *115 of the Legislative Branch Appropriation Act,*
20 *1978 (2 U.S.C. 287c), is amended—*

21 (i) *in subsection (a), by striking “but*
22 *not in excess” and all that follows and in-*
23 *serting “but not in excess of the greater of*
24 *\$173,900 or the rate of pay in effect for*
25 *such position under an order issued by the*

1 *Speaker of the House of Representatives*
2 *pursuant to the authority of section 311(d)*
3 *of the Legislative Branch Appropriations*
4 *Act, 1988 (2 U.S.C. 4532).”; and*

5 *(ii) in subsection (b), by striking “, but*
6 *not in excess of the rate of basic pay set*
7 *forth in subsection (a)” and inserting “but*
8 *not in excess of the applicable rate of pay*
9 *in effect under an order issued by the*
10 *Speaker of the House of Representatives*
11 *pursuant to the authority of section 311(d)*
12 *of the Legislative Branch Appropriations*
13 *Act, 1988 (2 U.S.C. 4532)”.*

14 *(D) CHAPLAIN.—Section 3 of House Resolu-*
15 *tion 661, 95th Congress, agreed to July 29, 1977,*
16 *as enacted into law by section 111 of the Legisla-*
17 *tive Branch Appropriation Act, 1979 (2 U.S.C.*
18 *5521), is amended by striking section 3 and in-*
19 *serting the following:*

20 *“SEC. 3. The maximum per year gross rate of com-*
21 *pensation of the Chaplain of the House of Representatives*
22 *shall not exceed the greater of \$173,900 or the rate of pay*
23 *in effect for such position under an order issued by the*
24 *Speaker of the House of Representatives pursuant to the au-*

1 *thority of section 311(d) of the Legislative Branch Appro-*
2 *priations Act, 1988 (2 U.S.C. 4532).”.*

3 (E) *CERTAIN LEADERSHIP EMPLOYEES.—*

4 *Subsection (b) of the first section of House Reso-*
5 *lution 393, 95th Congress, agreed to March 31,*
6 *1977, as enacted into law by section 115 of the*
7 *Legislative Branch Appropriation Act, 1978 (2*
8 *U.S.C. 5141(b)), is amended by striking “The*
9 *annual rate” and all that follows through*
10 *“United States Code,” and inserting the fol-*
11 *lowing: “The maximum annual rate of com-*
12 *pen- sation for any individual employed under*
13 *subsection (a) shall not exceed the greater of*
14 *\$173,900 or the applicable rate of pay in effect*
15 *under an order issued by the Speaker of the*
16 *House of Representatives pursuant to the author-*
17 *ity of section 311(d) of the Legislative Branch*
18 *Appropriations Act, 1988 (2 U.S.C. 4532).”.*

19 (4) *CHIEF OF STAFF OF JOINT COMMITTEE ON*
20 *TAXATION.—Section 214(e) of the Postal Revenue and*
21 *Federal Salary Act of 1967 (2 U.S.C. 4302) is*
22 *amended by striking “The per annum rate of com-*
23 *pen- sation” and all that follows through the period at*
24 *the end and inserting the following: “The maximum*
25 *annual rate of compensation of the Chief of Staff of*

1 *the Joint Committee on Taxation shall not exceed the*
2 *greater of \$173,900 or the rate of pay in effect for*
3 *such position under an order issued by the Speaker*
4 *of the House of Representatives pursuant to the au-*
5 *thority of section 311(d) of the Legislative Branch*
6 *Appropriations Act, 1988 (2 U.S.C. 4532).”.*

7 *(c) EFFECTIVE DATE.—This section and the amend-*
8 *ments made by this section shall take effect on the later of—*

9 *(1) the first day of the first applicable pay pe-*
10 *riod beginning on or after January 1, 2020; or*

11 *(2) the first day of the first applicable pay pe-*
12 *riod beginning on or after the date of enactment of*
13 *this Act.*

14 *This division may be cited as the “Legislative Branch*
15 *Appropriations Act, 2020”.*

16 ***DIVISION F—MILITARY CONSTRUCTION,***
17 ***VETERANS AFFAIRS, AND RELATED***
18 ***AGENCIES APPROPRIATIONS ACT, 2020***

19 ***TITLE I***

20 ***DEPARTMENT OF DEFENSE***

21 ***MILITARY CONSTRUCTION, ARMY***

22 *For acquisition, construction, installation, and equip-*
23 *ment of temporary or permanent public works, military in-*
24 *stallations, facilities, and real property for the Army as*
25 *currently authorized by law, including personnel in the*

1 *Army Corps of Engineers and other personal services nec-*
2 *essary for the purposes of this appropriation, and for con-*
3 *struction and operation of facilities in support of the func-*
4 *tions of the Commander in Chief, \$1,178,499,000, to remain*
5 *available until September 30, 2024: Provided, That, of this*
6 *amount, not to exceed \$136,099,000 shall be available for*
7 *study, planning, design, architect and engineer services,*
8 *and host nation support, as authorized by law, unless the*
9 *Secretary of the Army determines that additional obliga-*
10 *tions are necessary for such purposes and notifies the Com-*
11 *mittees on Appropriations of both Houses of Congress of the*
12 *determination and the reasons therefor.*

13 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

14 *For acquisition, construction, installation, and equip-*
15 *ment of temporary or permanent public works, naval in-*
16 *stallations, facilities, and real property for the Navy and*
17 *Marine Corps as currently authorized by law, including*
18 *personnel in the Naval Facilities Engineering Command*
19 *and other personal services necessary for the purposes of this*
20 *appropriation, \$2,449,632,000, to remain available until*
21 *September 30, 2024: Provided, That, of this amount, not*
22 *to exceed \$178,715,000 shall be available for study, plan-*
23 *ning, design, and architect and engineer services, as author-*
24 *ized by law, unless the Secretary of the Navy determines*
25 *that additional obligations are necessary for such purposes*

1 *and notifies the Committees on Appropriations of both*
2 *Houses of Congress of the determination and the reasons*
3 *therefor.*

4 *MILITARY CONSTRUCTION, AIR FORCE*

5 *For acquisition, construction, installation, and equip-*
6 *ment of temporary or permanent public works, military in-*
7 *stallations, facilities, and real property for the Air Force*
8 *as currently authorized by law, \$1,687,230,000, to remain*
9 *available until September 30, 2024: Provided, That, of this*
10 *amount, not to exceed \$153,148,000 shall be available for*
11 *study, planning, design, and architect and engineer serv-*
12 *ices, as authorized by law, unless the Secretary of the Air*
13 *Force determines that additional obligations are necessary*
14 *for such purposes and notifies the Committees on Appro-*
15 *priations of both Houses of Congress of the determination*
16 *and the reasons therefor.*

17 *MILITARY CONSTRUCTION, DEFENSE-WIDE*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For acquisition, construction, installation, and equip-*
20 *ment of temporary or permanent public works, installa-*
21 *tions, facilities, and real property for activities and agen-*
22 *cies of the Department of Defense (other than the military*
23 *departments), as currently authorized by law,*
24 *\$2,362,529,000, to remain available until September 30,*
25 *2024: Provided, That such amounts of this appropriation*

1 *as may be determined by the Secretary of Defense may be*
2 *transferred to such appropriations of the Department of De-*
3 *fense available for military construction or family housing*
4 *as the Secretary may designate, to be merged with and to*
5 *be available for the same purposes, and for the same time*
6 *period, as the appropriation or fund to which transferred:*
7 *Provided further, That, of the amount, not to exceed*
8 *\$298,655,000 shall be available for study, planning, design,*
9 *and architect and engineer services, as authorized by law,*
10 *unless the Secretary of Defense determines that additional*
11 *obligations are necessary for such purposes and notifies the*
12 *Committees on Appropriations of both Houses of Congress*
13 *of the determination and the reasons therefor.*

14 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

15 *For construction, acquisition, expansion, rehabilita-*
16 *tion, and conversion of facilities for the training and ad-*
17 *ministration of the Army National Guard, and contribu-*
18 *tions therefor, as authorized by chapter 1803 of title 10,*
19 *United States Code, and Military Construction Authoriza-*
20 *tion Acts, \$210,819,000, to remain available until Sep-*
21 *tember 30, 2024: Provided, That, of the amount, not to ex-*
22 *ceed \$20,469,000 shall be available for study, planning, de-*
23 *sign, and architect and engineer services, as authorized by*
24 *law, unless the Director of the Army National Guard deter-*
25 *mines that additional obligations are necessary for such*

1 *purposes and notifies the Committees on Appropriations of*
2 *both Houses of Congress of the determination and the rea-*
3 *sons therefor.*

4 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

5 *For construction, acquisition, expansion, rehabilita-*
6 *tion, and conversion of facilities for the training and ad-*
7 *ministration of the Air National Guard, and contributions*
8 *therefor, as authorized by chapter 1803 of title 10, United*
9 *States Code, and Military Construction Authorization Acts,*
10 *\$164,471,000, to remain available until September 30,*
11 *2024: Provided, That, of the amount, not to exceed*
12 *\$17,000,000 shall be available for study, planning, design,*
13 *and architect and engineer services, as authorized by law,*
14 *unless the Director of the Air National Guard determines*
15 *that additional obligations are necessary for such purposes*
16 *and notifies the Committees on Appropriations of both*
17 *Houses of Congress of the determination and the reasons*
18 *therefor.*

19 *MILITARY CONSTRUCTION, ARMY RESERVE*

20 *For construction, acquisition, expansion, rehabilita-*
21 *tion, and conversion of facilities for the training and ad-*
22 *ministration of the Army Reserve as authorized by chapter*
23 *1803 of title 10, United States Code, and Military Con-*
24 *struction Authorization Acts, \$60,928,000, to remain avail-*
25 *able until September 30, 2024: Provided, That, of the*

1 amount, not to exceed \$6,000,000 shall be available for
2 study, planning, design, and architect and engineer serv-
3 ices, as authorized by law, unless the Chief of the Army
4 Reserve determines that additional obligations are nec-
5 essary for such purposes and notifies the Committees on Ap-
6 propriations of both Houses of Congress of the determina-
7 tion and the reasons therefor.

8 *MILITARY CONSTRUCTION, NAVY RESERVE*

9 *For construction, acquisition, expansion, rehabilita-*
10 *tion, and conversion of facilities for the training and ad-*
11 *ministration of the reserve components of the Navy and Ma-*
12 *rine Corps as authorized by chapter 1803 of title 10, United*
13 *States Code, and Military Construction Authorization Acts,*
14 *\$54,955,000, to remain available until September 30, 2024:*
15 *Provided, That, of the amount, not to exceed \$4,780,000*
16 *shall be available for study, planning, design, and architect*
17 *and engineer services, as authorized by law, unless the Sec-*
18 *retary of the Navy determines that additional obligations*
19 *are necessary for such purposes and notifies the Committees*
20 *on Appropriations of both Houses of Congress of the deter-*
21 *mination and the reasons therefor.*

22 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

23 *For construction, acquisition, expansion, rehabilita-*
24 *tion, and conversion of facilities for the training and ad-*
25 *ministration of the Air Force Reserve as authorized by*

1 *chapter 1803 of title 10, United States Code, and Military*
2 *Construction Authorization Acts, \$59,750,000, to remain*
3 *available until September 30, 2024: Provided, That, of the*
4 *amount, not to exceed \$4,604,000 shall be available for*
5 *study, planning, design, and architect and engineer serv-*
6 *ices, as authorized by law, unless the Chief of the Air Force*
7 *Reserve determines that additional obligations are nec-*
8 *essary for such purposes and notifies the Committees on Ap-*
9 *propriations of both Houses of Congress of the determina-*
10 *tion and the reasons therefor.*

11 *NORTH ATLANTIC TREATY ORGANIZATION*

12 *SECURITY INVESTMENT PROGRAM*

13 *For the United States share of the cost of the North*
14 *Atlantic Treaty Organization Security Investment Pro-*
15 *gram for the acquisition and construction of military facili-*
16 *ties and installations (including international military*
17 *headquarters) and for related expenses for the collective de-*
18 *fense of the North Atlantic Treaty Area as authorized by*
19 *section 2806 of title 10, United States Code, and Military*
20 *Construction Authorization Acts, \$172,005,000, to remain*
21 *available until expended.*

22 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT*

23 *For deposit into the Department of Defense Base Clo-*
24 *sure Account, established by section 2906(a) of the Defense*

1 *Base Closure and Realignment Act of 1990 (10 U.S.C. 2687*
2 *note), \$398,526,000, to remain available until expended.*

3 *FAMILY HOUSING CONSTRUCTION, ARMY*

4 *For expenses of family housing for the Army for con-*
5 *struction, including acquisition, replacement, addition, ex-*
6 *pansion, extension, and alteration, as authorized by law,*
7 *\$141,372,000, to remain available until September 30,*
8 *2024.*

9 *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

10 *For expenses of family housing for the Army for oper-*
11 *ation and maintenance, including debt payment, leasing,*
12 *minor construction, principal and interest charges, and in-*
13 *surance premiums, as authorized by law, \$357,907,000.*

14 *FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE*

15 *CORPS*

16 *For expenses of family housing for the Navy and Ma-*
17 *rine Corps for construction, including acquisition, replace-*
18 *ment, addition, expansion, extension, and alteration, as au-*
19 *thorized by law, \$47,661,000, to remain available until*
20 *September 30, 2024.*

21 *FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY*

22 *AND MARINE CORPS*

23 *For expenses of family housing for the Navy and Ma-*
24 *rine Corps for operation and maintenance, including debt*
25 *payment, leasing, minor construction, principal and inter-*

1 *est charges, and insurance premiums, as authorized by law,*
2 *\$317,870,000.*

3 *FAMILY HOUSING CONSTRUCTION, AIR FORCE*

4 *For expenses of family housing for the Air Force for*
5 *construction, including acquisition, replacement, addition,*
6 *expansion, extension, and alteration, as authorized by law,*
7 *\$103,631,000, to remain available until September 30,*
8 *2024.*

9 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*

10 *FORCE*

11 *For expenses of family housing for the Air Force for*
12 *operation and maintenance, including debt payment, leas-*
13 *ing, minor construction, principal and interest charges,*
14 *and insurance premiums, as authorized by law,*
15 *\$295,016,000.*

16 *FAMILY HOUSING OPERATION AND MAINTENANCE,*

17 *DEFENSE-WIDE*

18 *For expenses of family housing for the activities and*
19 *agencies of the Department of Defense (other than the mili-*
20 *tary departments) for operation and maintenance, leasing,*
21 *and minor construction, as authorized by law, \$57,000,000.*

22 *DEPARTMENT OF DEFENSE*

23 *FAMILY HOUSING IMPROVEMENT FUND*

24 *For the Department of Defense Family Housing Im-*
25 *provement Fund, \$3,045,000, to remain available until ex-*

1 *pending, for family housing initiatives undertaken pursuant*
2 *to section 2883 of title 10, United States Code, providing*
3 *alternative means of acquiring and improving military*
4 *family housing and supporting facilities.*

5 *DEPARTMENT OF DEFENSE*

6 *MILITARY UNACCOMPANIED HOUSING IMPROVEMENT*

7 *FUND*

8 *For the Department of Defense Military Unaccom-*
9 *panied Housing Improvement Fund, \$500,000, to remain*
10 *available until expended, for unaccompanied housing ini-*
11 *tiatives undertaken pursuant to section 2883 of title 10,*
12 *United States Code, providing alternative means of acquir-*
13 *ing and improving military unaccompanied housing and*
14 *supporting facilities.*

15 *ADMINISTRATIVE PROVISIONS*

16 *SEC. 101. None of the funds made available in this*
17 *title shall be expended for payments under a cost-plus-a-*
18 *fixed-fee contract for construction, where cost estimates ex-*
19 *ceed \$25,000, to be performed within the United States, ex-*
20 *cept Alaska, without the specific approval in writing of the*
21 *Secretary of Defense setting forth the reasons therefor.*

22 *SEC. 102. Funds made available in this title for con-*
23 *struction shall be available for hire of passenger motor vehi-*
24 *cles.*

1 *SEC. 103. Funds made available in this title for con-*
2 *struction may be used for advances to the Federal Highway*
3 *Administration, Department of Transportation, for the con-*
4 *struction of access roads as authorized by section 210 of*
5 *title 23, United States Code, when projects authorized there-*
6 *in are certified as important to the national defense by the*
7 *Secretary of Defense.*

8 *SEC. 104. None of the funds made available in this*
9 *title may be used to begin construction of new bases in the*
10 *United States for which specific appropriations have not*
11 *been made.*

12 *SEC. 105. None of the funds made available in this*
13 *title shall be used for purchase of land or land easements*
14 *in excess of 100 percent of the value as determined by the*
15 *Army Corps of Engineers or the Naval Facilities Engineer-*
16 *ing Command, except: (1) where there is a determination*
17 *of value by a Federal court; (2) purchases negotiated by*
18 *the Attorney General or the designee of the Attorney Gen-*
19 *eral; (3) where the estimated value is less than \$25,000; or*
20 *(4) as otherwise determined by the Secretary of Defense to*
21 *be in the public interest.*

22 *SEC. 106. None of the funds made available in this*
23 *title shall be used to: (1) acquire land; (2) provide for site*
24 *preparation; or (3) install utilities for any family housing,*
25 *except housing for which funds have been made available*

1 *in annual Acts making appropriations for military con-*
2 *struction.*

3 *SEC. 107. None of the funds made available in this*
4 *title for minor construction may be used to transfer or relo-*
5 *cate any activity from one base or installation to another,*
6 *without prior notification to the Committees on Appropria-*
7 *tions of both Houses of Congress.*

8 *SEC. 108. None of the funds made available in this*
9 *title may be used for the procurement of steel for any con-*
10 *struction project or activity for which American steel pro-*
11 *ducers, fabricators, and manufacturers have been denied the*
12 *opportunity to compete for such steel procurement.*

13 *SEC. 109. None of the funds available to the Depart-*
14 *ment of Defense for military construction or family housing*
15 *during the current fiscal year may be used to pay real prop-*
16 *erty taxes in any foreign nation.*

17 *SEC. 110. None of the funds made available in this*
18 *title may be used to initiate a new installation overseas*
19 *without prior notification to the Committees on Appropria-*
20 *tions of both Houses of Congress.*

21 *SEC. 111. None of the funds made available in this*
22 *title may be obligated for architect and engineer contracts*
23 *estimated by the Government to exceed \$500,000 for projects*
24 *to be accomplished in Japan, in any North Atlantic Treaty*
25 *Organization member country, or in countries bordering the*

1 *Arabian Gulf, unless such contracts are awarded to United*
2 *States firms or United States firms in joint venture with*
3 *host nation firms.*

4 *SEC. 112. None of the funds made available in this*
5 *title for military construction in the United States terri-*
6 *ories and possessions in the Pacific and on Kwajalein*
7 *Atoll, or in countries bordering the Arabian Gulf, may be*
8 *used to award any contract estimated by the Government*
9 *to exceed \$1,000,000 to a foreign contractor: Provided, That*
10 *this section shall not be applicable to contract awards for*
11 *which the lowest responsive and responsible bid of a United*
12 *States contractor exceeds the lowest responsive and respon-*
13 *sible bid of a foreign contractor by greater than 20 percent:*
14 *Provided further, That this section shall not apply to con-*
15 *tract awards for military construction on Kwajalein Atoll*
16 *for which the lowest responsive and responsible bid is sub-*
17 *mitted by a Marshallese contractor.*

18 *SEC. 113. The Secretary of Defense shall inform the*
19 *appropriate committees of both Houses of Congress, includ-*
20 *ing the Committees on Appropriations, of plans and scope*
21 *of any proposed military exercise involving United States*
22 *personnel 30 days prior to its occurring, if amounts ex-*
23 *pended for construction, either temporary or permanent,*
24 *are anticipated to exceed \$100,000.*

1 *SEC. 114. Funds appropriated to the Department of*
2 *Defense for construction in prior years shall be available*
3 *for construction authorized for each such military depart-*
4 *ment by the authorizations enacted into law during the cur-*
5 *rent session of Congress.*

6 *SEC. 115. For military construction or family housing*
7 *projects that are being completed with funds otherwise ex-*
8 *pired or lapsed for obligation, expired or lapsed funds may*
9 *be used to pay the cost of associated supervision, inspection,*
10 *overhead, engineering and design on those projects and on*
11 *subsequent claims, if any.*

12 *SEC. 116. Notwithstanding any other provision of law,*
13 *any funds made available to a military department or de-*
14 *fense agency for the construction of military projects may*
15 *be obligated for a military construction project or contract,*
16 *or for any portion of such a project or contract, at any*
17 *time before the end of the fourth fiscal year after the fiscal*
18 *year for which funds for such project were made available,*
19 *if the funds obligated for such project: (1) are obligated from*
20 *funds available for military construction projects; and (2)*
21 *do not exceed the amount appropriated for such project,*
22 *plus any amount by which the cost of such project is in-*
23 *creased pursuant to law.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 117. Subject to 30 days prior notification, or 14
3 days for a notification provided in an electronic medium
4 pursuant to sections 480 and 2883 of title 10, United States
5 Code, to the Committees on Appropriations of both Houses
6 of Congress, such additional amounts as may be determined
7 by the Secretary of Defense may be transferred to: (1) the
8 Department of Defense Family Housing Improvement Fund
9 from amounts appropriated for construction in “Family
10 Housing” accounts, to be merged with and to be available
11 for the same purposes and for the same period of time as
12 amounts appropriated directly to the Fund; or (2) the De-
13 partment of Defense Military Unaccompanied Housing Im-
14 provement Fund from amounts appropriated for construc-
15 tion of military unaccompanied housing in “Military Con-
16 struction” accounts, to be merged with and to be available
17 for the same purposes and for the same period of time as
18 amounts appropriated directly to the Fund: Provided, That
19 appropriations made available to the Funds shall be avail-
20 able to cover the costs, as defined in section 502(5) of the
21 Congressional Budget Act of 1974, of direct loans or loan
22 guarantees issued by the Department of Defense pursuant
23 to the provisions of subchapter IV of chapter 169 of title
24 10, United States Code, pertaining to alternative means of

1 *acquiring and improving military family housing, military*
2 *unaccompanied housing, and supporting facilities.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 118. In addition to any other transfer authority*
5 *available to the Department of Defense, amounts may be*
6 *transferred from the Department of Defense Base Closure*
7 *Account to the fund established by section 1013(d) of the*
8 *Demonstration Cities and Metropolitan Development Act of*
9 *1966 (42 U.S.C. 3374) to pay for expenses associated with*
10 *the Homeowners Assistance Program incurred under 42*
11 *U.S.C. 3374(a)(1)(A). Any amounts transferred shall be*
12 *merged with and be available for the same purposes and*
13 *for the same time period as the fund to which transferred.*

14 *SEC. 119. Notwithstanding any other provision of law,*
15 *funds made available in this title for operation and mainte-*
16 *nance of family housing shall be the exclusive source of*
17 *funds for repair and maintenance of all family housing*
18 *units, including general or flag officer quarters: Provided,*
19 *That not more than \$35,000 per unit may be spent annu-*
20 *ally for the maintenance and repair of any general or flag*
21 *officer quarters without 30 days prior notification, or 14*
22 *days for a notification provided in an electronic medium*
23 *pursuant to sections 480 and 2883 of title 10, United States*
24 *Code, to the Committees on Appropriations of both Houses*
25 *of Congress, except that an after-the-fact notification shall*

1 *rency Fluctuations, Construction, Defense*”, to be merged
2 *with and to be available for the same time period and for*
3 *the same purposes as the appropriation to which trans-*
4 *ferred.*

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 122. *Amounts appropriated or otherwise made*
7 *available in an account funded under the headings in this*
8 *title may be transferred among projects and activities with-*
9 *in the account in accordance with the reprogramming*
10 *guidelines for military construction and family housing*
11 *construction contained in Department of Defense Financial*
12 *Management Regulation 7000.14–R, Volume 3, Chapter 7,*
13 *of March 2011, as in effect on the date of enactment of this*
14 *Act.*

15 SEC. 123. *None of the funds made available in this*
16 *title may be obligated or expended for planning and design*
17 *and construction of projects at Arlington National Ceme-*
18 *tery.*

19 SEC. 124. *For an additional amount for the accounts*
20 *and in the amounts specified, to remain available until*
21 *September 30, 2024:*

22 “*Military Construction, Army*”, \$79,500,000;

23 “*Military Construction, Navy and Marine*
24 *Corps*”, \$374,529,000;

1 *following funds are hereby rescinded from the following ac-*
2 *counts in the amounts specified:*

3 *“Military Construction, Defense-Wide”,*
4 *\$45,055,000; and*
5 *“NATO Security Investment Program”,*
6 *\$25,000,000:*

7 *Provided, That no amounts may be rescinded from amounts*
8 *that were designated by the Congress for Overseas Contin-*
9 *gency Operations/Global War on Terrorism or as an emer-*
10 *gency requirement pursuant to a concurrent resolution on*
11 *the budget or the Balanced Budget and Emergency Deficit*
12 *Control Act of 1985, as amended.*

13 *SEC. 126. For the purposes of this Act, the term “con-*
14 *gressional defense committees” means the Committees on*
15 *Armed Services of the House of Representatives and the*
16 *Senate, the Subcommittee on Military Construction and*
17 *Veterans Affairs of the Committee on Appropriations of the*
18 *Senate, and the Subcommittee on Military Construction*
19 *and Veterans Affairs of the Committee on Appropriations*
20 *of the House of Representatives.*

21 *SEC. 127. None of the funds made available by this*
22 *Act may be used to carry out the closure or realignment*
23 *of the United States Naval Station, Guantánamo Bay,*
24 *Cuba.*

1 *SEC. 128. Notwithstanding any other provision of law,*
2 *none of the funds appropriated or otherwise made available*
3 *by this or any other Act may be used to consolidate or relo-*
4 *cate any element of a United States Air Force Rapid Engi-*
5 *neer Deployable Heavy Operational Repair Squadron En-*
6 *gineer (RED HORSE) outside of the United States until*
7 *the Secretary of the Air Force: (1) completes an analysis*
8 *and comparison of the cost and infrastructure investment*
9 *required to consolidate or relocate a RED HORSE squad-*
10 *ron outside of the United States versus within the United*
11 *States; (2) provides to the Committees on Appropriations*
12 *of both Houses of Congress (“the Committees”) a report de-*
13 *tailing the findings of the cost analysis; and (3) certifies*
14 *in writing to the Committees that the preferred site for the*
15 *consolidation or relocation yields the greatest savings for*
16 *the Air Force: Provided, That the term “United States” in*
17 *this section does not include any territory or possession of*
18 *the United States.*

19 *SEC. 129. All amounts appropriated to the “Depart-*
20 *ment of Defense—Military Construction, Army”, “Depart-*
21 *ment of Defense—Military Construction, Navy and Marine*
22 *Corps”, “Department of Defense—Military Construction,*
23 *Air Force”, and “Department of Defense—Military Con-*
24 *struction, Defense-Wide” accounts pursuant to the author-*
25 *ization of appropriations in a National Defense Authoriza-*

1 *tion Act specified for fiscal year 2020 in the funding table*
2 *in section 4601 of that Act shall be immediately available*
3 *and allotted to contract for the full scope of authorized*
4 *projects.*

5 *SEC. 130. For an additional amount for the accounts*
6 *and in the amounts specified for planning and design, for*
7 *improving military installation resilience, to remain avail-*
8 *able until September 30, 2024:*

9 *“Military Construction, Army”, \$20,000,000;*

10 *“Military Construction, Navy and Marine*
11 *Corps”, \$35,000,000; and*

12 *“Military Construction, Air Force”, \$20,000,000:*

13 *Provided, That not later than 60 days after enactment of*
14 *this Act, the Secretary of the military department con-*
15 *cerned, or his or her designee, shall submit to the Commit-*
16 *tees on Appropriations of both Houses of Congress an ex-*
17 *penditure plan for funds provided under this section: Pro-*
18 *vided further, That the Secretary of the military depart-*
19 *ment concerned may not obligate or expend any funds prior*
20 *to approval by the Committees on Appropriations of both*
21 *Houses of Congress of the expenditure plan required by this*
22 *section.*

23 *SEC. 131. For an additional amount for the accounts*
24 *and in the amounts specified, to remain available until*
25 *September 30, 2021:*

1 Code, \$1,439,931,000, which shall be in addition to funds
2 previously appropriated under this heading that became
3 available on October 1, 2019; and, \$118,246,975,000 shall
4 become available on October 1, 2020: Provided, That not
5 to exceed \$18,147,000 of the amount made available for fis-
6 cal year 2021 under this heading shall be reimbursed to
7 “General Operating Expenses, Veterans Benefits Adminis-
8 tration”, and “Information Technology Systems” for nec-
9 essary expenses in implementing the provisions of chapters
10 51, 53, and 55 of title 38, United States Code, the funding
11 source for which is specifically provided as the “Compensa-
12 tion and Pensions” appropriation: Provided further, That
13 such sums as may be earned on an actual qualifying pa-
14 tient basis, shall be reimbursed to “Medical Care Collections
15 Fund” to augment the funding of individual medical facili-
16 ties for nursing home care provided to pensioners as author-
17 ized.

18 *READJUSTMENT BENEFITS*

19 *For the payment of readjustment and rehabilitation*
20 *benefits to or on behalf of veterans as authorized by chapters*
21 *21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of*
22 *title 38, United States Code, \$12,578,965,000, to remain*
23 *available until expended and to become available on October*
24 *1, 2020: Provided, That expenses for rehabilitation program*
25 *services and assistance which the Secretary is authorized*

1 *to provide under subsection (a) of section 3104 of title 38,*
2 *United States Code, other than under paragraphs (1), (2),*
3 *(5), and (11) of that subsection, shall be charged to this*
4 *account.*

5 *VETERANS INSURANCE AND INDEMNITIES*

6 *For military and naval insurance, national service life*
7 *insurance, servicemen's indemnities, service-disabled vet-*
8 *erans insurance, and veterans mortgage life insurance as*
9 *authorized by chapters 19 and 21 of title 38, United States*
10 *Code, \$17,620,000, which shall be in addition to funds pre-*
11 *viously appropriated under this heading that became avail-*
12 *able on October 1, 2019, to remain available until expended;*
13 *and, in addition, \$129,224,000, shall become available on*
14 *October 1, 2020, and shall remain available until expended.*

15 *VETERANS HOUSING BENEFIT PROGRAM FUND*

16 *For the cost of direct and guaranteed loans, such sums*
17 *as may be necessary to carry out the program, as authorized*
18 *by subchapters I through III of chapter 37 of title 38,*
19 *United States Code: Provided, That such costs, including*
20 *the cost of modifying such loans, shall be as defined in sec-*
21 *tion 502 of the Congressional Budget Act of 1974: Provided*
22 *further, That, during fiscal year 2020, within the resources*
23 *available, not to exceed \$500,000 in gross obligations for*
24 *direct loans are authorized for specially adapted housing*
25 *loans.*

1 eral Services Administration for security guard services,
2 and reimbursement of the Department of Defense for the
3 cost of overseas employee mail, \$3,125,000,000: Provided,
4 That expenses for services and assistance authorized under
5 paragraphs (1), (2), (5), and (11) of section 3104(a) of title
6 38, United States Code, that the Secretary of Veterans Af-
7 fairs determines are necessary to enable entitled veterans:
8 (1) to the maximum extent feasible, to become employable
9 and to obtain and maintain suitable employment; or (2)
10 to achieve maximum independence in daily living, shall be
11 charged to this account: Provided further, That, of the funds
12 made available under this heading, not to exceed 10 percent
13 shall remain available until September 30, 2021.

14 *VETERANS HEALTH ADMINISTRATION*

15 *MEDICAL SERVICES*

16 *For necessary expenses for furnishing, as authorized*
17 *by law, inpatient and outpatient care and treatment to*
18 *beneficiaries of the Department of Veterans Affairs and vet-*
19 *erans described in section 1705(a) of title 38, United States*
20 *Code, including care and treatment in facilities not under*
21 *the jurisdiction of the Department, and including medical*
22 *supplies and equipment, bioengineering services, food serv-*
23 *ices, and salaries and expenses of healthcare employees*
24 *hired under title 38, United States Code, assistance and*
25 *support services for caregivers as authorized by section*

1 1720G of title 38, United States Code, loan repayments au-
2 thorized by section 604 of the Caregivers and Veterans Om-
3 nibus Health Services Act of 2010 (Public Law 111–163;
4 124 Stat. 1174; 38 U.S.C. 7681 note), monthly assistance
5 allowances authorized by section 322(d) of title 38, United
6 States Code, grants authorized by section 521A of title 38,
7 United States Code, and administrative expenses necessary
8 to carry out sections 322(d) and 521A of title 38, United
9 States Code, and hospital care and medical services author-
10 ized by section 1787 of title 38, United States Code;
11 \$56,158,015,000, plus reimbursements, shall become avail-
12 able on October 1, 2020, and shall remain available until
13 September 30, 2021: Provided, That, of the amount made
14 available on October 1, 2020, under this heading,
15 \$1,500,000,000 shall remain available until September 30,
16 2022: Provided further, That, notwithstanding any other
17 provision of law, the Secretary of Veterans Affairs shall es-
18 tablish a priority for the provision of medical treatment
19 for veterans who have service-connected disabilities, lower
20 income, or have special needs: Provided further, That, not-
21 withstanding any other provision of law, the Secretary of
22 Veterans Affairs shall give priority funding for the provi-
23 sion of basic medical benefits to veterans in enrollment pri-
24 ority groups 1 through 6: Provided further, That, notwith-
25 standing any other provision of law, the Secretary of Vet-

1 *erans Affairs may authorize the dispensing of prescription*
2 *drugs from Veterans Health Administration facilities to en-*
3 *rolled veterans with privately written prescriptions based*
4 *on requirements established by the Secretary: Provided fur-*
5 *ther, That the implementation of the program described in*
6 *the previous proviso shall incur no additional cost to the*
7 *Department of Veterans Affairs: Provided further, That the*
8 *Secretary of Veterans Affairs shall ensure that sufficient*
9 *amounts appropriated under this heading for medical sup-*
10 *plies and equipment are available for the acquisition of*
11 *prosthetics designed specifically for female veterans: Pro-*
12 *vided further, That of the amount that became available on*
13 *October 1, 2019, under this heading, not less than*
14 *\$585,000,000 shall be for gender-specific care for women.*

15 *MEDICAL COMMUNITY CARE*

16 *For necessary expenses for furnishing health care to*
17 *individuals pursuant to chapter 17 of title 38, United*
18 *States Code, at non-Department facilities, \$4,521,400,000,*
19 *which shall be in addition to funds previously appropriated*
20 *under this heading that became available on October 1,*
21 *2019; and, in addition, \$17,131,179,000, plus reimburse-*
22 *ments, shall become available on October 1, 2020, and shall*
23 *remain available until September 30, 2021: Provided, That,*
24 *of the amount made available on October 1, 2020, under*
25 *this heading, \$2,000,000,000 shall remain available until*

1 *September 30, 2022: Provided further, That \$615,000,000*
2 *of the additional amounts provided for fiscal year 2020*
3 *under this heading in this Act shall be derived by transfer*
4 *from the Veterans Choice Fund pursuant to the authority*
5 *in section 802(c)(4) of the Veterans Access, Choice, and Ac-*
6 *countability Act of 2014, as amended (38 U.S.C. 1701 note),*
7 *from prior year unobligated balances in that Fund that*
8 *were provided by section 510 of the VA MISSION Act of*
9 *2018 (Public Law 115–182).*

10 *MEDICAL SUPPORT AND COMPLIANCE*

11 *For necessary expenses in the administration of the*
12 *medical, hospital, nursing home, domiciliary, construction,*
13 *supply, and research activities, as authorized by law; ad-*
14 *ministrative expenses in support of capital policy activities;*
15 *and administrative and legal expenses of the Department*
16 *for collecting and recovering amounts owed the Department*
17 *as authorized under chapter 17 of title 38, United States*
18 *Code, and the Federal Medical Care Recovery Act (42*
19 *U.S.C. 2651 et seq.), \$98,800,000 which shall be in addition*
20 *to funds previously appropriated under this heading that*
21 *became available on October 1, 2019; and, in addition,*
22 *\$7,914,191,000, plus reimbursements, shall become avail-*
23 *able on October 1, 2020, and shall remain available until*
24 *September 30, 2021: Provided, That, of the amount made*
25 *available on October 1, 2020, under this heading,*

1 \$150,000,000 shall remain available until September 30,
2 2022.

3 *MEDICAL FACILITIES*

4 *For necessary expenses for the maintenance and oper-*
5 *ation of hospitals, nursing homes, domiciliary facilities,*
6 *and other necessary facilities of the Veterans Health Admin-*
7 *istration; for administrative expenses in support of plan-*
8 *ning, design, project management, real property acquisition*
9 *and disposition, construction, and renovation of any facil-*
10 *ity under the jurisdiction or for the use of the Department;*
11 *for oversight, engineering, and architectural activities not*
12 *charged to project costs; for repairing, altering, improving,*
13 *or providing facilities in the several hospitals and homes*
14 *under the jurisdiction of the Department, not otherwise pro-*
15 *vided for, either by contract or by the hire of temporary*
16 *employees and purchase of materials; for leases of facilities;*
17 *and for laundry services; \$6,433,265,000, plus reimburse-*
18 *ments, shall become available on October 1, 2020, and shall*
19 *remain available until September 30, 2021: Provided, That,*
20 *of the amount made available on October 1, 2020, under*
21 *this heading, \$250,000,000 shall remain available until*
22 *September 30, 2022.*

23 *MEDICAL AND PROSTHETIC RESEARCH*

24 *For necessary expenses in carrying out programs of*
25 *medical and prosthetic research and development as author-*

1 ized by chapter 73 of title 38, United States Code,
2 \$800,000,000, plus reimbursements, shall remain available
3 until September 30, 2021: Provided, That the Secretary of
4 Veterans Affairs shall ensure that sufficient amounts appro-
5 priated under this heading are available for prosthetic re-
6 search specifically for female veterans, and for toxic expo-
7 sure research.

8 *NATIONAL CEMETERY ADMINISTRATION*

9 *For necessary expenses of the National Cemetery Ad-*
10 *ministration for operations and maintenance, not otherwise*
11 *provided for, including uniforms or allowances therefor;*
12 *cemeterial expenses as authorized by law; purchase of one*
13 *passenger motor vehicle for use in cemeterial operations;*
14 *hire of passenger motor vehicles; and repair, alteration or*
15 *improvement of facilities under the jurisdiction of the Na-*
16 *tional Cemetery Administration, \$329,000,000, of which*
17 *not to exceed 10 percent shall remain available until Sep-*
18 *tember 30, 2021.*

19 *DEPARTMENTAL ADMINISTRATION*

20 *GENERAL ADMINISTRATION*

21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For necessary operating expenses of the Department of*
23 *Veterans Affairs, not otherwise provided for, including ad-*
24 *ministrative expenses in support of Department-wide cap-*
25 *ital planning, management and policy activities, uniforms,*

1 *or allowances therefor; not to exceed \$25,000 for official re-*
2 *ception and representation expenses; hire of passenger*
3 *motor vehicles; and reimbursement of the General Services*
4 *Administration for security guard services, \$355,911,000,*
5 *of which not to exceed 10 percent shall remain available*
6 *until September 30, 2021: Provided, That funds provided*
7 *under this heading may be transferred to “General Oper-*
8 *ating Expenses, Veterans Benefits Administration”.*

9 *BOARD OF VETERANS APPEALS*

10 *For necessary operating expenses of the Board of Vet-*
11 *erans Appeals, \$182,000,000, of which not to exceed 10 per-*
12 *cent shall remain available until September 30, 2021.*

13 *INFORMATION TECHNOLOGY SYSTEMS*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For necessary expenses for information technology sys-*
16 *tems and telecommunications support, including develop-*
17 *mental information systems and operational information*
18 *systems; for pay and associated costs; and for the capital*
19 *asset acquisition of information technology systems, includ-*
20 *ing management and related contractual costs of said ac-*
21 *quisitions, including contractual costs associated with oper-*
22 *ations authorized by section 3109 of title 5, United States*
23 *Code, \$4,371,615,000, plus reimbursements: Provided, That*
24 *\$1,204,238,000 shall be for pay and associated costs, of*
25 *which not to exceed 3 percent shall remain available until*

1 *September 30, 2021: Provided further, That \$2,739,597,000*
2 *shall be for operations and maintenance, of which not to*
3 *exceed 5 percent shall remain available until September 30,*
4 *2021: Provided further, That \$427,780,000 shall be for in-*
5 *formation technology systems development, and shall re-*
6 *main available until September 30, 2021: Provided further,*
7 *That amounts made available for salaries and expenses, op-*
8 *erations and maintenance, and information technology sys-*
9 *tems development may be transferred among the three sub-*
10 *accounts after the Secretary of Veterans Affairs requests*
11 *from the Committees on Appropriations of both Houses of*
12 *Congress the authority to make the transfer and an ap-*
13 *proval is issued: Provided further, That amounts made*
14 *available for the “Information Technology Systems” ac-*
15 *count for development may be transferred among projects*
16 *or to newly defined projects: Provided further, That no*
17 *project may be increased or decreased by more than*
18 *\$1,000,000 of cost prior to submitting a request to the Com-*
19 *mittees on Appropriations of both Houses of Congress to*
20 *make the transfer and an approval is issued, or absent a*
21 *response, a period of 30 days has elapsed: Provided further,*
22 *That the funds made available under this heading for infor-*
23 *mation technology systems development shall be for the*
24 *projects, and in the amounts, specified under this heading*

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

3 *VETERANS ELECTRONIC HEALTH RECORD*

4 *For activities related to implementation, preparation,*
5 *development, interface, management, rollout, and mainte-*
6 *nance of a Veterans Electronic Health Record system, in-*
7 *cluding contractual costs associated with operations author-*
8 *ized by section 3109 of title 5, United States Code, and sala-*
9 *ries and expenses of employees hired under titles 5 and 38,*
10 *United States Code, \$1,500,000,000, to remain available*
11 *until September 30, 2022: Provided, That the Secretary of*
12 *Veterans Affairs shall submit to the Committees on Appro-*
13 *priations of both Houses of Congress quarterly reports de-*
14 *tailing obligations, expenditures, and deployment imple-*
15 *mentation by facility: Provided further, That the funds pro-*
16 *vided in this account shall only be available to the Office*
17 *of the Deputy Secretary, to be administered by that Office:*
18 *Provided further, That none of the funds made available*
19 *under this heading may be obligated in a manner incon-*
20 *sistent with deployment schedules provided to the Commit-*
21 *tees on Appropriations unless the Secretary of Veterans Af-*
22 *fairs provides notification to the Committees on Appropria-*
23 *tions of such change and an approval is issued.*

1 *which \$35,000,000 shall be available for seismic improve-*
2 *ment projects and seismic program management activities,*
3 *including for projects that would otherwise be funded by*
4 *the Construction, Minor Projects, Medical Facilities or Na-*
5 *tional Cemetery Administration accounts: Provided, That*
6 *except for advance planning activities, including needs as-*
7 *sessments which may or may not lead to capital invest-*
8 *ments, and other capital asset management related activi-*
9 *ties, including portfolio development and management ac-*
10 *tivities, and investment strategy studies funded through the*
11 *advance planning fund and the planning and design activi-*
12 *ties funded through the design fund, including needs assess-*
13 *ments which may or may not lead to capital investments,*
14 *and funds provided for the purchase, security, and mainte-*
15 *nance of land for the National Cemetery Administration*
16 *through the land acquisition line item, none of the funds*
17 *made available under this heading shall be used for any*
18 *project that has not been notified to Congress through the*
19 *budgetary process or that has not been approved by the Con-*
20 *gress through statute, joint resolution, or in the explanatory*
21 *statement accompanying such Act and presented to the*
22 *President at the time of enrollment: Provided further, That*
23 *such sums as may be necessary shall be available to reim-*
24 *burse the “General Administration” account for payment*
25 *of salaries and expenses of all Office of Construction and*

1 *Facilities Management employees to support the full range*
2 *of capital infrastructure services provided, including minor*
3 *construction and leasing services: Provided further, That*
4 *funds made available under this heading for fiscal year*
5 *2020, for each approved project shall be obligated: (1) by*
6 *the awarding of a construction documents contract by Sep-*
7 *tember 30, 2020; and (2) by the awarding of a construction*
8 *contract by September 30, 2021: Provided further, That the*
9 *Secretary of Veterans Affairs shall promptly submit to the*
10 *Committees on Appropriations of both Houses of Congress*
11 *a written report on any approved major construction*
12 *project for which obligations are not incurred within the*
13 *time limitations established above: Provided further, That*
14 *notwithstanding the requirements of section 8104(a) of title*
15 *38, United States Code, amounts made available under this*
16 *heading for seismic improvement projects and seismic pro-*
17 *gram management activities shall be available for the com-*
18 *pletion of both new and existing seismic projects of the De-*
19 *partment.*

20 *CONSTRUCTION, MINOR PROJECTS*

21 *For constructing, altering, extending, and improving*
22 *any of the facilities, including parking projects, under the*
23 *jurisdiction or for the use of the Department of Veterans*
24 *Affairs, including planning and assessments of needs which*
25 *may lead to capital investments, architectural and engi-*

1 *neering services, maintenance or guarantee period services*
2 *costs associated with equipment guarantees provided under*
3 *the project, services of claims analysts, offsite utility and*
4 *storm drainage system construction costs, and site acquisi-*
5 *tion, or for any of the purposes set forth in sections 316,*
6 *2404, 2406 and chapter 81 of title 38, United States Code,*
7 *not otherwise provided for, where the estimated cost of a*
8 *project is equal to or less than the amount set forth in sec-*
9 *tion 8104(a)(3)(A) of title 38, United States Code,*
10 *\$398,800,000, to remain available until September 30,*
11 *2024, along with unobligated balances of previous “Con-*
12 *struction, Minor Projects” appropriations which are hereby*
13 *made available for any project where the estimated cost is*
14 *equal to or less than the amount set forth in such section:*
15 *Provided, That funds made available under this heading*
16 *shall be for: (1) repairs to any of the nonmedical facilities*
17 *under the jurisdiction or for the use of the Department*
18 *which are necessary because of loss or damage caused by*
19 *any natural disaster or catastrophe; and (2) temporary*
20 *measures necessary to prevent or to minimize further loss*
21 *by such causes.*

22 *GRANTS FOR CONSTRUCTION OF*
23 *STATE EXTENDED CARE FACILITIES*

24 *For grants to assist States to acquire or construct*
25 *State nursing home and domiciliary facilities and to re-*

1 *model, modify, or alter existing hospital, nursing home, and*
2 *domiciliary facilities in State homes, for furnishing care*
3 *to veterans as authorized by sections 8131 through 8137 of*
4 *title 38, United States Code, \$90,000,000, to remain avail-*
5 *able until expended.*

6 *GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES*

7 *For grants to assist States and tribal organizations*
8 *in establishing, expanding, or improving veterans ceme-*
9 *teries as authorized by section 2408 of title 38, United*
10 *States Code, \$45,000,000, to remain available until ex-*
11 *pended.*

12 *ADMINISTRATIVE PROVISIONS*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 201. Any appropriation for fiscal year 2020 for*
15 *“Compensation and Pensions”, “Readjustment Benefits”,*
16 *and “Veterans Insurance and Indemnities” may be trans-*
17 *ferred as necessary to any other of the mentioned appro-*
18 *priations: Provided, That, before a transfer may take place,*
19 *the Secretary of Veterans Affairs shall request from the*
20 *Committees on Appropriations of both Houses of Congress*
21 *the authority to make the transfer and such Committees*
22 *issue an approval, or absent a response, a period of 30 days*
23 *has elapsed.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 202. Amounts made available for the Department
3 of Veterans Affairs for fiscal year 2020, in this or any other
4 Act, under the “Medical Services”, “Medical Community
5 Care”, “Medical Support and Compliance”, and “Medical
6 Facilities” accounts may be transferred among the ac-
7 counts: Provided, That any transfers among the “Medical
8 Services”, “Medical Community Care”, and “Medical Sup-
9 port and Compliance” accounts of 1 percent or less of the
10 total amount appropriated to the account in this or any
11 other Act may take place subject to notification from the
12 Secretary of Veterans Affairs to the Committees on Appro-
13 priations of both Houses of Congress of the amount and
14 purpose of the transfer: Provided further, That any trans-
15 fers among the “Medical Services”, “Medical Community
16 Care”, and “Medical Support and Compliance” accounts
17 in excess of 1 percent, or exceeding the cumulative 1 percent
18 for the fiscal year, may take place only after the Secretary
19 requests from the Committees on Appropriations of both
20 Houses of Congress the authority to make the transfer and
21 an approval is issued: Provided further, That any transfers
22 to or from the “Medical Facilities” account may take place
23 only after the Secretary requests from the Committees on
24 Appropriations of both Houses of Congress the authority to
25 make the transfer and an approval is issued.

1 *SEC. 203. Appropriations available in this title for sal-*
2 *aries and expenses shall be available for services authorized*
3 *by section 3109 of title 5, United States Code; hire of pas-*
4 *senger motor vehicles; lease of a facility or land or both;*
5 *and uniforms or allowances therefore, as authorized by sec-*
6 *tions 5901 through 5902 of title 5, United States Code.*

7 *SEC. 204. No appropriations in this title (except the*
8 *appropriations for “Construction, Major Projects”, and*
9 *“Construction, Minor Projects”)* shall be available for the
10 *purchase of any site for or toward the construction of any*
11 *new hospital or home.*

12 *SEC. 205. No appropriations in this title shall be*
13 *available for hospitalization or examination of any persons*
14 *(except beneficiaries entitled to such hospitalization or ex-*
15 *amination under the laws providing such benefits to vet-*
16 *erans, and persons receiving such treatment under sections*
17 *7901 through 7904 of title 5, United States Code, or the*
18 *Robert T. Stafford Disaster Relief and Emergency Assist-*
19 *ance Act (42 U.S.C. 5121 et seq.)), unless reimbursement*
20 *of the cost of such hospitalization or examination is made*
21 *to the “Medical Services” account at such rates as may be*
22 *fixed by the Secretary of Veterans Affairs.*

23 *SEC. 206. Appropriations available in this title for*
24 *“Compensation and Pensions”, “Readjustment Benefits”,*
25 *and “Veterans Insurance and Indemnities” shall be avail-*

1 *dends in that program after claims have been paid and ac-*
2 *tuarily determined reserves have been set aside: Provided*
3 *further, That if the cost of administration of such an insur-*
4 *ance program exceeds the amount of surplus earnings accu-*
5 *mulated in that program, reimbursement shall be made*
6 *only to the extent of such surplus earnings: Provided fur-*
7 *ther, That the Secretary shall determine the cost of adminis-*
8 *tration for fiscal year 2020 which is properly allocable to*
9 *the provision of each such insurance program and to the*
10 *provision of any total disability income insurance included*
11 *in that insurance program.*

12 *SEC. 209. Amounts deducted from enhanced-use lease*
13 *proceeds to reimburse an account for expenses incurred by*
14 *that account during a prior fiscal year for providing en-*
15 *hanced-use lease services, may be obligated during the fiscal*
16 *year in which the proceeds are received.*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *SEC. 210. Funds available in this title or funds for*
19 *salaries and other administrative expenses shall also be*
20 *available to reimburse the Office of Resolution Management,*
21 *the Office of Employment Discrimination Complaint Adju-*
22 *dication, and the Office of Diversity and Inclusion for all*
23 *services provided at rates which will recover actual costs*
24 *but not to exceed \$57,263,000 for the Office of Resolution*
25 *Management, \$6,000,000 for the Office of Employment Dis-*

1 *crimination Complaint Adjudication, and \$4,628,000 for*
2 *the Office of Diversity and Inclusion: Provided, That pay-*
3 *ments may be made in advance for services to be furnished*
4 *based on estimated costs: Provided further, That amounts*
5 *received shall be credited to the “General Administration”*
6 *and “Information Technology Systems” accounts for use by*
7 *the office that provided the service.*

8 *SEC. 211. No funds of the Department of Veterans Af-*
9 *fairs shall be available for hospital care, nursing home care,*
10 *or medical services provided to any person under chapter*
11 *17 of title 38, United States Code, for a non-service-con-*
12 *nected disability described in section 1729(a)(2) of such*
13 *title, unless that person has disclosed to the Secretary of*
14 *Veterans Affairs, in such form as the Secretary may require,*
15 *current, accurate third-party reimbursement information*
16 *for purposes of section 1729 of such title: Provided, That*
17 *the Secretary may recover, in the same manner as any other*
18 *debt due the United States, the reasonable charges for such*
19 *care or services from any person who does not make such*
20 *disclosure as required: Provided further, That any amounts*
21 *so recovered for care or services provided in a prior fiscal*
22 *year may be obligated by the Secretary during the fiscal*
23 *year in which amounts are received.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 212. Notwithstanding any other provision of law,
3 proceeds or revenues derived from enhanced-use leasing ac-
4 tivities (including disposal) may be deposited into the
5 “Construction, Major Projects” and “Construction, Minor
6 Projects” accounts and be used for construction (including
7 site acquisition and disposition), alterations, and improve-
8 ments of any medical facility under the jurisdiction or for
9 the use of the Department of Veterans Affairs. Such sums
10 as realized are in addition to the amount provided for in
11 “Construction, Major Projects” and “Construction, Minor
12 Projects”.

13 SEC. 213. Amounts made available under “Medical
14 Services” are available—

15 (1) for furnishing recreational facilities, sup-
16 plies, and equipment; and

17 (2) for funeral expenses, burial expenses, and
18 other expenses incidental to funerals and burials for
19 beneficiaries receiving care in the Department.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 214. Such sums as may be deposited to the Med-
22 ical Care Collections Fund pursuant to section 1729A of
23 title 38, United States Code, may be transferred to the
24 “Medical Services” and “Medical Community Care” ac-

1 of Veterans Affairs for the preceding quarter: Provided,
2 That, at a minimum, the report shall include the direction
3 contained in the paragraph entitled “Quarterly reporting”,
4 under the heading “General Administration” in the joint
5 explanatory statement accompanying Public Law 114–223.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 218. Amounts made available under the “Medical
8 Services”, “Medical Community Care”, “Medical Support
9 and Compliance”, “Medical Facilities”, “General Oper-
10 ating Expenses, Veterans Benefits Administration”, “Board
11 of Veterans Appeals”, “General Administration”, and “Na-
12 tional Cemetery Administration” accounts for fiscal year
13 2020 may be transferred to or from the “Information Tech-
14 nology Systems” account: Provided, That such transfers
15 may not result in a more than 10 percent aggregate increase
16 in the total amount made available by this Act for the “In-
17 formation Technology Systems” account: Provided further,
18 That, before a transfer may take place, the Secretary of Vet-
19 erans Affairs shall request from the Committees on Appro-
20 priations of both Houses of Congress the authority to make
21 the transfer and an approval is issued.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 219. Of the amounts appropriated to the Depart-
24 ment of Veterans Affairs for fiscal year 2020 for “Medical
25 Services”, “Medical Community Care”, “Medical Support

1 *and Compliance*”, “*Medical Facilities*”, “*Construction,*
2 *Minor Projects*”, and “*Information Technology Systems*”,
3 *up to \$314,409,000, plus reimbursements, may be trans-*
4 *ferred to the Joint Department of Defense—Department of*
5 *Veterans Affairs Medical Facility Demonstration Fund, es-*
6 *tablished by section 1704 of the National Defense Authoriza-*
7 *tion Act for Fiscal Year 2010 (Public Law 111–84; 123*
8 *Stat. 3571) and may be used for operation of the facilities*
9 *designated as combined Federal medical facilities as de-*
10 *scribed by section 706 of the Duncan Hunter National De-*
11 *fense Authorization Act for Fiscal Year 2009 (Public Law*
12 *110–417; 122 Stat. 4500): Provided, That additional funds*
13 *may be transferred from accounts designated in this section*
14 *to the Joint Department of Defense—Department of Vet-*
15 *erans Affairs Medical Facility Demonstration Fund upon*
16 *written notification by the Secretary of Veterans Affairs to*
17 *the Committees on Appropriations of both Houses of Con-*
18 *gress: Provided further, That section 220 of title II of divi-*
19 *sion C of Public Law 115–244 is repealed.*

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 220. *Of the amounts appropriated to the Depart-*
22 *ment of Veterans Affairs which become available on October*
23 *1, 2020, for “Medical Services”, “Medical Community*
24 *Care”, “Medical Support and Compliance”, and “Medical*
25 *Facilities”, up to \$322,931,000, plus reimbursements, may*

1 *be transferred to the Joint Department of Defense—Depart-*
2 *ment of Veterans Affairs Medical Facility Demonstration*
3 *Fund, established by section 1704 of the National Defense*
4 *Authorization Act for Fiscal Year 2010 (Public Law 111–*
5 *84; 123 Stat. 3571) and may be used for operation of the*
6 *facilities designated as combined Federal medical facilities*
7 *as described by section 706 of the Duncan Hunter National*
8 *Defense Authorization Act for Fiscal Year 2009 (Public*
9 *Law 110–417; 122 Stat. 4500): Provided, That additional*
10 *funds may be transferred from accounts designated in this*
11 *section to the Joint Department of Defense—Department*
12 *of Veterans Affairs Medical Facility Demonstration Fund*
13 *upon written notification by the Secretary of Veterans Af-*
14 *airs to the Committees on Appropriations of both Houses*
15 *of Congress.*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *SEC. 221. Such sums as may be deposited to the Med-*
18 *ical Care Collections Fund pursuant to section 1729A of*
19 *title 38, United States Code, for healthcare provided at fa-*
20 *cilities designated as combined Federal medical facilities as*
21 *described by section 706 of the Duncan Hunter National*
22 *Defense Authorization Act for Fiscal Year 2009 (Public*
23 *Law 110–417; 122 Stat. 4500) shall also be available: (1)*
24 *for transfer to the Joint Department of Defense—Depart-*
25 *ment of Veterans Affairs Medical Facility Demonstration*

1 *Fund, established by section 1704 of the National Defense*
2 *Authorization Act for Fiscal Year 2010 (Public Law 111–*
3 *84; 123 Stat. 3571); and (2) for operations of the facilities*
4 *designated as combined Federal medical facilities as de-*
5 *scribed by section 706 of the Duncan Hunter National De-*
6 *fense Authorization Act for Fiscal Year 2009 (Public Law*
7 *110–417; 122 Stat. 4500): Provided, That, notwithstanding*
8 *section 1704(b)(3) of the National Defense Authorization*
9 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
10 *2573), amounts transferred to the Joint Department of De-*
11 *fense—Department of Veterans Affairs Medical Facility*
12 *Demonstration Fund shall remain available until expended.*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 222. Of the amounts available in this title for*
15 *“Medical Services”, “Medical Community Care”, “Medical*
16 *Support and Compliance”, and “Medical Facilities”, a*
17 *minimum of \$15,000,000 shall be transferred to the DOD–*
18 *VA Health Care Sharing Incentive Fund, as authorized by*
19 *section 8111(d) of title 38, United States Code, to remain*
20 *available until expended, for any purpose authorized by sec-*
21 *tion 8111 of title 38, United States Code.*

22 *SEC. 223. None of the funds available to the Depart-*
23 *ment of Veterans Affairs, in this or any other Act, may*
24 *be used to replace the current system by which the Veterans*

1 *Integrated Service Networks select and contract for diabetes*
2 *monitoring supplies and equipment.*

3 *SEC. 224. The Secretary of Veterans Affairs shall no-*
4 *tify the Committees on Appropriations of both Houses of*
5 *Congress of all bid savings in a major construction project*
6 *that total at least \$5,000,000, or 5 percent of the pro-*
7 *grammed amount of the project, whichever is less: Provided,*
8 *That such notification shall occur within 14 days of a con-*
9 *tract identifying the programmed amount: Provided fur-*
10 *ther, That the Secretary shall notify the Committees on Ap-*
11 *propriations of both Houses of Congress 14 days prior to*
12 *the obligation of such bid savings and shall describe the an-*
13 *ticipated use of such savings.*

14 *SEC. 225. None of the funds made available for “Con-*
15 *struction, Major Projects” may be used for a project in ex-*
16 *cess of the scope specified for that project in the original*
17 *justification data provided to the Congress as part of the*
18 *request for appropriations unless the Secretary of Veterans*
19 *Affairs receives approval from the Committees on Appro-*
20 *priations of both Houses of Congress.*

21 *SEC. 226. Not later than 30 days after the end of each*
22 *fiscal quarter, the Secretary of Veterans Affairs shall submit*
23 *to the Committees on Appropriations of both Houses of Con-*
24 *gress a quarterly report containing performance measures*
25 *and data from each Veterans Benefits Administration Re-*

1 *tions made available for fiscal year 2020 in this title (except*
2 *appropriations made to the “General Operating Expenses,*
3 *Veterans Benefits Administration” account) or any discre-*
4 *tionary unobligated balances within the Department of Vet-*
5 *erans Affairs, including those appropriated for fiscal year*
6 *2020, that were provided in advance by appropriations*
7 *Acts: Provided, That transfers shall be made only with the*
8 *approval of the Office of Management and Budget: Provided*
9 *further, That the transfer authority provided in this section*
10 *is in addition to any other transfer authority provided by*
11 *law: Provided further, That no amounts may be transferred*
12 *from amounts that were designated by Congress as an emer-*
13 *gency requirement pursuant to a concurrent resolution on*
14 *the budget or the Balanced Budget and Emergency Deficit*
15 *Control Act of 1985: Provided further, That such authority*
16 *to transfer may not be used unless for higher priority items,*
17 *based on emergent healthcare requirements, than those for*
18 *which originally appropriated and in no case where the*
19 *item for which funds are requested has been denied by Con-*
20 *gress: Provided further, That, upon determination that all*
21 *or part of the funds transferred from an appropriation are*
22 *not necessary, such amounts may be transferred back to that*
23 *appropriation and shall be available for the same purposes*
24 *as originally appropriated: Provided further, That before*
25 *a transfer may take place, the Secretary of Veterans Affairs*

1 *shall request from the Committees on Appropriations of*
2 *both Houses of Congress the authority to make the transfer*
3 *and receive approval of that request.*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *SEC. 230. Amounts made available for the Department*
6 *of Veterans Affairs for fiscal year 2020, under the “Board*
7 *of Veterans Appeals” and the “General Operating Expenses,*
8 *Veterans Benefits Administration” accounts may be trans-*
9 *ferred between such accounts: Provided, That before a trans-*
10 *fer may take place, the Secretary of Veterans Affairs shall*
11 *request from the Committees on Appropriations of both*
12 *Houses of Congress the authority to make the transfer and*
13 *receive approval of that request.*

14 *SEC. 231. The Secretary of Veterans Affairs may not*
15 *reprogram funds among major construction projects or pro-*
16 *grams if such instance of reprogramming will exceed*
17 *\$7,000,000, unless such reprogramming is approved by the*
18 *Committees on Appropriations of both Houses of Congress.*

19 *SEC. 232. (a) The Secretary of Veterans Affairs shall*
20 *ensure that the toll-free suicide hotline under section*
21 *1720F(h) of title 38, United States Code—*

22 *(1) provides to individuals who contact the hot-*
23 *line immediate assistance from a trained professional;*
24 *and*

1 (2) *adheres to all requirements of the American*
2 *Association of Suicidology.*

3 (b)(1) *None of the funds made available by this Act*
4 *may be used to enforce or otherwise carry out any Executive*
5 *action that prohibits the Secretary of Veterans Affairs from*
6 *appointing an individual to occupy a vacant civil service*
7 *position, or establishing a new civil service position, at the*
8 *Department of Veterans Affairs with respect to such a posi-*
9 *tion relating to the hotline specified in subsection (a).*

10 (2) *In this subsection—*

11 (A) *the term “civil service” has the meaning*
12 *given such term in section 2101(1) of title 5, United*
13 *States Code; and*

14 (B) *the term “Executive action” includes—*

15 (i) *any Executive order, presidential memo-*
16 *randum, or other action by the President; and*

17 (ii) *any agency policy, order, or other direc-*
18 *tive.*

19 (c)(1) *The Secretary of Veterans Affairs shall conduct*
20 *a study on the effectiveness of the hotline specified in sub-*
21 *section (a) during the five-year period beginning on Janu-*
22 *ary 1, 2016, based on an analysis of national suicide data*
23 *and data collected from such hotline.*

24 (2) *At a minimum, the study required by paragraph*
25 (1) *shall—*

1 (A) determine the number of veterans who con-
2 tact the hotline specified in subsection (a) and who
3 receive follow up services from the hotline or mental
4 health services from the Department of Veterans Af-
5 fairs thereafter;

6 (B) determine the number of veterans who con-
7 tact the hotline who are not referred to, or do not con-
8 tinue receiving, mental health care who commit sui-
9 cide; and

10 (C) determine the number of veterans described
11 in subparagraph (A) who commit or attempt suicide.

12 SEC. 233. None of the funds in this or any other Act
13 may be used to close Department of Veterans Affairs (VA)
14 hospitals, domiciliaries, or clinics, conduct an environ-
15 mental assessment, or to diminish healthcare services at ex-
16 isting Veterans Health Administration medical facilities as
17 part of a planned realignment of VA services until the Sec-
18 retary provides to the Committees on Appropriations of
19 both Houses of Congress a report including the following
20 elements—

21 (1) a national realignment strategy that includes
22 a detailed description of realignment plans within
23 each Veterans Integrated Services Network (VISN),
24 including an updated Long Range Capital Plan to
25 implement realignment requirements;

1 (2) *an explanation of the process by which those*
2 *plans were developed and coordinated within each*
3 *VISN;*

4 (3) *a cost versus benefit analysis of each planned*
5 *realignment, including the cost of replacing Veterans*
6 *Health Administration services with contract care or*
7 *other outsourced services;*

8 (4) *an analysis of how any such planned re-*
9 *alignment of services will impact access to care for*
10 *veterans living in rural or highly rural areas, includ-*
11 *ing travel distances and transportation costs to access*
12 *a VA medical facility and availability of local spe-*
13 *cialty and primary care;*

14 (5) *an inventory of VA buildings with historic*
15 *designation and the methodology used to determine*
16 *the buildings' condition and utilization;*

17 (6) *a description of how any realignment will be*
18 *consistent with requirements under the National His-*
19 *toric Preservation Act; and*

20 (7) *consideration given for reuse of historic*
21 *buildings within newly identified realignment re-*
22 *quirements: Provided, That, this provision shall not*
23 *apply to capital projects in any VISN, which have*
24 *been authorized or approved by Congress.*

1 *SEC. 234. Effective during the period beginning on Oc-*
2 *tober 1, 2018 and ending on January 1, 2024, none of the*
3 *funds made available to the Secretary of Veterans Affairs*
4 *by this or any other Act may be obligated or expended in*
5 *contravention of the “Veterans Health Administration Clin-*
6 *ical Preventive Services Guidance Statement on the Vet-*
7 *erans Health Administration’s Screening for Breast Cancer*
8 *Guidance” published on May 10, 2017, as issued by the Vet-*
9 *erans Health Administration National Center for Health*
10 *Promotion and Disease Prevention.*

11 *SEC. 235. (a) Notwithstanding any other provision of*
12 *law, the amounts appropriated or otherwise made available*
13 *to the Department of Veterans Affairs for the “Medical*
14 *Services” account may be used to provide—*

15 *(1) fertility counseling and treatment using as-*
16 *sisted reproductive technology to a covered veteran or*
17 *the spouse of a covered veteran; or*

18 *(2) adoption reimbursement to a covered veteran.*

19 *(b) In this section:*

20 *(1) The term “service-connected” has the mean-*
21 *ing given such term in section 101 of title 38, United*
22 *States Code.*

23 *(2) The term “covered veteran” means a veteran,*
24 *as such term is defined in section 101 of title 38,*
25 *United States Code, who has a service-connected dis-*

1 *ability that results in the inability of the veteran to*
2 *procreate without the use of fertility treatment.*

3 (3) *The term “assisted reproductive technology”*
4 *means benefits relating to reproductive assistance pro-*
5 *vided to a member of the Armed Forces who incurs*
6 *a serious injury or illness on active duty pursuant to*
7 *section 1074(c)(4)(A) of title 10, United States Code,*
8 *as described in the memorandum on the subject of*
9 *“Policy for Assisted Reproductive Services for the*
10 *Benefit of Seriously or Severely Ill/Injured (Category*
11 *II or III) Active Duty Service Members” issued by the*
12 *Assistant Secretary of Defense for Health Affairs on*
13 *April 3, 2012, and the guidance issued to implement*
14 *such policy, including any limitations on the amount*
15 *of such benefits available to such a member except*
16 *that—*

17 (A) *the time periods regarding embryo*
18 *cryopreservation and storage set forth in part*
19 *III(G) and in part IV(H) of such memorandum*
20 *shall not apply; and*

21 (B) *such term includes embryo*
22 *cryopreservation and storage without limitation*
23 *on the duration of such cryopreservation and*
24 *storage.*

1 (4) *The term “adoption reimbursement” means*
2 *reimbursement for the adoption-related expenses for*
3 *an adoption that is finalized after the date of the en-*
4 *actment of this Act under the same terms as apply*
5 *under the adoption reimbursement program of the De-*
6 *partment of Defense, as authorized in Department of*
7 *Defense Instruction 1341.09, including the reimburse-*
8 *ment limits and requirements set forth in such in-*
9 *struction.*

10 (c) *Amounts made available for the purposes specified*
11 *in subsection (a) of this section are subject to the require-*
12 *ments for funds contained in section 508 of division H of*
13 *the Consolidated Appropriations Act, 2018 (Public Law*
14 *115–141).*

15 SEC. 236. *None of the funds appropriated or otherwise*
16 *made available by this Act or any other Act for the Depart-*
17 *ment of Veterans Affairs may be used in a manner that*
18 *is inconsistent with: (1) section 842 of the Transportation,*
19 *Treasury, Housing and Urban Development, the Judiciary,*
20 *the District of Columbia, and Independent Agencies Appro-*
21 *priations Act, 2006 (Public Law 109–115; 119 Stat. 2506);*
22 *or (2) section 8110(a)(5) of title 38, United States Code.*

23 SEC. 237. *Section 842 of Public Law 109–115 shall*
24 *not apply to conversion of an activity or function of the*
25 *Veterans Health Administration, Veterans Benefits Admin-*

1 *istration, or National Cemetery Administration to con-*
2 *tractor performance by a business concern that is at least*
3 *51 percent owned by one or more Indian tribes as defined*
4 *in section 5304(e) of title 25, United States Code, or one*
5 *or more Native Hawaiian Organizations as defined in sec-*
6 *tion 637(a)(15) of title 15, United States Code.*

7 *SEC. 238. (a) Except as provided in subsection (b), the*
8 *Secretary of Veterans Affairs, in consultation with the Sec-*
9 *retary of Defense and the Secretary of Labor, shall dis-*
10 *continue using Social Security account numbers to identify*
11 *individuals in all information systems of the Department*
12 *of Veterans Affairs as follows:*

13 *(1) For all veterans submitting to the Secretary*
14 *of Veterans Affairs new claims for benefits under laws*
15 *administered by the Secretary, not later than 5 years*
16 *after the date of the enactment of this Act.*

17 *(2) For all individuals not described in para-*
18 *graph (1), not later than 8 years after the date of the*
19 *enactment of this Act.*

20 *(b) The Secretary of Veterans Affairs may use a Social*
21 *Security account number to identify an individual in an*
22 *information system of the Department of Veterans Affairs*
23 *if and only if the use of such number is required to obtain*
24 *information the Secretary requires from an information*
25 *system that is not under the jurisdiction of the Secretary.*

1 *SEC. 239. For funds provided to the Department of*
2 *Veterans Affairs for each of fiscal year 2020 and 2021 for*
3 *“Medical Services”, section 239 of Division A of Public Law*
4 *114–223 shall apply.*

5 *SEC. 240. None of the funds appropriated in this or*
6 *prior appropriations Acts or otherwise made available to*
7 *the Department of Veterans Affairs may be used to transfer*
8 *any amounts from the Filipino Veterans Equity Compensa-*
9 *tion Fund to any other account within the Department of*
10 *Veterans Affairs.*

11 *SEC. 241. Of the funds provided to the Department of*
12 *Veterans Affairs for each of fiscal year 2020 and fiscal year*
13 *2021 for “Medical Services”, funds may be used in each*
14 *year to carry out and expand the child care program au-*
15 *thorized by section 205 of Public Law 111–163, notwith-*
16 *standing subsection (e) of such section.*

17 *SEC. 242. None of the funds appropriated or otherwise*
18 *made available in this title may be used by the Secretary*
19 *of Veterans Affairs to enter into an agreement related to*
20 *resolving a dispute or claim with an individual that would*
21 *restrict in any way the individual from speaking to mem-*
22 *bers of Congress or their staff on any topic not otherwise*
23 *prohibited from disclosure by Federal law or required by*
24 *Executive Order to be kept secret in the interest of national*
25 *defense or the conduct of foreign affairs.*

1 *SEC. 243. For funds provided to the Department of*
2 *Veterans Affairs for each of fiscal year 2020 and 2021, sec-*
3 *tion 258 of Division A of Public Law 114–223 shall apply.*

4 *SEC. 244. (a) None of the funds appropriated or other-*
5 *wise made available by this Act may be used to deny an*
6 *Inspector General funded under this Act timely access to*
7 *any records, documents, or other materials available to the*
8 *department or agency of the United States Government over*
9 *which such Inspector General has responsibilities under the*
10 *Inspector General Act of 1978 (5 U.S.C. App.), or to prevent*
11 *or impede the access of such Inspector General to such*
12 *records, documents, or other materials, under any provision*
13 *of law, except a provision of law that expressly refers to*
14 *such Inspector General and expressly limits the right of ac-*
15 *cess of such Inspector General.*

16 *(b) A department or agency covered by this section*
17 *shall provide its Inspector General access to all records, doc-*
18 *uments, and other materials in a timely manner.*

19 *(c) Each Inspector General covered by this section shall*
20 *ensure compliance with statutory limitations on disclosure*
21 *relevant to the information provided by the department or*
22 *agency over which that Inspector General has responsibil-*
23 *ities under the Inspector General Act of 1978 (5 U.S.C.*
24 *App.).*

1 (d) *Each Inspector General covered by this section*
2 *shall report to the Committee on Appropriations of the Sen-*
3 *ate and the Committee on Appropriations of the House of*
4 *Representatives within 5 calendar days of any failure by*
5 *any department or agency covered by this section to comply*
6 *with this section.*

7 *SEC. 245. For funds provided to the Department of*
8 *Veterans Affairs for each of fiscal year 2020 and 2021, sec-*
9 *tion 248 of Division A of Public Law 114–223 shall apply.*

10 *SEC. 246. (a) The Secretary of Veterans Affairs may*
11 *use amounts appropriated or otherwise made available in*
12 *this title to ensure that the ratio of veterans to full-time*
13 *employment equivalents within any program of rehabilita-*
14 *tion conducted under chapter 31 of title 38, United States*
15 *Code, does not exceed 125 veterans to one full-time employ-*
16 *ment equivalent.*

17 *(b) Not later than 180 days after the date of the enact-*
18 *ment of this Act, the Secretary shall submit to Congress a*
19 *report on the programs of rehabilitation conducted under*
20 *chapter 31 of title 38, United States Code, including—*

21 *(1) an assessment of the veteran-to-staff ratio for*
22 *each such program; and*

23 *(2) recommendations for such action as the Sec-*
24 *retary considers necessary to reduce the veteran-to-*
25 *staff ratio for each such program.*

1 *SEC. 247. None of the funds made available in this*
2 *Act may be used in a manner that would increase wait*
3 *times for veterans who seek care at medical facilities of the*
4 *Department of Veterans Affairs.*

5 *SEC. 248. None of the funds appropriated or otherwise*
6 *made available by this Act to the Veterans Health Adminis-*
7 *tration may be used in fiscal year 2020 to convert any pro-*
8 *gram which received specific purpose funds in fiscal year*
9 *2019 to a general purpose funded program unless the Sec-*
10 *retary of Veterans Affairs submits written notification of*
11 *any such proposal to the Committees on Appropriations of*
12 *both Houses of Congress at least thirty days prior to any*
13 *such action and an approval is issued by the Committees.*

14 *SEC. 249. (a) None of the funds appropriated or other-*
15 *wise made available by this Act may be used to conduct*
16 *research commencing on or after October 1, 2019, that uses*
17 *any canine, feline, or non-human primate unless the Sec-*
18 *retary of Veterans Affairs approves such research specifi-*
19 *cally and in writing pursuant to subsection (b).*

20 *(b)(1) The Secretary of Veterans Affairs may approve*
21 *the conduct of research commencing on or after October 1,*
22 *2019, using canines, felines, or non-human primates if the*
23 *Secretary determines that—*

1 (A) *the scientific objectives of the research can*
2 *only be met by using such canines, felines, or non-*
3 *human primates;*

4 (B) *such scientific objectives are directly related*
5 *to an illness or injury that is combat-related; and*

6 (C) *the research is consistent with the revised*
7 *Department of Veterans Affairs canine research policy*
8 *document dated December 15, 2017, including any*
9 *subsequent revisions to such document.*

10 (2) *The Secretary may not delegate the authority*
11 *under this subsection.*

12 (c) *If the Secretary approves any new research pursu-*
13 *ant to subsection (b), not later than 30 days before the com-*
14 *mencement of such research, the Secretary shall submit to*
15 *the Committees on Appropriations of the Senate and House*
16 *of Representatives a report describing—*

17 (1) *the nature of the research to be conducted*
18 *using canines, felines, or non-human primates;*

19 (2) *the date on which the Secretary approved the*
20 *research;*

21 (3) *the justification for the determination of the*
22 *Secretary that the scientific objectives of such research*
23 *could only be met using canines, felines, or non-*
24 *human primates;*

1 (4) *the frequency and duration of such research;*
2 *and*

3 (5) *the protocols in place to ensure the necessity,*
4 *safety, and efficacy of the research; and*

5 (d) *Not later than 180 days after the date of the enact-*
6 *ment of this Act, and biannually thereafter, the Secretary*
7 *shall submit to such Committees a report describing—*

8 (1) *any research being conducted by the Depart-*
9 *ment of Veterans Affairs using canines, felines, or*
10 *non-human primates as of the date of the submittal*
11 *of the report;*

12 (2) *the circumstances under which such research*
13 *was conducted using canines, felines, or non-human*
14 *primates;*

15 (3) *the justification for using canines, felines, or*
16 *non-human primates to conduct such research; and*

17 (4) *the protocols in place to ensure the necessity,*
18 *safety, and efficacy of such research.*

19 (e) *Not later than December 31, 2020, the Secretary*
20 *shall submit to such Committees a plan under which the*
21 *Secretary will eliminate or reduce the research conducted*
22 *using canines, felines, or non-human primates by not later*
23 *than five years after the date of the enactment of this Act.*

24 SEC. 250. *None of the funds made available by this*
25 *Act may be used by the Secretary of Veterans Affairs to*

1 *close the community based outpatient clinic located in*
2 *Bainbridge, New York, until the Secretary of Veterans Af-*
3 *fairs submits to the Committees on Appropriations of the*
4 *House of Representatives and the Senate a market area as-*
5 *essment.*

6 *SEC. 251. (a) PLAN REQUIRED.—Not later than 90*
7 *days after the date of the enactment of this Act, the Sec-*
8 *retary of Veterans Affairs shall submit to the appropriate*
9 *committees of Congress a plan to reduce the chances that*
10 *clinical mistakes by employees of the Department of Vet-*
11 *erans Affairs will result in adverse events that require insti-*
12 *tutional or clinical disclosures and to prevent any unneces-*
13 *sary hardship for patients and families impacted by such*
14 *adverse events.*

15 *(b) ELEMENTS.—The plan required by subsection (a)*
16 *shall include the following:*

17 *(1) A description of a process for the timely*
18 *identification of individuals impacted by disclosures*
19 *described in subsection (a) and the process for con-*
20 *tacting those individuals or their next of kin.*

21 *(2) A description of procedures for expediting*
22 *any remedial or follow-up care required for those in-*
23 *dividuals.*

1 (3) *A detailed outline of proposed changes to the*
2 *process of the Department for clinical quality checks*
3 *and oversight.*

4 (4) *A communication plan to ensure all facilities*
5 *of the Department are made aware of any require-*
6 *ments updated pursuant to the plan.*

7 (5) *A timeline detailing the implementation of*
8 *the plan.*

9 (6) *An identification of the senior executive of*
10 *the Department responsible for ensuring compliance*
11 *with the plan.*

12 (7) *An identification of potential impacts of the*
13 *plan on timely diagnoses for patients.*

14 (8) *An identification of the processes and proce-*
15 *dures for employees of the Department to make lead-*
16 *ership at the facility and the Department aware of*
17 *adverse events that are concerning and that result in*
18 *disclosures and to ensure that the medical impact on*
19 *veterans of such disclosures is minimized.*

20 (c) *APPROPRIATE COMMITTEES OF CONGRESS DE-*
21 *FINED.—In this section, the term “appropriate committees*
22 *of Congress” means—*

23 (1) *the Committee on Veterans’ Affairs and the*
24 *Subcommittee on Military Construction, Veterans Af-*

1 *fairs, and Related Agencies of the Committee on Ap-*
2 *propriations of the Senate; and*

3 *(2) the Committee on Veterans' Affairs and the*
4 *Subcommittee on Military Construction, Veterans Af-*
5 *fairs, and Related Agencies of the Committee on Ap-*
6 *propriations of the House of Representatives.*

7 *SEC. 252. (a) Not later than 180 days after the date*
8 *of the enactment of this Act, and not less frequently than*
9 *once every five-year period thereafter, the Secretary of Vet-*
10 *erans Affairs shall update the handbook of the Department*
11 *of Veterans Affairs titled "Planning and Activating Com-*
12 *munity Based Outpatient Clinics", or a successor hand-*
13 *book, to reflect current policies, best practices, and clarify*
14 *the roles and responsibilities of the personnel of the Depart-*
15 *ment involved in the leasing projects of the Department.*

16 *(b) The Secretary shall ensure that the handbook speci-*
17 *fied in subsection (a) defines "community based outpatient*
18 *clinic" in the same manner as such term is defined in the*
19 *Veterans Health Administration Site Tracking database*
20 *(commonly known as "VAST") as of the date of the enact-*
21 *ment of this Act.*

22 *(c) The Secretary shall ensure that the Veterans Health*
23 *Administration incorporates the best practices contained in*
24 *the handbook specified in subsection (a) in conducting over-*

1 *sight of the medical centers of the Department of Veterans*
2 *Affairs and the Veterans Integrated Service Network.*

3 *(d) Not later than 180 days after the date of the enact-*
4 *ment of this Act, the Secretary shall provide guidance and*
5 *training to employees of the Veterans Health Administra-*
6 *tion for the use of the handbook specified in subsection (a).*
7 *The Secretary shall update such guidance and training to-*
8 *gether with each update of such handbook.*

9 *(RESCISSIONS OF FUNDS)*

10 *SEC. 253. Of the unobligated balances available to the*
11 *Department of Veterans Affairs from prior appropriations*
12 *Acts, the following funds are hereby rescinded from the fol-*
13 *lowing accounts in the amounts specified:*

14 *“Veterans Health Administration, Medical Serv-*
15 *ices”, \$350,000,000;*

16 *“Veterans Health Administration, Medical Sup-*
17 *port and Compliance”, \$10,000,000;*

18 *“Veterans Health Administration, Medical and*
19 *Prosthetic Research”, \$50,000,000;*

20 *“Veterans Health Administration, DOD-VA*
21 *Health Care Sharing Incentive Fund”, \$15,949,000;*

22 *“National Cemetery Administration”,*
23 *\$1,000,000;*

24 *“Departmental Administration, Board of Vet-*
25 *erans Appeals”, \$8,000,000; and*

1 *as an emergency requirement pursuant to section*
2 *251(b)(2)(A)(i) of that Act:*

3 *(1) funds subject to subsequent enactment and*
4 *transferred pursuant to chapter 13 of division B of*
5 *Public Law 107–117; and*

6 *(2) funds made available and subsequently trans-*
7 *ferred pursuant to the first proviso under the heading*
8 *“Executive Office of the President and Funds Appro-*
9 *propriated to the President—Emergency Response*
10 *Fund”.*

11 *SEC. 256. Amounts made available for the “Veterans*
12 *Health Administration, Medical Community Care” account*
13 *in this or any other Act for fiscal years 2020 and 2021*
14 *may be used for expenses that would otherwise be payable*
15 *from the Veterans Choice Fund established by section 802*
16 *of the Veterans Access, Choice, and Accountability Act, as*
17 *amended (38 U.S.C. 1701 note).*

18 *SEC. 257. Hereafter, the matter preceding the first pro-*
19 *viso under the heading “Veterans Health Administration,*
20 *Medical Services” in title II of division C of Public Law*
21 *115–244 shall be applied for the purpose of the appropria-*
22 *tions under that heading that became available on October*
23 *1, 2019, by striking “aid to State homes as authorized by*
24 *section 1741 of title 38, United States Code,”.*

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TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$15,000 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$84,100,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

1 *UNITED STATES COURT OF APPEALS FOR VETERANS*2 *CLAIMS*3 *SALARIES AND EXPENSES*

4 *For necessary expenses for the operation of the United*
5 *States Court of Appeals for Veterans Claims as authorized*
6 *by sections 7251 through 7298 of title 38, United States*
7 *Code, \$35,400,000: Provided, That \$2,698,997 shall be*
8 *available for the purpose of providing financial assistance*
9 *as described and in accordance with the process and report-*
10 *ing procedures set forth under this heading in Public Law*
11 *102-229.*

12 *DEPARTMENT OF DEFENSE—CIVIL*13 *CEMETERIAL EXPENSES, ARMY*14 *SALARIES AND EXPENSES*

15 *For necessary expenses for maintenance, operation,*
16 *and improvement of Arlington National Cemetery and Sol-*
17 *diers' and Airmen's Home National Cemetery, including*
18 *the purchase or lease of passenger motor vehicles for replace-*
19 *ment on a one-for-one basis only, and not to exceed \$2,000*
20 *for official reception and representation expenses,*
21 *\$80,800,000, of which not to exceed \$15,000,000 shall re-*
22 *main available until September 30, 2022. In addition, such*
23 *sums as may be necessary for parking maintenance, repairs*
24 *and replacement, to be derived from the "Lease of Depart-*

1 *ment of Defense Real Property for Defense Agencies” ac-*
2 *count.*

3 *ARMED FORCES RETIREMENT HOME*

4 *TRUST FUND*

5 *For expenses necessary for the Armed Forces Retire-*
6 *ment Home to operate and maintain the Armed Forces Re-*
7 *tirement Home—Washington, District of Columbia, and the*
8 *Armed Forces Retirement Home—Gulfport, Mississippi, to*
9 *be paid from funds available in the Armed Forces Retire-*
10 *ment Home Trust Fund, \$75,300,000, of which \$12,000,000*
11 *shall remain available until expended for construction and*
12 *renovation of the physical plants at the Armed Forces Re-*
13 *tirement Home—Washington, District of Columbia, and the*
14 *Armed Forces Retirement Home—Gulfport, Mississippi:*
15 *Provided, That of the amounts made available under this*
16 *heading from funds available in the Armed Forces Retire-*
17 *ment Home Trust Fund, \$22,000,000 shall be paid from*
18 *the general fund of the Treasury to the Trust Fund.*

19 *ADMINISTRATIVE PROVISION*

20 *SEC. 301. Amounts deposited into the special account*
21 *established under 10 U.S.C. 4727 are appropriated and*
22 *shall be available until expended to support activities at*
23 *the Army National Military Cemeteries.*

1 *TITLE IV*2 *OVERSEAS CONTINGENCY OPERATIONS*3 *DEPARTMENT OF DEFENSE*4 *MILITARY CONSTRUCTION, ARMY*

5 *For an additional amount for “Military Construction,*
6 *Army”, \$111,968,000, to remain available until September*
7 *30, 2024, for projects outside of the United States: Provided,*
8 *That such amount is designated by the Congress for Over-*
9 *seas Contingency Operations/Global War on Terrorism pur-*
10 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
11 *and Emergency Deficit Control Act of 1985.*

12 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

13 *For an additional amount for “Military Construction,*
14 *Navy and Marine Corps”, \$94,570,000, to remain available*
15 *until September 30, 2024, for projects outside of the United*
16 *States: Provided, That such amount is designated by the*
17 *Congress for Overseas Contingency Operations/Global War*
18 *on Terrorism pursuant to section 251(b)(2)(A)(ii) of the*
19 *Balanced Budget and Emergency Deficit Control Act of*
20 *1985.*

21 *MILITARY CONSTRUCTION, AIR FORCE*

22 *For an additional amount for “Military Construction,*
23 *Air Force” \$391,988,000, to remain available until Sep-*
24 *tember 30, 2024, for projects outside of the United States:*
25 *Provided, That such amount is designated by the Congress*

1 *for Overseas Contingency Operations/Global War on Ter-*
2 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*
3 *Budget and Emergency Deficit Control Act of 1985.*

4 *MILITARY CONSTRUCTION, DEFENSE-WIDE*

5 *For an additional amount for “Military Construction,*
6 *Defense-Wide”, \$46,000,000, to remain available until Sep-*
7 *tember 30, 2024, for projects outside of the United States:*
8 *Provided, That such amount is designated by the Congress*
9 *for Overseas Contingency Operations/Global War on Ter-*
10 *rorism pursuant to section 251(b)(2)(A)(ii) of the Balanced*
11 *Budget and Emergency Deficit Control Act of 1985.*

12 *ADMINISTRATIVE PROVISION*

13 *SEC. 401. None of the funds appropriated for military*
14 *construction projects outside the United States under this*
15 *title may be obligated or expended for planning and design*
16 *of any project associated with the European Deterrence Ini-*
17 *tiative until the Secretary of Defense develops and submits*
18 *to the congressional defense committees, in a classified and*
19 *unclassified format, a list of all of the military construction*
20 *projects associated with the European Deterrence Initiative*
21 *which the Secretary anticipates will be carried out during*
22 *each of the fiscal years 2021 through 2025.*

1 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*
2 *Deficit Control Act of 1985.*

3 *MILITARY CONSTRUCTION, AIR FORCE*

4 *For an additional amount for “Military Construction,*
5 *Air Force”, \$2,605,200,000, to remain available until Sep-*
6 *tember 30, 2024, for necessary expenses related to the con-*
7 *sequences of Hurricanes Michael and Florence and flooding*
8 *and earthquakes occurring in fiscal year 2019: Provided,*
9 *That none of the funds made available in this Act to the*
10 *Air Force for such recovery efforts shall be available for obli-*
11 *gation until the Committees on Appropriations of the House*
12 *of Representatives and the Senate receive form 1391 for*
13 *each specific request: Provided further, That, not later than*
14 *60 days after enactment of this Act, the Secretary of the*
15 *Air Force, or his designee, shall submit to the Committees*
16 *on Appropriations of the House of Representatives and the*
17 *Senate a detailed expenditure plan for funds provided*
18 *under this heading in this title: Provided further, That such*
19 *funds may be obligated or expended for planning and de-*
20 *sign and military construction projects not otherwise au-*
21 *thorized by law: Provided further, That such amount is des-*
22 *ignated by the Congress as being for an emergency require-*
23 *ment pursuant to section 251(b)(2)(A)(i) of the Balanced*
24 *Budget and Emergency Deficit Control Act of 1985.*

1 *MILITARY CONSTRUCTION, DEFENSE-WIDE*

2 *For an additional amount for “Military Construction,*
3 *Defense-Wide”, \$77,175,000, to remain available until Sep-*
4 *tember 30, 2024, for necessary expenses related to the con-*
5 *sequences of Hurricanes Michael and Florence and flooding*
6 *and earthquakes occurring in fiscal year 2019: Provided,*
7 *That none of the funds made available in this Act to the*
8 *Department of Defense for such recovery efforts shall be*
9 *available for obligation until the Committees on Appropria-*
10 *tions of the House of Representatives and the Senate receive*
11 *form 1391 for each specific request: Provided further, That,*
12 *not later than 60 days after enactment of this Act, the Sec-*
13 *retary of Defense, or his designee, shall submit to the Com-*
14 *mittees on Appropriations of the House of Representatives*
15 *and the Senate a detailed expenditure plan for funds pro-*
16 *vided under this heading in this title: Provided further,*
17 *That such funds may be obligated or expended for planning*
18 *and design and military construction projects not otherwise*
19 *authorized by law: Provided further, That such amount is*
20 *designated by the Congress as being for an emergency re-*
21 *quirement pursuant to section 251(b)(2)(A)(i) of the Bal-*
22 *anced Budget and Emergency Deficit Control Act of 1985.*

23 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

24 *For an additional amount for “Military Construction,*
25 *Army National Guard”, \$66,000,000, to remain available*

1 *until September 30, 2024, for necessary expenses related to*
2 *the consequences of Hurricanes Michael and Florence and*
3 *flooding, tornadoes, and earthquakes occurring in fiscal*
4 *year 2019: Provided, That none of the funds made available*
5 *in this Act to the Army National Guard for such recovery*
6 *efforts shall be available for obligation until the Committees*
7 *on Appropriations of the House of Representatives and the*
8 *Senate receive form 1391 for each specific request: Provided*
9 *further, That, not later than 60 days after enactment of*
10 *this Act, the Director of the Army National Guard, or his*
11 *designee, shall submit to the Committees on Appropriations*
12 *of the House of Representatives and the Senate a detailed*
13 *expenditure plan for funds provided under this heading in*
14 *this title: Provided further, That such funds may be obli-*
15 *gated or expended for planning and design and military*
16 *construction projects not otherwise authorized by law: Pro-*
17 *vided further, That such amount is designated by the Con-*
18 *gress as being for an emergency requirement pursuant to*
19 *section 251(b)(2)(A)(i) of the Balanced Budget and Emer-*
20 *gency Deficit Control Act of 1985.*

21 *MILITARY CONSTRUCTION, ARMY RESERVE*

22 *For an additional amount for “Military Construction,*
23 *Army Reserve”, \$3,300,000, to remain available until Sep-*
24 *tember 30, 2024, for necessary expenses related to the con-*
25 *sequences of Hurricanes Michael and Florence and flooding*

1 *and earthquakes occurring in fiscal year 2019: Provided,*
2 *That none of the funds made available in this Act to the*
3 *Army Reserve for such recovery efforts shall be available*
4 *for obligation until the Committees on Appropriations of*
5 *the House of Representatives and the Senate receive form*
6 *1391 for each specific request: Provided further, That, not*
7 *later than 60 days after enactment of this Act, the Secretary*
8 *of the Army, or his designee, shall submit to the Committees*
9 *on Appropriations of the House of Representatives and the*
10 *Senate a detailed expenditure plan for funds provided*
11 *under this heading in this title: Provided further, That such*
12 *funds may be obligated or expended for planning and de-*
13 *sign and military construction projects not otherwise au-*
14 *thorized by law: Provided further, That such amount is des-*
15 *ignated by the Congress as being for an emergency require-*
16 *ment pursuant to section 251(b)(2)(A)(i) of the Balanced*
17 *Budget and Emergency Deficit Control Act of 1985.*

18 *ADMINISTRATIVE PROVISION*

19 *SEC. 501. Notwithstanding any other provision of law,*
20 *funds made available under each heading in this title shall*
21 *only be used for the purposes specifically described under*
22 *that heading.*

1 *TITLE VI*2 *GENERAL PROVISIONS*

3 *SEC. 601. No part of any appropriation contained in*
4 *this Act shall remain available for obligation beyond the*
5 *current fiscal year unless expressly so provided herein.*

6 *SEC. 602. None of the funds made available in this*
7 *Act may be used for any program, project, or activity, when*
8 *it is made known to the Federal entity or official to which*
9 *the funds are made available that the program, project, or*
10 *activity is not in compliance with any Federal law relating*
11 *to risk assessment, the protection of private property rights,*
12 *or unfunded mandates.*

13 *SEC. 603. All departments and agencies funded under*
14 *this Act are encouraged, within the limits of the existing*
15 *statutory authorities and funding, to expand their use of*
16 *“E-Commerce” technologies and procedures in the conduct*
17 *of their business practices and public service activities.*

18 *SEC. 604. Unless stated otherwise, all reports and noti-*
19 *fications required by this Act shall be submitted to the Sub-*
20 *committee on Military Construction and Veterans Affairs,*
21 *and Related Agencies of the Committee on Appropriations*
22 *of the House of Representatives and the Subcommittee on*
23 *Military Construction and Veterans Affairs, and Related*
24 *Agencies of the Committee on Appropriations of the Senate.*

1 *SEC. 605. 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 pur-*
4 *suant to a transfer made by, or transfer authority provided*
5 *in, this or any other appropriations Act.*

6 *SEC. 606. None of the funds made available in this*
7 *Act may be used for a project or program named for an*
8 *individual serving as a Member, Delegate, or Resident Com-*
9 *missioner of the United States House of Representatives.*

10 *SEC. 607. (a) Any agency receiving funds made avail-*
11 *able in this Act, shall, subject to subsections (b) and (c),*
12 *post on the public Web site of that agency any report re-*
13 *quired to be submitted by the Congress in this or any other*
14 *Act, upon the determination by the head of the agency that*
15 *it shall serve the national interest.*

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

17 *(1) the public posting of the report compromises*
18 *national security; or*

19 *(2) the report contains confidential or propri-*
20 *etary information.*

21 *(c) The head of the agency posting such report shall*
22 *do so only after such report has been made available to the*
23 *requesting Committee or Committees of Congress for no less*
24 *than 45 days.*

1 *SEC. 608. (a) None of the funds made available in this*
2 *Act may be used to maintain or establish a computer net-*
3 *work unless such network blocks the viewing, downloading,*
4 *and exchanging of pornography.*

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

9 *SEC. 609. None of the funds made available in this*
10 *Act may be used by an agency of the executive branch to*
11 *pay for first-class travel by an employee of the agency in*
12 *contravention of sections 301–10.122 through 301–10.124 of*
13 *title 41, Code of Federal Regulations.*

14 *SEC. 610. None of the funds made available in this*
15 *Act may be used to execute a contract for goods or services,*
16 *including construction services, where the contractor has*
17 *not complied with Executive Order No. 12989.*

18 *SEC. 611. None of the funds made available by this*
19 *Act may be used by the Department of Defense or the De-*
20 *partment of Veterans Affairs to lease or purchase new light*
21 *duty vehicles for any executive fleet, or for an agency’s fleet*
22 *inventory, except in accordance with Presidential Memo-*
23 *randum—Federal Fleet Performance, dated May 24, 2011.*

1 *SEC. 612. Except as expressly provided otherwise, any*
2 *reference to “this Act” contained in this division shall be*
3 *treated as referring only to the provisions of this division.*

4 *SEC. 613. None of the funds made available by this*
5 *Act may be used in contravention of section 101(e)(8) of*
6 *title 10, United States Code.*

7 *SEC. 614. (a) IN GENERAL.—None of the funds appro-*
8 *priated or otherwise made available to the Department of*
9 *Defense in this Act may be used to construct, renovate, or*
10 *expand any facility in the United States, its territories, or*
11 *possessions to house any individual detained at United*
12 *States Naval Station, Guantánamo Bay, Cuba, for the pur-*
13 *poses of detention or imprisonment in the custody or under*
14 *the control of the Department of Defense.*

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

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

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

23 *(2) is—*

24 *(A) in the custody or under the effective*
25 *control of the Department of Defense; or*

1 (B) otherwise under detention at United
2 States Naval Station, Guantánamo Bay, Cuba.

3 This division may be cited as the “Military Construc-
4 tion, Veterans Affairs, and Related Agencies Appropria-
5 tions Act, 2020”.

6 **DIVISION G—DEPARTMENT OF STATE,**
7 **FOREIGN OPERATIONS, AND RELATED**
8 **PROGRAMS APPROPRIATIONS ACT,**
9 **2020**

10 TITLE I

11 DEPARTMENT OF STATE AND RELATED AGENCY

12 DEPARTMENT OF STATE

13 ADMINISTRATION OF FOREIGN AFFAIRS

14 DIPLOMATIC PROGRAMS

15 For necessary expenses of the Department of State and
16 the Foreign Service not otherwise provided for,
17 \$9,125,687,000, of which \$754,468,000 may remain avail-
18 able until September 30, 2021, and of which up to
19 \$4,095,899,000 may remain available until expended for
20 Worldwide Security Protection: Provided, That of the
21 amount made available under this heading for Worldwide
22 Security Protection, \$2,626,122,000 is designated by the
23 Congress for Overseas Contingency Operations/Global War
24 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
25 Balanced Budget and Emergency Deficit Control Act of

1 1985: *Provided further, That funds made available under*
2 *this heading shall be allocated in accordance with para-*
3 *graphs (1) through (4) as follows:*

4 (1) *HUMAN RESOURCES.—For necessary ex-*
5 *penses for training, human resources management,*
6 *and salaries, including employment without regard to*
7 *civil service and classification laws of persons on a*
8 *temporary basis (not to exceed \$700,000), as author-*
9 *ized by section 801 of the United States Information*
10 *and Educational Exchange Act of 1948 (62 Stat. 11;*
11 *Chapter 36), \$2,896,063,000, of which up to*
12 *\$509,782,000 is for Worldwide Security Protection.*

13 (2) *OVERSEAS PROGRAMS.—For necessary ex-*
14 *penses for the regional bureaus of the Department of*
15 *State and overseas activities as authorized by law,*
16 *\$1,840,143,000.*

17 (3) *DIPLOMATIC POLICY AND SUPPORT.—For*
18 *necessary expenses for the functional bureaus of the*
19 *Department of State, including representation to cer-*
20 *tain international organizations in which the United*
21 *States participates pursuant to treaties ratified pur-*
22 *suant to the advice and consent of the Senate or spe-*
23 *cific Acts of Congress, general administration, and*
24 *arms control, nonproliferation, and disarmament ac-*
25 *tivities as authorized, \$780,057,000.*

1 (4) *SECURITY PROGRAMS.*—*For necessary ex-*
2 *penditures for security activities, \$3,609,424,000, of which*
3 *up to \$3,586,117,000 is for Worldwide Security Pro-*
4 *tection.*

5 (5) *FEEES AND PAYMENTS COLLECTED.*—*In addi-*
6 *tion to amounts otherwise made available under this*
7 *heading—*

8 (A) *as authorized by section 810 of the*
9 *United States Information and Educational Ex-*
10 *change Act, not to exceed \$5,000,000, to remain*
11 *available until expended, may be credited to this*
12 *appropriation from fees or other payments re-*
13 *ceived from English teaching, library, motion*
14 *pictures, and publication programs and from*
15 *fees from educational advising and counseling*
16 *and exchange visitor programs; and*

17 (B) *not to exceed \$15,000, which shall be*
18 *derived from reimbursements, surcharges, and*
19 *fees for use of Blair House facilities.*

20 (6) *TRANSFER OF FUNDS, REPROGRAMMING, AND*
21 *OTHER MATTERS.*—

22 (A) *Notwithstanding any other provision of*
23 *this Act, funds may be reprogrammed within*
24 *and between paragraphs (1) through (4) under*
25 *this heading subject to section 7015 of this Act.*

1 (B) *Of the amount made available under*
2 *this heading, not to exceed \$10,000,000 may be*
3 *transferred to, and merged with, funds made*
4 *available by this Act under the heading “Emer-*
5 *gencies in the Diplomatic and Consular Serv-*
6 *ice”, to be available only for emergency evacu-*
7 *ations and rewards, as authorized.*

8 (C) *Funds appropriated under this heading*
9 *are available for acquisition by exchange or pur-*
10 *chase of passenger motor vehicles as authorized*
11 *by law and, pursuant to section 1108(g) of title*
12 *31, United States Code, for the field examination*
13 *of programs and activities in the United States*
14 *funded from any account contained in this title.*

15 (7) *CLARIFICATION.—References to the “Diplo-*
16 *matic and Consular Programs” account in any provi-*
17 *sion of law shall in this fiscal year, and each fiscal*
18 *year thereafter, be construed to include the “Diplo-*
19 *matic Programs” account.*

20 *CAPITAL INVESTMENT FUND*

21 *For necessary expenses of the Capital Investment*
22 *Fund, as authorized, \$139,500,000, to remain available*
23 *until expended.*

1 *or in connection with, English teaching, educational advis-*
2 *ing and counseling programs, and exchange visitor pro-*
3 *grams as authorized may be credited to this account, to re-*
4 *main available until expended: Provided further, That a*
5 *portion of the Fulbright awards from the Eurasia and Cen-*
6 *tral Asia regions shall be designated as Edmund S. Muskie*
7 *Fellowships, following consultation with the Committees on*
8 *Appropriations: Provided further, That funds appropriated*
9 *under this heading that are made available for the Ben-*
10 *jamin Gilman International Scholarships Program shall*
11 *also be made available for the John S. McCain Scholars*
12 *Program, pursuant to section 7075 of the Department of*
13 *State, Foreign Operations, and Related Programs Appro-*
14 *priations Act, 2019 (division F of Public Law 116–6): Pro-*
15 *vided further, That funds appropriated under this heading*
16 *shall be made available for a Civil Society Exchange Pro-*
17 *gram, in accordance with the requirements specified under*
18 *this heading in the explanatory statement described in sec-*
19 *tion 4 (in the matter preceding division A of this consoli-*
20 *dated Act), and following consultation with the Committees*
21 *on Appropriations: Provided further, That any substantive*
22 *modifications from the prior fiscal year to programs funded*
23 *by this Act under this heading shall be subject to prior con-*
24 *sultation with, and the regular notification procedures of,*
25 *the Committees on Appropriations.*

1 *suant to section 251(b)(2)(A)(ii) of the Balanced Budget*
2 *and Emergency Deficit Control Act of 1985.*

3 *EMERGENCIES IN THE DIPLOMATIC AND CONSULAR*
4 *SERVICE*

5 *For necessary expenses to enable the Secretary of State*
6 *to meet unforeseen emergencies arising in the Diplomatic*
7 *and Consular Service, as authorized, \$7,885,000, to remain*
8 *available until expended, of which not to exceed \$1,000,000*
9 *may be transferred to, and merged with, funds appro-*
10 *priated by this Act under the heading "Repatriation Loans*
11 *Program Account".*

12 *REPATRIATION LOANS PROGRAM ACCOUNT*

13 *For the cost of direct loans, \$1,300,000, as authorized:*
14 *Provided, That such costs, including the cost of modifying*
15 *such loans, shall be as defined in section 502 of the Congres-*
16 *sional Budget Act of 1974: Provided further, That such*
17 *funds are available to subsidize gross obligations for the*
18 *principal amount of direct loans not to exceed \$5,563,619.*

19 *PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN*

20 *For necessary expenses to carry out the Taiwan Rela-*
21 *tions Act (Public Law 96-8), \$31,963,000.*

22 *INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF*
23 *COLUMBIA*

24 *Not to exceed \$1,806,600 shall be derived from fees col-*
25 *lected from other executive agencies for lease or use of facili-*

1 *ties at the International Center in accordance with section*
2 *4 of the International Center Act (Public Law 90–553),*
3 *and, in addition, as authorized by section 5 of such Act,*
4 *\$743,000, to be derived from the reserve authorized by such*
5 *section, to be used for the purposes set out in that section.*

6 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*
7 *DISABILITY FUND*

8 *For payment to the Foreign Service Retirement and*
9 *Disability Fund, as authorized, \$158,900,000.*

10 *INTERNATIONAL ORGANIZATIONS*

11 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

12 *For necessary expenses, not otherwise provided for, to*
13 *meet annual obligations of membership in international*
14 *multilateral organizations, pursuant to treaties ratified*
15 *pursuant to the advice and consent of the Senate, conven-*
16 *tions, or specific Acts of Congress, \$1,473,806,000, of which*
17 *\$96,240,000, to remain available until September 30, 2021,*
18 *is designated by the Congress for Overseas Contingency Op-*
19 *erations/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: Provided, That the Secretary*
22 *of State shall, at the time of the submission of the Presi-*
23 *dent’s budget to Congress under section 1105(a) of title 31,*
24 *United States Code, transmit to the Committees on Appro-*
25 *priations the most recent biennial budget prepared by the*

1 *United Nations for the operations of the United Nations:*
2 *Provided further, That the Secretary of State shall notify*
3 *the Committees on Appropriations at least 15 days in ad-*
4 *vance (or in an emergency, as far in advance as is prac-*
5 *ticable) of any United Nations action to increase funding*
6 *for any United Nations program without identifying an off-*
7 *setting decrease elsewhere in the United Nations budget:*
8 *Provided further, That any payment of arrearages under*
9 *this heading shall be directed to activities that are mutually*
10 *agreed upon by the United States and the respective inter-*
11 *national organization and shall be subject to the regular*
12 *notification procedures of the Committees on Appropria-*
13 *tions: Provided further, That none of the funds appro-*
14 *priated under this heading shall be available for a United*
15 *States contribution to an international organization for the*
16 *United States share of interest costs made known to the*
17 *United States Government by such organization for loans*
18 *incurred on or after October 1, 1984, through external bor-*
19 *rowings.*

20 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

21 *ACTIVITIES*

22 *For necessary expenses to pay assessed and other ex-*
23 *penses of international peacekeeping activities directed to*
24 *the maintenance or restoration of international peace and*
25 *security, \$1,526,383,000, of which \$988,656,000 is des-*

1 *ignated by the Congress for Overseas Contingency Oper-*
2 *ations/Global War on Terrorism pursuant to section*
3 *251(b)(2)(A)(ii) of the Balanced Budget and Emergency*
4 *Deficit Control Act of 1985: Provided, That of the funds*
5 *made available under this heading, up to \$1,069,315,000*
6 *may remain available until September 30, 2021: Provided*
7 *further, That none of the funds made available by this Act*
8 *shall be obligated or expended for any new or expanded*
9 *United Nations peacekeeping mission unless, at least 15*
10 *days in advance of voting for such mission in the United*
11 *Nations Security Council (or in an emergency as far in*
12 *advance as is practicable), the Committees on Appropria-*
13 *tions are notified of: (1) the estimated cost and duration*
14 *of the mission, the objectives of the mission, the national*
15 *interest that will be served, and the exit strategy; and (2)*
16 *the sources of funds, including any reprogrammings or*
17 *transfers, that will be used to pay the cost of the new or*
18 *expanded mission, and the estimated cost in future fiscal*
19 *years: Provided further, That none of the funds appro-*
20 *priated under this heading may be made available for obli-*
21 *gation unless the Secretary of State certifies and reports*
22 *to the Committees on Appropriations on a peacekeeping*
23 *mission-by-mission basis that the United Nations is imple-*
24 *menting effective policies and procedures to prevent United*
25 *Nations employees, contractor personnel, and peacekeeping*

1 *troops serving in such mission from trafficking in persons,*
2 *exploiting victims of trafficking, or committing acts of sex-*
3 *ual exploitation and abuse or other violations of human*
4 *rights, and to hold accountable individuals who engage in*
5 *such acts while participating in such mission, including*
6 *prosecution in their home countries and making informa-*
7 *tion about such prosecutions publicly available on the*
8 *website of the United Nations: Provided further, That the*
9 *Secretary of State shall work with the United Nations and*
10 *foreign governments contributing peacekeeping troops to*
11 *implement effective vetting procedures to ensure that such*
12 *troops have not violated human rights: Provided further,*
13 *That funds shall be available for peacekeeping expenses un-*
14 *less the Secretary of State determines that United States*
15 *manufacturers and suppliers are not being given opportuni-*
16 *ties to provide equipment, services, and material for United*
17 *Nations peacekeeping activities equal to those being given*
18 *to foreign manufacturers and suppliers: Provided further,*
19 *That none of the funds appropriated or otherwise made*
20 *available under this heading may be used for any United*
21 *Nations peacekeeping mission that will involve United*
22 *States Armed Forces under the command or operational*
23 *control of a foreign national, unless the President's military*
24 *advisors have submitted to the President a recommendation*
25 *that such involvement is in the national interest of the*

1 *United States and the President has submitted to Congress*
2 *such a recommendation: Provided further, That the Sec-*
3 *retary of State shall work with the United Nations and*
4 *members of the United Nations Security Council to evaluate*
5 *and prioritize peacekeeping missions, and to consider a*
6 *drawdown when mission goals have been substantially*
7 *achieved: Provided further, That any payment of arrearages*
8 *with funds appropriated by this Act shall be subject to the*
9 *regular notification procedures of the Committees on Appro-*
10 *priations.*

11 *INTERNATIONAL COMMISSIONS*

12 *For necessary expenses, not otherwise provided for, to*
13 *meet obligations of the United States arising under treaties,*
14 *or specific Acts of Congress, as follows:*

15 *INTERNATIONAL BOUNDARY AND WATER COMMISSION,*

16 *UNITED STATES AND MEXICO*

17 *For necessary expenses for the United States Section*
18 *of the International Boundary and Water Commission,*
19 *United States and Mexico, and to comply with laws appli-*
20 *cable to the United States Section, including not to exceed*
21 *\$6,000 for representation expenses; as follows:*

22 *SALARIES AND EXPENSES*

23 *For salaries and expenses, not otherwise provided for,*
24 *\$48,170,000.*

1 *expenses may be advanced to the respective commissions*
2 *pursuant to section 3324 of title 31, United States Code.*

3 *RELATED AGENCY*

4 *UNITED STATES AGENCY FOR GLOBAL MEDIA*

5 *INTERNATIONAL BROADCASTING OPERATIONS*

6 *For necessary expenses to enable the United States*
7 *Agency for Global Media (USAGM), as authorized, to carry*
8 *out international communication activities, and to make*
9 *and supervise grants for radio, Internet, and television*
10 *broadcasting to the Middle East, \$798,696,000: Provided,*
11 *That in addition to amounts otherwise available for such*
12 *purposes, up to \$40,708,000 of the amount appropriated*
13 *under this heading may remain available until expended*
14 *for satellite transmissions and Internet freedom programs,*
15 *of which not less than \$20,000,000 shall be for Internet free-*
16 *dom programs: Provided further, That of the total amount*
17 *appropriated under this heading, not to exceed \$35,000*
18 *may be used for representation expenses, of which \$10,000*
19 *may be used for such expenses within the United States as*
20 *authorized, and not to exceed \$30,000 may be used for rep-*
21 *resentation expenses of Radio Free Europe/Radio Liberty:*
22 *Provided further, That the USAGM shall notify the Com-*
23 *mittees on Appropriations within 15 days of any deter-*
24 *mination by the USAGM that any of its broadcast entities,*
25 *including its grantee organizations, provides an open plat-*

1 *form for international terrorists or those who support inter-*
2 *national terrorism, or is in violation of the principles and*
3 *standards set forth in subsections (a) and (b) of section 303*
4 *of the United States International Broadcasting Act of 1994*
5 *(22 U.S.C. 6202) or the entity's journalistic code of ethics:*
6 *Provided further, That in addition to funds made available*
7 *under this heading, and notwithstanding any other provi-*
8 *sion of law, up to \$5,000,000 in receipts from advertising*
9 *and revenue from business ventures, up to \$500,000 in re-*
10 *ceipts from cooperating international organizations, and*
11 *up to \$1,000,000 in receipts from privatization efforts of*
12 *the Voice of America and the International Broadcasting*
13 *Bureau, shall remain available until expended for carrying*
14 *out authorized purposes: Provided further, That significant*
15 *modifications to USAGM broadcast hours previously justi-*
16 *fied to Congress, including changes to transmission plat-*
17 *forms (shortwave, medium wave, satellite, Internet, and tel-*
18 *evision), for all USAGM language services shall be subject*
19 *to the regular notification procedures of the Committees on*
20 *Appropriations: Provided further, That up to \$7,000,000*
21 *from the USAGM Buying Power Maintenance account may*
22 *be transferred to, and merged with, funds appropriated by*
23 *this Act under the heading "International Broadcasting*
24 *Operations", which shall remain available until expended:*
25 *Provided further, That such transfer authority is in addi-*

1 tion to any transfer authority otherwise available under
2 any other provision of law and shall be subject to prior con-
3 sultation with, and the regular notification procedures of,
4 the Committees on Appropriations: Provided further, That
5 any reference to the “Broadcasting Board of Governors” or
6 “BBG”, including in any account providing amounts to
7 the Broadcasting Board of Governors, in any Act making
8 appropriations for the Department of State, foreign oper-
9 ations, and related programs enacted before, on, or after
10 the date of the enactment of this Act shall for this fiscal
11 year, and any fiscal year thereafter, be construed to mean
12 the “United States Agency for Global Media” or “USAGM”,
13 respectively.

14 *BROADCASTING CAPITAL IMPROVEMENTS*

15 *For the purchase, rent, construction, repair, preserva-*
16 *tion, and improvement of facilities for radio, television, and*
17 *digital transmission and reception; the purchase, rent, and*
18 *installation of necessary equipment for radio, television,*
19 *and digital transmission and reception, including to Cuba,*
20 *as authorized; and physical security worldwide, in addition*
21 *to amounts otherwise available for such purposes,*
22 *\$11,700,000, to remain available until expended, as author-*
23 *ized, of which not less than \$2,000,000 shall be made avail-*
24 *able for emergency repairs to USAGM transmitting sta-*
25 *tions.*

1 *EISENHOWER EXCHANGE FELLOWSHIP PROGRAM*

2 *For necessary expenses of Eisenhower Exchange Fel-*
3 *lowships, Incorporated, as authorized by sections 4 and 5*
4 *of the Eisenhower Exchange Fellowship Act of 1990 (20*
5 *U.S.C. 5204–5205), all interest and earnings accruing to*
6 *the Eisenhower Exchange Fellowship Program Trust Fund*
7 *on or before September 30, 2020, to remain available until*
8 *expended: Provided, That none of the funds appropriated*
9 *herein shall be used to pay any salary or other compensa-*
10 *tion, or to enter into any contract providing for the pay-*
11 *ment thereof, in excess of the rate authorized by section 5376*
12 *of title 5, United States Code; or for purposes which are*
13 *not in accordance with section 200 of title 2 of the Code*
14 *of Federal Regulations, including the restrictions on com-*
15 *ensation for personal services.*

16 *ISRAELI ARAB SCHOLARSHIP PROGRAM*

17 *For necessary expenses of the Israeli Arab Scholarship*
18 *Program, as authorized by section 214 of the Foreign Rela-*
19 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*
20 *U.S.C. 2452 note), all interest and earnings accruing to the*
21 *Israeli Arab Scholarship Fund on or before September 30,*
22 *2020, to remain available until expended.*

23 *EAST-WEST CENTER*

24 *To enable the Secretary of State to provide for car-*
25 *rying out the provisions of the Center for Cultural and*

1 *Technical Interchange Between East and West Act of 1960,*
2 *by grant to the Center for Cultural and Technical Inter-*
3 *change Between East and West in the State of Hawaii,*
4 *\$16,700,000: Provided, That funds appropriated under this*
5 *heading shall be apportioned and obligated to the Center*
6 *not later than 60 days after enactment of this Act.*

7 *NATIONAL ENDOWMENT FOR DEMOCRACY*

8 *For grants made by the Department of State to the*
9 *National Endowment for Democracy, as authorized by the*
10 *National Endowment for Democracy Act (22 U.S.C. 4412),*
11 *\$300,000,000, to remain available until expended, of which*
12 *\$195,840,000 shall be allocated in the traditional and cus-*
13 *tomary manner, including for the core institutes, and*
14 *\$104,160,000 shall be for democracy programs: Provided,*
15 *That the requirements of section 7061(a) of this Act shall*
16 *not apply to funds made available under this heading: Pro-*
17 *vided further, That funds appropriated under this heading*
18 *shall be apportioned and obligated to the Endowment not*
19 *later than 60 days after enactment of this Act.*

20 *OTHER COMMISSIONS*

21 *COMMISSION FOR THE PRESERVATION OF AMERICA'S*

22 *HERITAGE ABROAD*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses for the Commission for the*
25 *Preservation of America's Heritage Abroad, \$675,000, as*

1 *authorized by chapter 3123 of title 54, United States Code:*
2 *Provided, That the Commission may procure temporary,*
3 *intermittent, and other services notwithstanding paragraph*
4 *(3) of section 312304(b) of such chapter: Provided further,*
5 *That such authority shall terminate on October 1, 2020:*
6 *Provided further, That the Commission shall notify the*
7 *Committees on Appropriations prior to exercising such au-*
8 *thority.*

9 *UNITED STATES COMMISSION ON INTERNATIONAL*
10 *RELIGIOUS FREEDOM*
11 *SALARIES AND EXPENSES*

12 *For necessary expenses for the United States Commis-*
13 *sion on International Religious Freedom (USCIRF), as au-*
14 *thorized by title II of the International Religious Freedom*
15 *Act of 1998 (22 U.S.C. 6431 et seq.), \$4,500,000, to remain*
16 *available until September 30, 2021, including not more*
17 *than \$4,000 for representation expenses: Provided, That*
18 *prior to the obligation of \$1,000,000 of the funds appro-*
19 *priated under this heading, the Commission shall consult*
20 *with the appropriate congressional committees on the status*
21 *of legislation to reauthorize the Commission, and such funds*
22 *shall be subject to the regular notification procedures of the*
23 *Committees on Appropriations.*

1 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*
2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Commission on Security*
4 *and Cooperation in Europe, as authorized by Public Law*
5 *94-304 (22 U.S.C. 3001 et seq.), \$2,579,000, including not*
6 *more than \$4,000 for representation expenses, to remain*
7 *available until September 30, 2021.*

8 *CONGRESSIONAL-EXECUTIVE COMMISSION ON THE*
9 *PEOPLE'S REPUBLIC OF CHINA*
10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the Congressional-Executive*
12 *Commission on the People's Republic of China, as author-*
13 *ized by title III of the U.S.-China Relations Act of 2000*
14 *(22 U.S.C. 6911 et seq.), \$2,250,000, including not more*
15 *than \$3,000 for representation expenses, to remain avail-*
16 *able until September 30, 2021.*

17 *UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW*
18 *COMMISSION*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the United States-China*
21 *Economic and Security Review Commission, as authorized*
22 *by section 1238 of the Floyd D. Spence National Defense*
23 *Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),*
24 *\$3,500,000, including not more than \$4,000 for representa-*
25 *tion expenses, to remain available until September 30,*

1 *2021: Provided, That the authorities, requirements, limita-*
2 *tions, and conditions contained in the second through sixth*
3 *provisos under this heading in the Department of State,*
4 *Foreign Operations, and Related Programs Appropriations*
5 *Act, 2010 (division F of Public Law 111–117) shall con-*
6 *tinue in effect during fiscal year 2020 and shall apply to*
7 *funds appropriated under this heading.*

8 *TITLE II*
9 *UNITED STATES AGENCY FOR INTERNATIONAL*
10 *DEVELOPMENT*

11 *FUNDS APPROPRIATED TO THE PRESIDENT*

12 *OPERATING EXPENSES*

13 *For necessary expenses to carry out the provisions of*
14 *section 667 of the Foreign Assistance Act of 1961,*
15 *\$1,377,246,000, of which up to \$206,587,000 may remain*
16 *available until September 30, 2021: Provided, That none*
17 *of the funds appropriated under this heading and under*
18 *the heading “Capital Investment Fund” in this title may*
19 *be made available to finance the construction (including ar-*
20 *chitect and engineering services), purchase, or long-term*
21 *lease of offices for use by the United States Agency for Inter-*
22 *national Development, unless the USAID Administrator*
23 *has identified such proposed use of funds in a report sub-*
24 *mitted to the Committees on Appropriations at least 15*
25 *days prior to the obligation of funds for such purposes: Pro-*

1 *vided further, That contracts or agreements entered into*
2 *with funds appropriated under this heading may entail*
3 *commitments for the expenditure of such funds through the*
4 *following fiscal year: Provided further, That the authority*
5 *of sections 610 and 109 of the Foreign Assistance Act of*
6 *1961 may be exercised by the Secretary of State to transfer*
7 *funds appropriated to carry out chapter 1 of part I of such*
8 *Act to “Operating Expenses” in accordance with the provi-*
9 *sions of those sections: Provided further, That of the funds*
10 *appropriated or made available under this heading, not to*
11 *exceed \$250,000 may be available for representation and*
12 *entertainment expenses, of which not to exceed \$5,000 may*
13 *be available for entertainment expenses, and not to exceed*
14 *\$100,500 shall be for official residence expenses, for USAID*
15 *during the current fiscal year: Provided further, That the*
16 *USAID Administrator shall consult with the Committees*
17 *on Appropriations not later than 60 days after enactment*
18 *of this Act on changes to the account structure as described*
19 *in the explanatory statement described in section 4 (in the*
20 *matter preceding division A of this consolidated Act).*

21 *CAPITAL INVESTMENT FUND*

22 *For necessary expenses for overseas construction and*
23 *related costs, and for the procurement and enhancement of*
24 *information technology and related capital investments,*
25 *pursuant to section 667 of the Foreign Assistance Act of*

1 1961, \$210,300,000, to remain available until expended:
2 Provided, That this amount is in addition to funds other-
3 wise available for such purposes: Provided further, That
4 funds appropriated under this heading shall be available
5 subject to the regular notification procedures of the Commit-
6 tees on Appropriations.

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses to carry out the provisions of*
9 *section 667 of the Foreign Assistance Act of 1961,*
10 *\$75,500,000, of which up to \$11,325,000 may remain avail-*
11 *able until September 30, 2021, for the Office of Inspector*
12 *General of the United States Agency for International De-*
13 *velopment.*

14 *TITLE III*

15 *BILATERAL ECONOMIC ASSISTANCE*

16 *FUNDS APPROPRIATED TO THE PRESIDENT*

17 *For necessary expenses to enable the President to carry*
18 *out the provisions of the Foreign Assistance Act of 1961,*
19 *and for other purposes, as follows:*

20 *GLOBAL HEALTH PROGRAMS*

21 *For necessary expenses to carry out the provisions of*
22 *chapters 1 and 10 of part I of the Foreign Assistance Act*
23 *of 1961, for global health activities, in addition to funds*
24 *otherwise available for such purposes, \$3,162,450,000, to re-*
25 *main available until September 30, 2021, and which shall*

1 *be apportioned directly to the United States Agency for*
2 *International Development not later than 60 days after en-*
3 *actment of this Act: Provided, That this amount shall be*
4 *made available for training, equipment, and technical as-*
5 *sistance to build the capacity of public health institutions*
6 *and organizations in developing countries, and for such ac-*
7 *tivities as: (1) child survival and maternal health pro-*
8 *grams; (2) immunization and oral rehydration programs;*
9 *(3) other health, nutrition, water and sanitation programs*
10 *which directly address the needs of mothers and children,*
11 *and related education programs; (4) assistance for children*
12 *displaced or orphaned by causes other than AIDS; (5) pro-*
13 *grams for the prevention, treatment, control of, and research*
14 *on HIV/AIDS, tuberculosis, polio, malaria, and other infec-*
15 *tious diseases including neglected tropical diseases, and for*
16 *assistance to communities severely affected by HIV/AIDS,*
17 *including children infected or affected by AIDS; (6) disaster*
18 *preparedness training for health crises; (7) programs to pre-*
19 *vent, prepare for, and respond to, unanticipated and emerg-*
20 *ing global health threats; and (8) family planning/repro-*
21 *ductive health: Provided further, That funds appropriated*
22 *under this paragraph may be made available for a United*
23 *States contribution to The GAVI Alliance: Provided further,*
24 *That none of the funds made available in this Act nor any*
25 *unobligated balances from prior appropriations Acts may*

1 *be made available to any organization or program which,*
2 *as determined by the President of the United States, sup-*
3 *ports or participates in the management of a program of*
4 *coercive abortion or involuntary sterilization: Provided fur-*
5 *ther, That any determination made under the previous pro-*
6 *viso must be made not later than 6 months after the date*
7 *of enactment of this Act, and must be accompanied by the*
8 *evidence and criteria utilized to make the determination:*
9 *Provided further, That none of the funds made available*
10 *under this Act may be used to pay for the performance of*
11 *abortion as a method of family planning or to motivate*
12 *or coerce any person to practice abortions: Provided further,*
13 *That nothing in this paragraph shall be construed to alter*
14 *any existing statutory prohibitions against abortion under*
15 *section 104 of the Foreign Assistance Act of 1961: Provided*
16 *further, That none of the funds made available under this*
17 *Act may be used to lobby for or against abortion: Provided*
18 *further, That in order to reduce reliance on abortion in de-*
19 *veloping nations, funds shall be available only to voluntary*
20 *family planning projects which offer, either directly or*
21 *through referral to, or information about access to, a broad*
22 *range of family planning methods and services, and that*
23 *any such voluntary family planning project shall meet the*
24 *following requirements: (1) service providers or referral*
25 *agents in the project shall not implement or be subject to*

1 *quotas, or other numerical targets, of total number of births,*
2 *number of family planning acceptors, or acceptors of a par-*
3 *ticular method of family planning (this provision shall not*
4 *be construed to include the use of quantitative estimates or*
5 *indicators for budgeting and planning purposes); (2) the*
6 *project shall not include payment of incentives, bribes, gra-*
7 *tuities, or financial reward to: (A) an individual in ex-*
8 *change for becoming a family planning acceptor; or (B)*
9 *program personnel for achieving a numerical target or*
10 *quota of total number of births, number of family planning*
11 *acceptors, or acceptors of a particular method of family*
12 *planning; (3) the project shall not deny any right or benefit,*
13 *including the right of access to participate in any program*
14 *of general welfare or the right of access to health care, as*
15 *a consequence of any individual's decision not to accept*
16 *family planning services; (4) the project shall provide fam-*
17 *ily planning acceptors comprehensible information on the*
18 *health benefits and risks of the method chosen, including*
19 *those conditions that might render the use of the method*
20 *inadvisable and those adverse side effects known to be con-*
21 *sequent to the use of the method; and (5) the project shall*
22 *ensure that experimental contraceptive drugs and devices*
23 *and medical procedures are provided only in the context*
24 *of a scientific study in which participants are advised of*
25 *potential risks and benefits; and, not less than 60 days after*

1 *the date on which the USAID Administrator determines*
2 *that there has been a violation of the requirements con-*
3 *tained in paragraph (1), (2), (3), or (5) of this proviso,*
4 *or a pattern or practice of violations of the requirements*
5 *contained in paragraph (4) of this proviso, the Adminis-*
6 *trator shall submit to the Committees on Appropriations*
7 *a report containing a description of such violation and the*
8 *corrective action taken by the Agency: Provided further,*
9 *That in awarding grants for natural family planning*
10 *under section 104 of the Foreign Assistance Act of 1961 no*
11 *applicant shall be discriminated against because of such ap-*
12 *plicant's religious or conscientious commitment to offer*
13 *only natural family planning; and, additionally, all such*
14 *applicants shall comply with the requirements of the pre-*
15 *vious proviso: Provided further, That for purposes of this*
16 *or any other Act authorizing or appropriating funds for*
17 *the Department of State, foreign operations, and related*
18 *programs, the term "motivate", as it relates to family plan-*
19 *ning assistance, shall not be construed to prohibit the provi-*
20 *sion, consistent with local law, of information or counseling*
21 *about all pregnancy options: Provided further, That infor-*
22 *mation provided about the use of condoms as part of*
23 *projects or activities that are funded from amounts appro-*
24 *priated by this Act shall be medically accurate and shall*

1 *include the public health benefits and failure rates of such*
2 *use.*

3 *In addition, for necessary expenses to carry out the*
4 *provisions of the Foreign Assistance Act of 1961 for the pre-*
5 *vention, treatment, and control of, and research on, HIV/*
6 *AIDS, \$5,930,000,000, to remain available until September*
7 *30, 2024, which shall be apportioned directly to the Depart-*
8 *ment of State not later than 60 days after enactment of*
9 *this Act: Provided, That funds appropriated under this*
10 *paragraph may be made available, notwithstanding any*
11 *other provision of law, except for the United States Leader-*
12 *ship Against HIV/AIDS, Tuberculosis, and Malaria Act of*
13 *2003 (Public Law 108–25), for a United States contribu-*
14 *tion to the Global Fund to Fight AIDS, Tuberculosis and*
15 *Malaria (Global Fund): Provided further, That the amount*
16 *of such contribution shall be \$1,560,000,000 and shall be*
17 *for the first installment of the sixth replenishment: Provided*
18 *further, That up to 5 percent of the aggregate amount of*
19 *funds made available to the Global Fund in fiscal year 2020*
20 *may be made available to USAID for technical assistance*
21 *related to the activities of the Global Fund, subject to the*
22 *regular notification procedures of the Committees on Appro-*
23 *priations: Provided further, That of the funds appropriated*
24 *under this paragraph, up to \$17,000,000 may be made*
25 *available, in addition to amounts otherwise available for*

1 *such purposes, for administrative expenses of the Office of*
2 *the United States Global AIDS Coordinator.*

3 *DEVELOPMENT ASSISTANCE*

4 *For necessary expenses to carry out the provisions of*
5 *sections 103, 105, 106, 214, and sections 251 through 255,*
6 *and chapter 10 of part I of the Foreign Assistance Act of*
7 *1961, \$3,400,000,000, to remain available until September*
8 *30, 2021: Provided, That funds made available under this*
9 *heading shall be apportioned directly to the United States*
10 *Agency for International Development not later than 60*
11 *days after enactment of this Act.*

12 *INTERNATIONAL DISASTER ASSISTANCE*

13 *For necessary expenses to carry out the provisions of*
14 *section 491 of the Foreign Assistance Act of 1961 for inter-*
15 *national disaster relief, rehabilitation, and reconstruction*
16 *assistance, \$4,395,362,000, to remain available until ex-*
17 *pended, of which \$1,733,980,000 is designated by the Con-*
18 *gress for Overseas Contingency Operations/Global War on*
19 *Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-*
20 *anced Budget and Emergency Deficit Control Act of 1985:*
21 *Provided, That funds made available under this heading*
22 *shall be apportioned to the United States Agency for Inter-*
23 *national Development not later than 60 days after enact-*
24 *ment of this Act.*

TRANSITION INITIATIVES

1
2 *For necessary expenses for international disaster reha-*
3 *bilitation and reconstruction assistance administered by the*
4 *Office of Transition Initiatives, United States Agency for*
5 *International Development, pursuant to section 491 of the*
6 *Foreign Assistance Act of 1961, and to support transition*
7 *to democracy and long-term development of countries in cri-*
8 *sis, \$92,043,000, to remain available until expended: Pro-*
9 *vided, That such support may include assistance to develop,*
10 *strengthen, or preserve democratic institutions and proc-*
11 *esses, revitalize basic infrastructure, and foster the peaceful*
12 *resolution of conflict: Provided further, That the USAID*
13 *Administrator shall submit a report to the Committees on*
14 *Appropriations at least 5 days prior to beginning a new*
15 *program of assistance: Provided further, That if the Sec-*
16 *retary of State determines that it is important to the na-*
17 *tional interest of the United States to provide transition*
18 *assistance in excess of the amount appropriated under this*
19 *heading, up to \$15,000,000 of the funds appropriated by*
20 *this Act to carry out the provisions of part I of the Foreign*
21 *Assistance Act of 1961 may be used for purposes of this*
22 *heading and under the authorities applicable to funds ap-*
23 *propriated under this heading: Provided further, That*
24 *funds made available pursuant to the previous proviso shall*

1 *be made available subject to prior consultation with the*
2 *Committees on Appropriations.*

3 *COMPLEX CRISES FUND*

4 *For necessary expenses to carry out the provisions of*
5 *the Foreign Assistance Act of 1961 to support programs and*
6 *activities administered by the United States Agency for*
7 *International Development to prevent or respond to emerg-*
8 *ing or unforeseen foreign challenges and complex crises*
9 *overseas, \$30,000,000, to remain available until expended:*
10 *Provided, That funds appropriated under this heading may*
11 *be made available on such terms and conditions as are ap-*
12 *propriate and necessary for the purposes of preventing or*
13 *responding to such challenges and crises, except that no*
14 *funds shall be made available for lethal assistance or to re-*
15 *spond to natural disasters: Provided further, That funds ap-*
16 *propriated under this heading may be made available not-*
17 *withstanding any other provision of law, except sections*
18 *7007, 7008, and 7018 of this Act and section 620M of the*
19 *Foreign Assistance Act of 1961: Provided further, That*
20 *funds appropriated under this heading may be used for ad-*
21 *ministrative expenses, in addition to funds otherwise avail-*
22 *able for such purposes, except that such expenses may not*
23 *exceed 5 percent of the funds appropriated under this head-*
24 *ing: Provided further, That funds appropriated under this*
25 *heading shall be apportioned to USAID not later than 60*

1 *days after enactment of this Act: Provided further, That*
2 *funds appropriated under this heading shall be subject to*
3 *the regular notification procedures of the Committees on*
4 *Appropriations, except that such notifications shall be*
5 *transmitted at least 5 days prior to the obligation of funds.*

6 *ECONOMIC SUPPORT FUND*

7 *For necessary expenses to carry out the provisions of*
8 *chapter 4 of part II of the Foreign Assistance Act of 1961,*
9 *\$3,045,000,000, to remain available until September 30,*
10 *2021.*

11 *DEMOCRACY FUND*

12 *For necessary expenses to carry out the provisions of*
13 *the Foreign Assistance Act of 1961 for the promotion of de-*
14 *mocracy globally, including to carry out the purposes of sec-*
15 *tion 502(b)(3) and (5) of Public Law 98–164 (22 U.S.C.*
16 *4411), \$178,450,000, to remain available until September*
17 *30, 2021, which shall be made available for the Human*
18 *Rights and Democracy Fund of the Bureau of Democracy,*
19 *Human Rights, and Labor, Department of State, and shall*
20 *be apportioned to such Bureau not later than 60 days after*
21 *enactment of this Act: Provided, That funds appropriated*
22 *under this heading that are made available to the National*
23 *Endowment for Democracy and its core institutes are in*
24 *addition to amounts otherwise available by this Act for such*
25 *purposes: Provided further, That the Assistant Secretary for*

1 *Democracy, Human Rights, and Labor, Department of*
2 *State, shall consult with the Committees on Appropriations*
3 *prior to the initial obligation of funds appropriated under*
4 *this paragraph.*

5 *For an additional amount for such purposes,*
6 *\$95,250,000, to remain available until September 30, 2021,*
7 *which shall be made available for the Bureau for Democ-*
8 *racy, Conflict, and Humanitarian Assistance, United*
9 *States Agency for International Development, and shall be*
10 *apportioned to such Bureau not later than 60 days after*
11 *enactment of this Act.*

12 *ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA*

13 *For necessary expenses to carry out the provisions of*
14 *the Foreign Assistance Act of 1961, the FREEDOM Sup-*
15 *port Act (Public Law 102–511), and the Support for East-*
16 *ern European Democracy (SEED) Act of 1989 (Public Law*
17 *101–179), \$770,334,000, to remain available until Sep-*
18 *tember 30, 2021, which shall be available, notwithstanding*
19 *any other provision of law, except section 7047 of this Act,*
20 *for assistance and related programs for countries identified*
21 *in section 3 of the FREEDOM Support Act (22 U.S.C.*
22 *5801) and section 3(c) of the SEED Act of 1989 (22 U.S.C.*
23 *5402), in addition to funds otherwise available for such*
24 *purposes: Provided, That funds appropriated by this Act*
25 *under the headings “Global Health Programs”, “Economic*

1 *Support Fund*”, and *“International Narcotics Control and*
2 *Law Enforcement”* that are made available for assistance
3 *for such countries shall be administered in accordance with*
4 *the responsibilities of the coordinator designated pursuant*
5 *to section 102 of the FREEDOM Support Act and section*
6 *601 of the SEED Act of 1989: Provided further, That funds*
7 *appropriated under this heading shall be considered to be*
8 *economic assistance under the Foreign Assistance Act of*
9 *1961 for purposes of making available the administrative*
10 *authorities contained in that Act for the use of economic*
11 *assistance: Provided further, That funds appropriated*
12 *under this heading may be made available for contributions*
13 *to multilateral initiatives to counter hybrid threats: Pro-*
14 *vided further, That any notification of funds made avail-*
15 *able under this heading in this Act or prior Acts making*
16 *appropriations for the Department of State, foreign oper-*
17 *ations, and related programs shall include information (if*
18 *known on the date of transmittal of such notification) on*
19 *the use of notwithstanding authority: Provided further,*
20 *That if subsequent to the notification of assistance it be-*
21 *comes necessary to rely on notwithstanding authority, the*
22 *Committees on Appropriations should be informed at the*
23 *earliest opportunity and to the extent practicable.*

1 *DEPARTMENT OF STATE*2 *MIGRATION AND REFUGEE ASSISTANCE*

3 *For necessary expenses not otherwise provided for, to*
4 *enable the Secretary of State to carry out the provisions*
5 *of section 2(a) and (b) of the Migration and Refugee Assist-*
6 *ance Act of 1962 (22 U.S.C. 2601), and other activities to*
7 *meet refugee and migration needs; salaries and expenses of*
8 *personnel and dependents as authorized by the Foreign*
9 *Service Act of 1980 (22 U.S.C. 3901 et seq.); allowances*
10 *as authorized by sections 5921 through 5925 of title 5,*
11 *United States Code; purchase and hire of passenger motor*
12 *vehicles; and services as authorized by section 3109 of title*
13 *5, United States Code, \$3,432,000,000, to remain available*
14 *until expended, of which: \$1,521,355,000 is designated by*
15 *the Congress for Overseas Contingency Operations/Global*
16 *War on Terrorism pursuant to section 251(b)(2)(A)(ii) of*
17 *the Balanced Budget and Emergency Deficit Control Act*
18 *of 1985; not less than \$35,000,000 shall be made available*
19 *to respond to small-scale emergency humanitarian require-*
20 *ments; and \$5,000,000 shall be made available for refugees*
21 *resettling in Israel.*

22 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*23 *ASSISTANCE FUND*

24 *For necessary expenses to carry out the provisions of*
25 *section 2(c) of the Migration and Refugee Assistance Act*

1 of 1962 (22 U.S.C. 2601(c)), \$100,000, to remain available
2 until expended: Provided, That amounts in excess of the
3 limitation contained in paragraph (2) of such section shall
4 be transferred to, and merged with, funds made available
5 by this Act under the heading "Migration and Refugee As-
6 sistance".

7 *INDEPENDENT AGENCIES*

8 *PEACE CORPS*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For necessary expenses to carry out the provisions of*
11 *the Peace Corps Act (22 U.S.C. 2501 et seq.), including the*
12 *purchase of not to exceed five passenger motor vehicles for*
13 *administrative purposes for use outside of the United*
14 *States, \$410,500,000, of which \$6,330,000 is for the Office*
15 *of Inspector General, to remain available until September*
16 *30, 2021: Provided, That the Director of the Peace Corps*
17 *may transfer to the Foreign Currency Fluctuations Ac-*
18 *count, as authorized by section 16 of the Peace Corps Act*
19 *(22 U.S.C. 2515), an amount not to exceed \$5,000,000: Pro-*
20 *vided further, That funds transferred pursuant to the pre-*
21 *vious proviso may not be derived from amounts made avail-*
22 *able for Peace Corps overseas operations: Provided further,*
23 *That of the funds appropriated under this heading, not to*
24 *exceed \$104,000 may be available for representation ex-*
25 *penses, of which not to exceed \$4,000 may be made available*

1 *for entertainment expenses: Provided further, That none of*
2 *the funds appropriated under this heading shall be used to*
3 *pay for abortions: Provided further, That notwithstanding*
4 *the previous proviso, section 614 of division E of Public*
5 *Law 113–76 shall apply to funds appropriated under this*
6 *heading.*

7 *MILLENNIUM CHALLENGE CORPORATION*

8 *For necessary expenses to carry out the provisions of*
9 *the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et*
10 *seq.) (MCA), \$905,000,000, to remain available until ex-*
11 *pended: Provided, That of the funds appropriated under*
12 *this heading, up to \$105,000,000 may be available for ad-*
13 *ministrative expenses of the Millennium Challenge Corpora-*
14 *tion: Provided further, That section 605(e) of the MCA (22*
15 *U.S.C. 7704(e)) shall apply to funds appropriated under*
16 *this heading: Provided further, That funds appropriated*
17 *under this heading may be made available for a Millen-*
18 *nium Challenge Compact entered into pursuant to section*
19 *609 of the MCA (22 U.S.C. 7708) only if such Compact*
20 *obligates, or contains a commitment to obligate subject to*
21 *the availability of funds and the mutual agreement of the*
22 *parties to the Compact to proceed, the entire amount of the*
23 *United States Government funding anticipated for the du-*
24 *ration of the Compact: Provided further, That no country*
25 *should be eligible for a threshold program after such country*

1 *has completed a country compact: Provided further, That*
2 *of the funds appropriated under this heading, not to exceed*
3 *\$100,000 may be available for representation and enter-*
4 *tainment expenses, of which not to exceed \$5,000 may be*
5 *available for entertainment expenses.*

6 *INTER-AMERICAN FOUNDATION*

7 *For necessary expenses to carry out the functions of*
8 *the Inter-American Foundation in accordance with the pro-*
9 *visions of section 401 of the Foreign Assistance Act of 1969,*
10 *\$37,500,000, to remain available until September 30, 2021:*
11 *Provided, That of the funds appropriated under this head-*
12 *ing, not to exceed \$2,000 may be available for representa-*
13 *tion expenses.*

14 *UNITED STATES AFRICAN DEVELOPMENT FOUNDATION*

15 *For necessary expenses to carry out the African Devel-*
16 *opment Foundation Act (title V of Public Law 96-533; 22*
17 *U.S.C. 290h et seq.), \$33,000,000, to remain available until*
18 *September 30, 2021, of which not to exceed \$2,000 may be*
19 *available for representation expenses: Provided, That funds*
20 *made available to grantees may be invested pending expend-*
21 *iture for project purposes when authorized by the Board of*
22 *Directors of the United States African Development Foun-*
23 *dation (USADF): Provided further, That interest earned*
24 *shall be used only for the purposes for which the grant was*
25 *made: Provided further, That notwithstanding section*

1 505(a)(2) of the African Development Foundation Act (22
2 U.S.C. 290h-3(a)(2)), in exceptional circumstances the
3 Board of Directors of the USADF may waive the \$250,000
4 limitation contained in that section with respect to a
5 project and a project may exceed the limitation by up to
6 10 percent if the increase is due solely to foreign currency
7 fluctuation: Provided further, That the USADF shall sub-
8 mit a report to the appropriate congressional committees
9 after each time such waiver authority is exercised: Provided
10 further, That the USADF may make rent or lease payments
11 in advance from appropriations available for such purpose
12 for offices, buildings, grounds, and quarters in Africa as
13 may be necessary to carry out its functions: Provided fur-
14 ther, That the USADF may maintain bank accounts out-
15 side the United States Treasury and retain any interest
16 earned on such accounts, in furtherance of the purposes of
17 the African Development Foundation Act: Provided further,
18 That the USADF may not withdraw any appropriation
19 from the Treasury prior to the need of spending such funds
20 for program purposes.

21 *DEPARTMENT OF THE TREASURY*

22 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

23 *For necessary expenses to carry out the provisions of*
24 *section 129 of the Foreign Assistance Act of 1961,*
25 *\$30,000,000, to remain available until expended, of which*

1 *not more than \$6,000,000 may be used for administrative*
2 *expenses: Provided, That amounts made available under*
3 *this heading may be made available to contract for services*
4 *as described in section 129(d)(3)(A) of the Foreign Assist-*
5 *ance Act of 1961, without regard to the location in which*
6 *such services are performed.*

7 *DEBT RESTRUCTURING*

8 *For the costs, as defined in section 502 of the Congres-*
9 *sional Budget Act of 1974, of modifying loans and loan*
10 *guarantees, as the President may determine, for which*
11 *funds have been appropriated or otherwise made available*
12 *for programs within the International Affairs Budget Func-*
13 *tion 150, including the cost of selling, reducing, or canceling*
14 *amounts owed to the United States as a result of*
15 *concessional loans made to eligible countries, pursuant to*
16 *part V of the Foreign Assistance Act of 1961, \$15,000,000,*
17 *to remain available until September 30, 2021.*

18 *TITLE IV*

19 *INTERNATIONAL SECURITY ASSISTANCE*

20 *DEPARTMENT OF STATE*

21 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

22 *ENFORCEMENT*

23 *For necessary expenses to carry out section 481 of the*
24 *Foreign Assistance Act of 1961, \$1,391,000,000, to remain*
25 *available until September 30, 2021: Provided, That the De-*

1 *partment of State may use the authority of section 608 of*
2 *the Foreign Assistance Act of 1961, without regard to its*
3 *restrictions, to receive excess property from an agency of*
4 *the United States Government for the purpose of providing*
5 *such property to a foreign country or international organi-*
6 *zation under chapter 8 of part I of such Act, subject to the*
7 *regular notification procedures of the Committees on Appro-*
8 *priations: Provided further, That section 482(b) of the For-*
9 *oreign Assistance Act of 1961 shall not apply to funds appro-*
10 *priated under this heading, except that any funds made*
11 *available notwithstanding such section shall be subject to*
12 *the regular notification procedures of the Committees on*
13 *Appropriations: Provided further, That funds appropriated*
14 *under this heading shall be made available to support train-*
15 *ing and technical assistance for foreign law enforcement,*
16 *corrections, judges, and other judicial authorities, utilizing*
17 *regional partners: Provided further, That funds made avail-*
18 *able under this heading that are transferred to another de-*
19 *partment, agency, or instrumentality of the United States*
20 *Government pursuant to section 632(b) of the Foreign As-*
21 *sistance Act of 1961 valued in excess of \$5,000,000, and*
22 *any agreement made pursuant to section 632(a) of such Act,*
23 *shall be subject to the regular notification procedures of the*
24 *Committees on Appropriations.*

1 *mote bilateral and multilateral activities relating to non-*
2 *proliferation, disarmament, and weapons destruction, and*
3 *shall remain available until expended: Provided further,*
4 *That such funds may also be used for such countries other*
5 *than the Independent States of the former Soviet Union and*
6 *international organizations when it is in the national secu-*
7 *rity interest of the United States to do so: Provided further,*
8 *That funds appropriated under this heading may be made*
9 *available for the IAEA unless the Secretary of State deter-*
10 *mines that Israel is being denied its right to participate*
11 *in the activities of that Agency: Provided further, That*
12 *funds made available for conventional weapons destruction*
13 *programs, including demining and related activities, in ad-*
14 *dition to funds otherwise available for such purposes, may*
15 *be used for administrative expenses related to the operation*
16 *and management of such programs and activities, subject*
17 *to the regular notification procedures of the Committees on*
18 *Appropriations.*

19 *PEACEKEEPING OPERATIONS*

20 *For necessary expenses to carry out the provisions of*
21 *section 551 of the Foreign Assistance Act of 1961,*
22 *\$457,348,000, of which \$325,213,000, to remain available*
23 *until September 30, 2021, is designated by the Congress for*
24 *Overseas Contingency Operations/Global War on Terrorism*
25 *pursuant to section 251(b)(2)(A)(vi) of the Balanced Budget*

1 *and Emergency Deficit Control Act of 1985: Provided, That*
2 *funds appropriated under this heading may be used, not-*
3 *withstanding section 660 of the Foreign Assistance Act of*
4 *1961, to provide assistance to enhance the capacity of for-*
5 *ign civilian security forces, including gendarmes, to par-*
6 *ticipate in peacekeeping operations: Provided further, That*
7 *of the funds appropriated under this heading, not less than*
8 *\$31,000,000 shall be made available for a United States*
9 *contribution to the Multinational Force and Observers mis-*
10 *sion in the Sinai and not less than \$71,000,000 shall be*
11 *made available for the Global Peace Operations Initiative:*
12 *Provided further, That funds appropriated under this head-*
13 *ing may be made available to pay assessed expenses of*
14 *international peacekeeping activities in Somalia under the*
15 *same terms and conditions, as applicable, as funds appro-*
16 *priated by this Act under the heading “Contributions for*
17 *International Peacekeeping Activities”:* *Provided further,*
18 *That none of the funds appropriated under this heading*
19 *shall be obligated except as provided through the regular*
20 *notification procedures of the Committees on Appropria-*
21 *tions.*

22 *FUNDS APPROPRIATED TO THE PRESIDENT*

23 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

24 *For necessary expenses to carry out the provisions of*
25 *section 541 of the Foreign Assistance Act of 1961,*

1 \$112,925,000, of which up to \$11,000,000 may remain
2 available until September 30, 2021 and may not be obli-
3 gated until the Secretary of State submits to the Committees
4 on Appropriations, following consultation with such Com-
5 mittees, a monitoring and evaluation plan for funds made
6 available under this heading, as described under this head-
7 ing in Senate Report 116–126: Provided, That the civilian
8 personnel for whom military education and training may
9 be provided under this heading may include civilians who
10 are not members of a government whose participation
11 would contribute to improved civil-military relations, civil-
12 ian control of the military, or respect for human rights:
13 Provided further, That of the funds appropriated under this
14 heading, not to exceed \$50,000 may be available for enter-
15 tainment expenses.

16 *FOREIGN MILITARY FINANCING PROGRAM*

17 *For necessary expenses for grants to enable the Presi-*
18 *dent to carry out the provisions of section 23 of the Arms*
19 *Export Control Act (22 U.S.C. 2763), \$6,156,924,000, of*
20 *which \$511,909,000, to remain available until September*
21 *30, 2021, is designated by the Congress for Overseas Contin-*
22 *gency Operations/Global War on Terrorism pursuant to sec-*
23 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
24 *gency Deficit Control Act of 1985: Provided, That to expe-*
25 *dite the provision of assistance to foreign countries and*

1 *international organizations, the Secretary of State, fol-*
2 *lowing consultation with the Committees on Appropriations*
3 *and subject to the regular notification procedures of such*
4 *Committees, may use the funds appropriated under this*
5 *heading to procure defense articles and services to enhance*
6 *the capacity of foreign security forces: Provided further,*
7 *That of the funds appropriated under this heading, not less*
8 *than \$3,300,000,000 shall be available for grants only for*
9 *Israel which shall be disbursed within 30 days of enactment*
10 *of this Act: Provided further, That to the extent that the*
11 *Government of Israel requests that funds be used for such*
12 *purposes, grants made available for Israel under this head-*
13 *ing shall, as agreed by the United States and Israel, be*
14 *available for advanced weapons systems, of which not less*
15 *than \$805,300,000 shall be available for the procurement*
16 *in Israel of defense articles and defense services, including*
17 *research and development: Provided further, That funds ap-*
18 *propriated or otherwise made available under this heading*
19 *shall be nonrepayable notwithstanding any requirement in*
20 *section 23 of the Arms Export Control Act: Provided fur-*
21 *ther, That funds made available under this heading shall*
22 *be obligated upon apportionment in accordance with para-*
23 *graph (5)(C) of section 1501(a) of title 31, United States*
24 *Code.*

1 *None of the funds made available under this heading*
2 *shall be available to finance the procurement of defense arti-*
3 *cles, defense services, or design and construction services*
4 *that are not sold by the United States Government under*
5 *the Arms Export Control Act unless the foreign country pro-*
6 *posing to make such procurement has first signed an agree-*
7 *ment with the United States Government specifying the*
8 *conditions under which such procurement may be financed*
9 *with such funds: Provided, That all country and funding*
10 *level increases in allocations shall be submitted through the*
11 *regular notification procedures of section 7015 of this Act:*
12 *Provided further, That funds made available under this*
13 *heading may be used, notwithstanding any other provision*
14 *of law, for demining, the clearance of unexploded ordnance,*
15 *and related activities, and may include activities imple-*
16 *mented through nongovernmental and international organi-*
17 *zations: Provided further, That only those countries for*
18 *which assistance was justified for the “Foreign Military*
19 *Sales Financing Program” in the fiscal year 1989 congres-*
20 *sional presentation for security assistance programs may*
21 *utilize funds made available under this heading for procure-*
22 *ment of defense articles, defense services, or design and con-*
23 *struction services that are not sold by the United States*
24 *Government under the Arms Export Control Act: Provided*
25 *further, That funds appropriated under this heading shall*

1 *be expended at the minimum rate necessary to make timely*
2 *payment for defense articles and services: Provided further,*
3 *That not more than \$70,000,000 of the funds appropriated*
4 *under this heading may be obligated for necessary expenses,*
5 *including the purchase of passenger motor vehicles for re-*
6 *placement only for use outside of the United States, for the*
7 *general costs of administering military assistance and sales,*
8 *except that this limitation may be exceeded only through*
9 *the regular notification procedures of the Committees on*
10 *Appropriations: Provided further, That of the funds made*
11 *available under this heading for general costs of admin-*
12 *istering military assistance and sales, not to exceed \$4,000*
13 *may be available for entertainment expenses and not to ex-*
14 *ceed \$130,000 may be available for representation expenses:*
15 *Provided further, That not more than \$1,082,200,000 of*
16 *funds realized pursuant to section 21(e)(1)(A) of the Arms*
17 *Export Control Act (22 U.S.C. 2761(e)(1)(A)) may be obli-*
18 *gated for expenses incurred by the Department of Defense*
19 *during fiscal year 2020 pursuant to section 43(b) of the*
20 *Arms Export Control Act (22 U.S.C. 2792(b)), except that*
21 *this limitation may be exceeded only through the regular*
22 *notification procedures of the Committees on Appropria-*
23 *tions.*

1

TITLE V

2

MULTILATERAL ASSISTANCE

3

FUNDS APPROPRIATED TO THE PRESIDENT

4

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

5

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, \$390,500,000: Provided, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund: Provided further, That not later than 60 days after enactment of this Act, such funds shall be made available for core contributions for each entity listed in the table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) unless otherwise provided for in this Act, or if the Secretary of State has justified the proposed uses of funds other than for core contributions following prior consultation with, and subject to the regular notification procedures of, the Committees on Appropriations.

20

INTERNATIONAL FINANCIAL INSTITUTIONS

21

GLOBAL ENVIRONMENT FACILITY

22

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, \$139,575,000, to remain available until, and to be fully dis-

23

24

25

1 *disbursed not later than, September 30, 2021: Provided, That*
2 *of such amount, \$136,563,000, which shall remain available*
3 *until September 30, 2020, is only available for the second*
4 *installment of the seventh replenishment of the Global Envi-*
5 *ronment Facility, and shall be obligated and disbursed not*
6 *later than 90 days after enactment of this Act: Provided*
7 *further, That the Secretary shall report to the Committees*
8 *on Appropriations on the status of funds provided under*
9 *this heading not less than quarterly until fully disbursed:*
10 *Provided further, That in such report the Secretary shall*
11 *provide a timeline for the obligation and disbursement of*
12 *any funds that have not yet been obligated or disbursed.*

13 *CONTRIBUTION TO THE INTERNATIONAL BANK FOR*

14 *RECONSTRUCTION AND DEVELOPMENT*

15 *For payment to the International Bank for Recon-*
16 *struction and Development by the Secretary of the Treasury*
17 *for the United States share of the paid-in portion of the*
18 *increases in capital stock, \$206,500,000, to remain avail-*
19 *able until expended.*

20 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

21 *The United States Governor of the International Bank*
22 *for Reconstruction and Development may subscribe without*
23 *fiscal year limitation to the callable capital portion of the*
24 *United States share of increases in capital stock in an*
25 *amount not to exceed \$1,421,275,728.70.*

1 *CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*2 *ASSOCIATION*

3 *For payment to the International Development Asso-*
4 *ciation by the Secretary of the Treasury, \$1,097,010,000,*
5 *to remain available until expended.*

6 *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

7 *For payment to the Asian Development Bank's Asian*
8 *Development Fund by the Secretary of the Treasury,*
9 *\$47,395,000, to remain available until expended.*

10 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

11 *For payment to the African Development Fund by the*
12 *Secretary of the Treasury, \$171,300,000, to remain avail-*
13 *able until expended.*

14 *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*15 *AGRICULTURAL DEVELOPMENT*

16 *For payment to the International Fund for Agricul-*
17 *tural Development by the Secretary of the Treasury,*
18 *\$30,000,000, to remain available until, and to be fully dis-*
19 *bursed no later than, September 30, 2021, for the second*
20 *installment of the eleventh replenishment of the Inter-*
21 *national Fund for Agricultural Development: Provided,*
22 *That the Secretary of the Treasury shall report to the Com-*
23 *mittees on Appropriations on the status of such payment*
24 *not less than quarterly until fully disbursed: Provided fur-*
25 *ther, That in such report the Secretary shall provide a*

1 *timeline for the obligation and disbursement of any funds*
2 *that have not yet been obligated or disbursed.*

3 *TITLE VI*

4 *EXPORT AND INVESTMENT ASSISTANCE*

5 *EXPORT-IMPORT BANK OF THE UNITED STATES*

6 *INSPECTOR GENERAL*

7 *For necessary expenses of the Office of Inspector Gen-*
8 *eral in carrying out the provisions of the Inspector General*
9 *Act of 1978 (5 U.S.C. App.), \$5,700,000, of which up to*
10 *\$855,000 may remain available until September 30, 2021.*

11 *PROGRAM ACCOUNT*

12 *The Export-Import Bank of the United States is au-*
13 *thorized to make such expenditures within the limits of*
14 *funds and borrowing authority available to such corpora-*
15 *tion, and in accordance with law, and to make such con-*
16 *tracts and commitments without regard to fiscal year limi-*
17 *tations, as provided by section 9104 of title 31, United*
18 *States Code, as may be necessary in carrying out the pro-*
19 *gram for the current fiscal year for such corporation: Pro-*
20 *vided, That none of the funds available during the current*
21 *fiscal year may be used to make expenditures, contracts,*
22 *or commitments for the export of nuclear equipment, fuel,*
23 *or technology to any country, other than a nuclear-weapon*
24 *state as defined in Article IX of the Treaty on the Non-*
25 *Proliferation of Nuclear Weapons eligible to receive eco-*

1 *nomic or military assistance under this Act, that has deto-*
2 *nated a nuclear explosive after the date of enactment of this*
3 *Act.*

4 *ADMINISTRATIVE EXPENSES*

5 *For administrative expenses to carry out the direct*
6 *and guaranteed loan and insurance programs, including*
7 *hire of passenger motor vehicles and services as authorized*
8 *by section 3109 of title 5, United States Code, and not to*
9 *exceed \$30,000 for official reception and representation ex-*
10 *penses for members of the Board of Directors, not to exceed*
11 *\$110,000,000, of which up to \$16,500,000 may remain*
12 *available until September 30, 2021: Provided, That the Ex-*
13 *port-Import Bank (the Bank) may accept, and use, pay-*
14 *ment or services provided by transaction participants for*
15 *legal, financial, or technical services in connection with any*
16 *transaction for which an application for a loan, guarantee*
17 *or insurance commitment has been made: Provided further,*
18 *That the Bank shall charge fees for necessary expenses (in-*
19 *cluding special services performed on a contract or fee basis,*
20 *but not including other personal services) in connection*
21 *with the collection of moneys owed the Bank, repossession*
22 *or sale of pledged collateral or other assets acquired by the*
23 *Bank in satisfaction of moneys owed the Bank, or the inves-*
24 *tigation or appraisal of any property, or the evaluation of*
25 *the legal, financial, or technical aspects of any transaction*

1 *for which an application for a loan, guarantee or insurance*
2 *commitment has been made, or systems infrastructure di-*
3 *rectly supporting transactions: Provided further, That in*
4 *addition to other funds appropriated for administrative ex-*
5 *penses, such fees shall be credited to this account for such*
6 *purposes, to remain available until expended.*

7 *RECEIPTS COLLECTED*

8 *Receipts collected pursuant to the Export-Import Bank*
9 *Act of 1945 (Public Law 79–173) and the Federal Credit*
10 *Reform Act of 1990, in an amount not to exceed the amount*
11 *appropriated herein, shall be credited as offsetting collec-*
12 *tions to this account: Provided, That the sums herein appro-*
13 *priated from the General Fund shall be reduced on a dollar-*
14 *for-dollar basis by such offsetting collections so as to result*
15 *in a final fiscal year appropriation from the General Fund*
16 *estimated at \$0.*

17 *UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE*
18 *CORPORATION*

19 *INSPECTOR GENERAL*

20 *For necessary expenses of the Office of Inspector Gen-*
21 *eral in carrying out the provisions of the Inspector General*
22 *Act of 1978 (5 U.S.C. App.), \$2,000,000, to remain avail-*
23 *able until September 30, 2021.*

CORPORATE CAPITAL ACCOUNT

1
2 *The United States International Development Finance*
3 *Corporation (the Corporation) is authorized to make such*
4 *expenditures and commitments within the limits of funds*
5 *and borrowing authority available to the Corporation, and*
6 *in accordance with the law, and to make such expenditures*
7 *and commitments without regard to fiscal year limitations,*
8 *as provided by section 9104 of title 31, United States Code,*
9 *as may be necessary in carrying out the programs for the*
10 *current fiscal year for the Corporation: Provided, That for*
11 *necessary expenses of the activities described in subsections*
12 *(b), (c), (e), (f), and (g) of section 1421 of the BUILD Act*
13 *of 2018 (division F of Public Law 115–254) and for admin-*
14 *istrative expenses to carry out authorized activities and*
15 *project-specific transaction costs described in section*
16 *1434(d) of such Act, \$299,000,000: Provided further, That*
17 *of the amount provided—*

18 (1) *\$119,000,000 shall remain available until*
19 *September 30, 2022, for administrative expenses to*
20 *carry out authorized activities (including an amount*
21 *for official reception and representation expenses*
22 *which shall not exceed \$25,000) and project-specific*
23 *transaction costs as described in section 1434(k) of*
24 *such Act, of which \$1,000,000 shall remain available*
25 *until September 30, 2024;*

1 (2) \$150,000,000 shall remain available until
2 September 30, 2022, for the activities described in sec-
3 tion 1421(c) of such Act, except such amounts obli-
4 gated in a fiscal year shall remain available for dis-
5 bursement for the term of the underlying project: Pro-
6 vided further, That if the term of the project extends
7 longer than 10 fiscal years, the Chief Executive Offi-
8 cer of the Corporation shall inform the appropriate
9 congressional committees prior to the obligation or
10 disbursement of funds, as applicable: Provided fur-
11 ther, That amounts may only be obligated after the
12 Chief Executive Officer of the Corporation submits to
13 the appropriate congressional committees the guide-
14 lines and criteria required by paragraph (3) of such
15 section; and

16 (3) \$30,000,000 shall be paid to the “United
17 States International Development Finance Corpora-
18 tion—Program Account” for programs authorized by
19 subsections (b), (e), (f), and (g) of section 1421 of the
20 BUILD Act of 2018 (division F of Public Law 115–
21 254):

22 Provided further, That funds may only be obligated pursu-
23 ant to section 1421(g) of the BUILD Act of 2018 subject
24 to prior consultation with the appropriate congressional
25 committees and the regular notification procedures of the

1 *Committees on Appropriations: Provided further, That in*
2 *this fiscal year, and each fiscal year thereafter, the Corpora-*
3 *tion shall collect the amounts described in section 1434(h)*
4 *of the BUILD Act of 2018: Provided further, That in fiscal*
5 *year 2020 such collections shall be credited as offsetting col-*
6 *lections to this appropriation: Provided further, That such*
7 *collections collected in fiscal year 2020 in excess of*
8 *\$299,000,000 shall be credited to this account and shall be*
9 *available in future fiscal years only to the extent provided*
10 *in advance in appropriations Acts: Provided further, That*
11 *in fiscal year 2020, if such collections are less than*
12 *\$299,000,000, receipts collected pursuant to the BUILD Act*
13 *of 2018 and the Federal Credit Reform Act of 1990, in an*
14 *amount equal to such shortfall, shall be credited as offsetting*
15 *collections to this appropriation: Provided further, That*
16 *funds appropriated or otherwise made available under this*
17 *heading may not be used to provide any type of assistance*
18 *that is otherwise prohibited by any other provision of law*
19 *or to provide assistance to any foreign country that is other-*
20 *wise prohibited by any other provision of law: Provided fur-*
21 *ther, That the sums herein appropriated from the General*
22 *Fund shall be reduced on a dollar-for-dollar basis by the*
23 *offsetting collections described under this heading so as to*
24 *result in a final fiscal year appropriation from the General*
25 *Fund estimated at \$0.*

PROGRAM ACCOUNT

1
2 *Amounts paid from “United States International De-*
3 *velopment Finance Corporation—Corporate Capital Ac-*
4 *count” (CCA) shall remain available until September 30,*
5 *2022: Provided, That up to \$80,000,000 of amounts paid*
6 *to this account from CCA or transferred to this account pur-*
7 *suant to section 1434(j) of the BUILD Act of 2018 (division*
8 *F of Public Law 115–254) shall be available for the costs*
9 *of direct and guaranteed loans provided by the Corporation*
10 *pursuant to section 1421(b) of such Act: Provided further,*
11 *That such costs, including the cost of modifying such loans,*
12 *shall be as defined in section 502 of the Congressional Budg-*
13 *et Act of 1974: Provided further, That such amounts obli-*
14 *gated in a fiscal year shall remain available for disburse-*
15 *ment for the following 8 fiscal years: Provided further, That*
16 *funds transferred to carry out the Foreign Assistance Act*
17 *of 1961 pursuant to section 1434(j) of the BUILD Act of*
18 *2018 may remain available for obligation for 1 additional*
19 *fiscal year: Provided further, That the total loan principal*
20 *or guaranteed principal amount shall not exceed*
21 *\$8,000,000,000.*

TRADE AND DEVELOPMENT AGENCY

22
23 *For necessary expenses to carry out the provisions of*
24 *section 661 of the Foreign Assistance Act of 1961,*
25 *\$79,500,000, to remain available until September 30, 2021,*

1 *of which no more than \$19,000,000 may be used for admin-*
2 *istrative expenses: Provided, That of the funds appropriated*
3 *under this heading, not more than \$5,000 may be available*
4 *for representation and entertainment expenses.*

5 *TITLE VII*

6 *GENERAL PROVISIONS*

7 *ALLOWANCES AND DIFFERENTIALS*

8 *SEC. 7001. Funds appropriated under title I of this*
9 *Act shall be available, except as otherwise provided, for al-*
10 *lowances and differentials as authorized by subchapter 59*
11 *of title 5, United States Code; for services as authorized by*
12 *section 3109 of such title and for hire of passenger transpor-*
13 *tation pursuant to section 1343(b) of title 31, United States*
14 *Code.*

15 *UNOBLIGATED BALANCES REPORT*

16 *SEC. 7002. Any department or agency of the United*
17 *States Government to which funds are appropriated or oth-*
18 *erwise made available by this Act shall provide to the Com-*
19 *mittees on Appropriations a quarterly accounting of cumu-*
20 *lative unobligated balances and obligated, but unexpended,*
21 *balances by program, project, and activity, and Treasury*
22 *Account Fund Symbol of all funds received by such depart-*
23 *ment or agency in fiscal year 2020 or any previous fiscal*
24 *year, disaggregated by fiscal year: Provided, That the report*
25 *required by this section shall be submitted not later than*

1 30 days after the end of each fiscal quarter and should
2 specify by account the amount of funds obligated pursuant
3 to bilateral agreements which have not been further sub-obli-
4 gated.

5 *CONSULTING SERVICES*

6 *SEC. 7003. The expenditure of any appropriation*
7 *under title I of this Act for any consulting service through*
8 *procurement contract, pursuant to section 3109 of title 5,*
9 *United States Code, shall be limited to those contracts where*
10 *such expenditures are a matter of public record and avail-*
11 *able for public inspection, except where otherwise provided*
12 *under existing law, or under existing Executive order issued*
13 *pursuant to existing law.*

14 *DIPLOMATIC FACILITIES*

15 *SEC. 7004. (a) CAPITAL SECURITY COST SHARING EX-*
16 *CEPTION.—Notwithstanding paragraph (2) of section*
17 *604(e) of the Secure Embassy Construction and Counterter-*
18 *rorism Act of 1999 (title VI of division A of H.R. 3427,*
19 *as enacted into law by section 1000(a)(7) of Public Law*
20 *106–113 and contained in appendix G of that Act), as*
21 *amended by section 111 of the Department of State Authori-*
22 *ties Act, Fiscal Year 2017 (Public Law 114–323), a project*
23 *to construct a facility of the United States may include of-*
24 *fice space or other accommodations for members of the*
25 *United States Marine Corps.*

1 **(b) NEW DIPLOMATIC FACILITIES.**—*For the purposes*
2 *of calculating the fiscal year 2020 costs of providing new*
3 *United States diplomatic facilities in accordance with sec-*
4 *tion 604(e) of the Secure Embassy Construction and*
5 *Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the*
6 *Secretary of State, in consultation with the Director of the*
7 *Office of Management and Budget, shall determine the an-*
8 *nual program level and agency shares in a manner that*
9 *is proportional to the contribution of the Department of*
10 *State for this purpose.*

11 **(c) CONSULTATION AND NOTIFICATION.**—*Funds ap-*
12 *propriated by this Act and prior Acts making appropri-*
13 *ations for the Department of State, foreign operations, and*
14 *related programs, which may be made available for the ac-*
15 *quisition of property or award of construction contracts for*
16 *overseas United States diplomatic facilities during fiscal*
17 *year 2020, shall be subject to prior consultation with, and*
18 *the regular notification procedures of, the Committees on*
19 *Appropriations: Provided, That notifications pursuant to*
20 *this subsection shall include the information enumerated*
21 *under the heading “Embassy Security, Construction, and*
22 *Maintenance” in House Report 116–78.*

23 **(d) INTERIM AND TEMPORARY FACILITIES ABROAD.**—

24 **(1) SECURITY VULNERABILITIES.**—*Funds appro-*
25 *priated by this Act under the heading “Embassy Se-*

1 *curity, Construction, and Maintenance” may be made*
2 *available, following consultation with the appropriate*
3 *congressional committees, to address security*
4 *vulnerabilities at interim and temporary United*
5 *States diplomatic facilities abroad, including physical*
6 *security upgrades and local guard staffing, except*
7 *that the amount of funds made available for such*
8 *purposes from this Act and prior Acts making appro-*
9 *priations for the Department of State, foreign oper-*
10 *ations, and related programs shall be a minimum of*
11 *\$25,000,000.*

12 (2) *CONSULTATION.—Notwithstanding any other*
13 *provision of law, the opening, closure, or any signifi-*
14 *cant modification to an interim or temporary United*
15 *States diplomatic facility shall be subject to prior*
16 *consultation with the appropriate congressional com-*
17 *mittees and the regular notification procedures of the*
18 *Committees on Appropriations, except that such con-*
19 *sultation and notification may be waived if there is*
20 *a security risk to personnel.*

21 (e) *SOFT TARGETS.—Of the funds appropriated by*
22 *this Act under the heading “Embassy Security, Construc-*
23 *tion, and Maintenance”, not less than \$10,000,000 shall be*
24 *made available for security upgrades to soft targets, includ-*

1 *ing schools, recreational facilities, and residences used by*
2 *United States diplomatic personnel and their dependents.*

3 *PERSONNEL ACTIONS*

4 *SEC. 7005. Any costs incurred by a department or*
5 *agency funded under title I of this Act resulting from per-*
6 *sonnel actions taken in response to funding reductions in-*
7 *cluded in this Act shall be absorbed within the total budg-*
8 *etary resources available under title I to such department*
9 *or agency: Provided, That the authority to transfer funds*
10 *between appropriations accounts as may be necessary to*
11 *carry out this section is provided in addition to authorities*
12 *included elsewhere in this Act: Provided further, That use*
13 *of funds to carry out this section shall be treated as a re-*
14 *programming of funds under section 7015 of this Act.*

15 *PROHIBITION ON PUBLICITY OR PROPAGANDA*

16 *SEC. 7006. No part of any appropriation contained*
17 *in this Act shall be used for publicity or propaganda pur-*
18 *poses within the United States not authorized before enact-*
19 *ment of this Act by Congress: Provided, That up to \$25,000*
20 *may be made available to carry out the provisions of section*
21 *316 of the International Security and Development Co-*
22 *operation Act of 1980 (Public Law 96-533; 22 U.S.C.*
23 *2151a note).*

1 *PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN*
2 *COUNTRIES*

3 *SEC. 7007. None of the funds appropriated or other-*
4 *wise made available pursuant to titles III through VI of*
5 *this Act shall be obligated or expended to finance directly*
6 *any assistance or reparations for the governments of Cuba,*
7 *North Korea, Iran, or Syria: Provided, That for purposes*
8 *of this section, the prohibition on obligations or expendi-*
9 *tures shall include direct loans, credits, insurance, and*
10 *guarantees of the Export-Import Bank or its agents.*

11 *COUPS D'ÉTAT*

12 *SEC. 7008. None of the funds appropriated or other-*
13 *wise made available pursuant to titles III through VI of*
14 *this Act shall be obligated or expended to finance directly*
15 *any assistance to the government of any country whose duly*
16 *elected head of government is deposed by military coup*
17 *d'état or decree or, after the date of enactment of this Act,*
18 *a coup d'état or decree in which the military plays a deci-*
19 *sive role: Provided, That assistance may be resumed to such*
20 *government if the Secretary of State certifies and reports*
21 *to the appropriate congressional committees that subsequent*
22 *to the termination of assistance a democratically elected*
23 *government has taken office: Provided further, That the pro-*
24 *visions of this section shall not apply to assistance to pro-*
25 *mote democratic elections or public participation in demo-*

1 cratic processes: Provided further, That funds made avail-
2 able pursuant to the previous provisos shall be subject to
3 the regular notification procedures of the Committees on
4 Appropriations.

5 TRANSFER OF FUNDS AUTHORITY

6 SEC. 7009. (a) DEPARTMENT OF STATE AND UNITED
7 STATES AGENCY FOR GLOBAL MEDIA.—

8 (1) DEPARTMENT OF STATE.—

9 (A) IN GENERAL.—Not to exceed 5 percent of
10 any appropriation made available for the current fis-
11 cal year for the Department of State under title I of
12 this Act may be transferred between, and merged
13 with, such appropriations, but no such appropriation,
14 except as otherwise specifically provided, shall be in-
15 creased by more than 10 percent by any such trans-
16 fers, and no such transfer may be made to increase
17 the appropriation under the heading “Representation
18 Expenses”.

19 (B) EMBASSY SECURITY.—Funds appropriated
20 under the headings “Diplomatic Programs”, includ-
21 ing for Worldwide Security Protection, “Embassy Se-
22 curity, Construction, and Maintenance”, and “Emer-
23 gencies in the Diplomatic and Consular Service” in
24 this Act may be transferred to, and merged with,
25 funds appropriated under such headings if the Sec-

1 *retary of State determines and reports to the Commit-*
2 *tees on Appropriations that to do so is necessary to*
3 *implement the recommendations of the Benghazi Ac-*
4 *countability Review Board, for emergency evacu-*
5 *ations, or to prevent or respond to security situations*
6 *and requirements, following consultation with, and*
7 *subject to the regular notification procedures of, such*
8 *Committees: Provided, That such transfer authority is*
9 *in addition to any transfer authority otherwise avail-*
10 *able in this Act and under any other provision of*
11 *law.*

12 (2) *UNITED STATES AGENCY FOR GLOBAL MEDIA.—*
13 *Not to exceed 5 percent of any appropriation made avail-*
14 *able for the current fiscal year for the United States Agency*
15 *for Global Media under title I of this Act may be transferred*
16 *between, and merged with, such appropriations, but no such*
17 *appropriation, except as otherwise specifically provided,*
18 *shall be increased by more than 10 percent by any such*
19 *transfers.*

20 (3) *TREATMENT AS REPROGRAMMING.—Any transfer*
21 *pursuant to this subsection shall be treated as a reprogram-*
22 *ming of funds under section 7015 of this Act and shall not*
23 *be available for obligation or expenditure except in compli-*
24 *ance with the procedures set forth in that section.*

1 **(b) LIMITATION ON TRANSFERS OF FUNDS BETWEEN**
2 **AGENCIES.—**

3 **(1) IN GENERAL.—***None of the funds made avail-*
4 *able under titles II through V of this Act may be*
5 *transferred to any department, agency, or instrumen-*
6 *tality of the United States Government, except pursu-*
7 *ant to a transfer made by, or transfer authority pro-*
8 *vided in, this Act or any other appropriations Act.*

9 **(2) ALLOCATION AND TRANSFERS.—***Notwith-*
10 *standing paragraph (1), in addition to transfers*
11 *made by, or authorized elsewhere in, this Act, funds*
12 *appropriated by this Act to carry out the purposes of*
13 *the Foreign Assistance Act of 1961 may be allocated*
14 *or transferred to agencies of the United States Gov-*
15 *ernment pursuant to the provisions of sections 109,*
16 *610, and 632 of the Foreign Assistance Act of 1961,*
17 *and section 1434(j) of the BUILD Act of 2018 (divi-*
18 *sion F of Public Law 115–254).*

19 **(3) NOTIFICATION.—***Any agreement entered into*
20 *by the United States Agency for International Devel-*
21 *opment or the Department of State with any depart-*
22 *ment, agency, or instrumentality of the United States*
23 *Government pursuant to section 632(b) of the Foreign*
24 *Assistance Act of 1961 valued in excess of \$1,000,000*
25 *and any agreement made pursuant to section 632(a)*

1 *of such Act, with funds appropriated by this Act or*
2 *prior Acts making appropriations for the Department*
3 *of State, foreign operations, and related programs*
4 *under the headings “Global Health Programs”, “De-*
5 *velopment Assistance”, “Economic Support Fund”,*
6 *and “Assistance for Europe, Eurasia and Central*
7 *Asia” shall be subject to the regular notification pro-*
8 *cedures of the Committees on Appropriations: Pro-*
9 *vided, That the requirement in the previous sentence*
10 *shall not apply to agreements entered into between*
11 *USAID and the Department of State.*

12 (c) *UNITED STATES INTERNATIONAL DEVELOPMENT*
13 *FINANCE CORPORATION.—*

14 (1) *LIMITATION.—Amounts transferred pursuant*
15 *to section 1434(j) of the BUILD Act of 2018 (division*
16 *F of Public Law 115–254) may only be transferred*
17 *from funds made available under title III of this Act,*
18 *and such amounts shall not exceed \$50,000,000: Pro-*
19 *vided, That any such transfers shall be subject to*
20 *prior consultation with, and the regular notification*
21 *procedures of, the Committees on Appropriations:*
22 *Provided further, That the Secretary of State, the Ad-*
23 *ministrator of the United States Agency for Inter-*
24 *national Development, and the Chief Executive Offi-*
25 *cer of the United States International Development*

1 *Finance Corporation (the Corporation), as appro-*
2 *prate, shall ensure that the programs funded by such*
3 *transfers are coordinated with, and complement, for-*
4 *foreign assistance programs implemented by the Depart-*
5 *ment of State and USAID: Provided further, That no*
6 *funds transferred pursuant to such authority may be*
7 *used by the Corporation to post personnel abroad or*
8 *for activities described in section 1421(c) of such Act.*

9 (2) *DEVELOPMENT CREDIT AUTHORITY AC-*
10 *COUNT.—Funds transferred from the Development*
11 *Credit Authority program account of the United*
12 *States Agency for International Development to the*
13 *Corporate Capital Account of the United States Inter-*
14 *national Development Finance Corporation pursuant*
15 *to section 1434(i) of the BUILD Act of 2018 (division*
16 *F of Public Law 115–254) shall be transferred to, and*
17 *merged with, such account, and may thereafter be*
18 *deemed to meet any minimum funding requirements*
19 *attributed for at the time of deposit into the Develop-*
20 *ment Credit Authority program account.*

21 (d) *TRANSFER OF FUNDS BETWEEN ACCOUNTS.—*
22 *None of the funds made available under titles II through*
23 *V of this Act may be obligated under an appropriations*
24 *account to which such funds were not appropriated, except*
25 *for transfers specifically provided for in this Act, unless the*

1 *President, not less than 5 days prior to the exercise of any*
2 *authority contained in the Foreign Assistance Act of 1961*
3 *to transfer funds, consults with and provides a written pol-*
4 *icy justification to the Committees on Appropriations.*

5 *(e) AUDIT OF INTER-AGENCY TRANSFERS OF FUNDS.—*
6 *Any agreement for the transfer or allocation of funds appro-*
7 *priated by this Act or prior Acts making appropriations*
8 *for the Department of State, foreign operations, and related*
9 *programs entered into between the Department of State or*
10 *USAID and another agency of the United States Govern-*
11 *ment under the authority of section 632(a) of the Foreign*
12 *Assistance Act of 1961, or any comparable provision of law,*
13 *shall expressly provide that the Inspector General (IG) for*
14 *the agency receiving the transfer or allocation of such funds,*
15 *or other entity with audit responsibility if the receiving*
16 *agency does not have an IG, shall perform periodic program*
17 *and financial audits of the use of such funds and report*
18 *to the Department of State or USAID, as appropriate, upon*
19 *completion of such audits: Provided, That such audits shall*
20 *be transmitted to the Committees on Appropriations by the*
21 *Department of State or USAID, as appropriate: Provided*
22 *further, That funds transferred under such authority may*
23 *be made available for the cost of such audits.*

24 *(f) TRANSFER OF OVERSEAS CONTINGENCY OPER-*
25 *ATIONS/GLOBAL WAR ON TERRORISM FUNDS.—Funds ap-*

1 *propriated by this Act under the headings “Peacekeeping*
2 *Operations” and “Foreign Military Financing Program”*
3 *that are designated by the Congress for Overseas Contin-*
4 *gency Operations/Global War on Terrorism pursuant to sec-*
5 *tion 251(b)(2)(A)(ii) of the Balanced Budget and Emer-*
6 *gency Deficit Control Act of 1985 may be transferred to,*
7 *and merged with, such funds appropriated under such*
8 *headings: Provided, That such transfer authority may only*
9 *be exercised to address contingencies: Provided further, That*
10 *such transfer authority is in addition to any transfer au-*
11 *thority otherwise available under any other provision of*
12 *law, including section 610 of the Foreign Assistance Act*
13 *of 1961: Provided further, That such transfer authority*
14 *shall be subject to prior consultation with, and the regular*
15 *notification procedures of, the Committees on Appropria-*
16 *tions.*

17 *PROHIBITION AND LIMITATION ON CERTAIN EXPENSES*

18 *SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the*
19 *funds made available by this Act may be used for first-class*
20 *travel by employees of United States Government depart-*
21 *ments and agencies funded by this Act in contravention of*
22 *section 301–10.122 through 301–10.124 of title 41, Code of*
23 *Federal Regulations.*

24 *(b) COMPUTER NETWORKS.—None of the funds made*
25 *available by this Act for the operating expenses of any*

1 *United States Government department or agency may be*
2 *used to establish or maintain a computer network for use*
3 *by such department or agency unless such network has fil-*
4 *ters designed to block access to sexually explicit websites:*
5 *Provided, That nothing in this subsection shall limit the*
6 *use of funds necessary for any Federal, State, tribal, or local*
7 *law enforcement agency, or any other entity carrying out*
8 *the following activities: criminal investigations, prosecu-*
9 *tions, and adjudications; administrative discipline; and the*
10 *monitoring of such websites undertaken as part of official*
11 *business.*

12 *(c) PROHIBITION ON PROMOTION OF TOBACCO.—None*
13 *of the funds made available by this Act shall be available*
14 *to promote the sale or export of tobacco or tobacco products,*
15 *or to seek the reduction or removal by any foreign country*
16 *of restrictions on the marketing of tobacco or tobacco prod-*
17 *ucts, except for restrictions which are not applied equally*
18 *to all tobacco or tobacco products of the same type.*

19 *(d) EMAIL SERVERS OUTSIDE THE .GOV DOMAIN.—*
20 *None of the funds appropriated by this Act under the head-*
21 *ings “Diplomatic Programs” and “Capital Investment*
22 *Fund” in title I, and “Operating Expenses” and “Capital*
23 *Investment Fund” in title II that are made available to*
24 *the Department of State and the United States Agency for*
25 *International Development may be made available to sup-*

1 port the use or establishment of email accounts or email
2 servers created outside the .gov domain or not fitted for
3 automated records management as part of a Federal gov-
4 ernment records management program in contravention of
5 the Presidential and Federal Records Act Amendments of
6 2014 (Public Law 113–187).

7 (e) REPRESENTATION AND ENTERTAINMENT EX-
8 PENSES.—Each Federal department, agency, or entity
9 funded in titles I or II of this Act, and the Department
10 of the Treasury and independent agencies funded in titles
11 III or VI of this Act, shall take steps to ensure that domestic
12 and overseas representation and entertainment expenses
13 further official agency business and United States foreign
14 policy interests, and—

15 (1) are primarily for fostering relations outside
16 of the Executive Branch;

17 (2) are principally for meals and events of a
18 protocol nature;

19 (3) are not for employee-only events; and

20 (4) do not include activities that are substan-
21 tially of a recreational character.

22 (f) LIMITATIONS ON ENTERTAINMENT EXPENSES.—
23 None of the funds appropriated or otherwise made available
24 by this Act under the headings “International Military
25 Education and Training” or “Foreign Military Financing

1 *Program” for Informational Program activities or under*
2 *the headings “Global Health Programs”, “Development As-*
3 *sistance”, “Economic Support Fund”, and “Assistance for*
4 *Europe, Eurasia and Central Asia” may be obligated or*
5 *expended to pay for—*

6 (1) *alcoholic beverages; or*

7 (2) *entertainment expenses for activities that are*
8 *substantially of a recreational character, including*
9 *entrance fees at sporting events, theatrical and musi-*
10 *cal productions, and amusement parks.*

11 *AVAILABILITY OF FUNDS*

12 *SEC. 7011. No part of any appropriation contained*
13 *in this Act shall remain available for obligation after the*
14 *expiration of the current fiscal year unless expressly so pro-*
15 *vided by this Act: Provided, That funds appropriated for*
16 *the purposes of chapters 1 and 8 of part I, section 661,*
17 *chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assist-*
18 *ance Act of 1961, section 23 of the Arms Export Control*
19 *Act (22 U.S.C. 2763), and funds made available for*
20 *“United States International Development Finance Cor-*
21 *poration” and under the heading “Assistance for Europe,*
22 *Eurasia and Central Asia” shall remain available for an*
23 *additional 4 years from the date on which the availability*
24 *of such funds would otherwise have expired, if such funds*
25 *are initially obligated before the expiration of their respec-*

1 *tive periods of availability contained in this Act: Provided*
2 *further, That notwithstanding any other provision of this*
3 *Act, any funds made available for the purposes of chapter*
4 *1 of part I and chapter 4 of part II of the Foreign Assist-*
5 *ance Act of 1961 which are allocated or obligated for cash*
6 *disbursements in order to address balance of payments or*
7 *economic policy reform objectives, shall remain available for*
8 *an additional 4 years from the date on which the avail-*
9 *ability of such funds would otherwise have expired, if such*
10 *funds are initially allocated or obligated before the expira-*
11 *tion of their respective periods of availability contained in*
12 *this Act: Provided further, That the Secretary of State shall*
13 *provide a report to the Committees on Appropriations not*
14 *later than October 31, 2020, detailing by account and*
15 *source year, the use of this authority during the previous*
16 *fiscal year.*

17 *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

18 *SEC. 7012. No part of any appropriation provided*
19 *under titles III through VI in this Act shall be used to fur-*
20 *nish assistance to the government of any country which is*
21 *in default during a period in excess of 1 calendar year in*
22 *payment to the United States of principal or interest on*
23 *any loan made to the government of such country by the*
24 *United States pursuant to a program for which funds are*
25 *appropriated under this Act unless the President deter-*

1 *mines, following consultation with the Committees on Ap-*
2 *propriations, that assistance for such country is in the na-*
3 *tional interest of the United States.*

4 *PROHIBITION ON TAXATION OF UNITED STATES*

5 *ASSISTANCE*

6 *SEC. 7013. (a) PROHIBITION ON TAXATION.—None of*
7 *the funds appropriated under titles III through VI of this*
8 *Act may be made available to provide assistance for a for-*
9 *ign country under a new bilateral agreement governing the*
10 *terms and conditions under which such assistance is to be*
11 *provided unless such agreement includes a provision stating*
12 *that assistance provided by the United States shall be ex-*
13 *empt from taxation, or reimbursed, by the foreign govern-*
14 *ment, and the Secretary of State and the Administrator of*
15 *the United States Agency for International Development*
16 *shall expeditiously seek to negotiate amendments to existing*
17 *bilateral agreements, as necessary, to conform with this re-*
18 *quirement.*

19 *(b) NOTIFICATION AND REIMBURSEMENT OF FOREIGN*
20 *TAXES.—An amount equivalent to 200 percent of the total*
21 *taxes assessed during fiscal year 2020 on funds appro-*
22 *priated by this Act and prior Acts making appropriations*
23 *for the Department of State, foreign operations, and related*
24 *programs by a foreign government or entity against United*
25 *States assistance programs, either directly or through*

1 grantees, contractors, and subcontractors, shall be withheld
2 from obligation from funds appropriated for assistance for
3 fiscal year 2021 and for prior fiscal years and allocated
4 for the central government of such country or for the West
5 Bank and Gaza program, as applicable, if, not later than
6 September 30, 2021, such taxes have not been reimbursed:
7 Provided, That the Secretary of State shall report to the
8 Committees on Appropriations by such date on the foreign
9 governments and entities that have not reimbursed such
10 taxes, including any amount of funds withheld pursuant
11 to this subsection.

12 (c) *DE MINIMIS EXCEPTION.*—Foreign taxes of a de
13 minimis nature shall not be subject to the provisions of sub-
14 section (b).

15 (d) *REPROGRAMMING OF FUNDS.*—Funds withheld
16 from obligation for each foreign government or entity pur-
17 suant to subsection (b) shall be reprogrammed for assistance
18 for countries which do not assess taxes on United States
19 assistance or which have an effective arrangement that is
20 providing substantial reimbursement of such taxes, and that
21 can reasonably accommodate such assistance in a program-
22 matically responsible manner.

23 (e) *DETERMINATIONS.*—

24 (1) *IN GENERAL.*—The provisions of this section
25 shall not apply to any foreign government or entity

1 *that assesses such taxes if the Secretary of State re-*
2 *ports to the Committees on Appropriations that—*

3 *(A) such foreign government or entity has*
4 *an effective arrangement that is providing sub-*
5 *stantial reimbursement of such taxes; or*

6 *(B) the foreign policy interests of the United*
7 *States outweigh the purpose of this section to en-*
8 *sure that United States assistance is not subject*
9 *to taxation.*

10 (2) *CONSULTATION.—The Secretary of State*
11 *shall consult with the Committees on Appropriations*
12 *at least 15 days prior to exercising the authority of*
13 *this subsection with regard to any foreign government*
14 *or entity.*

15 (f) *IMPLEMENTATION.—The Secretary of State shall*
16 *issue and update rules, regulations, or policy guidance, as*
17 *appropriate, to implement the prohibition against the tax-*
18 *ation of assistance contained in this section.*

19 (g) *DEFINITIONS.—As used in this section:*

20 (1) *BILATERAL AGREEMENT.—The term “bilat-*
21 *eral agreement” refers to a framework bilateral agree-*
22 *ment between the Government of the United States*
23 *and the government of the country receiving assist-*
24 *ance that describes the privileges and immunities ap-*
25 *plicable to United States foreign assistance for such*

1 *Appropriations: Provided further, That assistance that is*
2 *reprogrammed pursuant to this subsection shall be made*
3 *available under the same terms and conditions as originally*
4 *provided.*

5 **(b) EXTENSION OF AVAILABILITY.**—*In addition to the*
6 *authority contained in subsection (a), the original period*
7 *of availability of funds appropriated by this Act and ad-*
8 *ministered by the Department of State or the United States*
9 *Agency for International Development that are specifically*
10 *designated for particular programs or activities by this or*
11 *any other Act may be extended for an additional fiscal year*
12 *if the Secretary of State or the USAID Administrator, as*
13 *appropriate, determines and reports promptly to the Com-*
14 *mittees on Appropriations that the termination of assist-*
15 *ance to a country or a significant change in circumstances*
16 *makes it unlikely that such designated funds can be obli-*
17 *gated during the original period of availability: Provided,*
18 *That such designated funds that continue to be available*
19 *for an additional fiscal year shall be obligated only for the*
20 *purpose of such designation.*

21 **(c) OTHER ACTS.**—*Ceilings and specifically des-*
22 *ignated funding levels contained in this Act shall not be*
23 *applicable to funds or authorities appropriated or otherwise*
24 *made available by any subsequent Act unless such Act spe-*
25 *cifically so directs: Provided, That specifically designated*

1 *funding levels or minimum funding requirements contained*
2 *in any other Act shall not be applicable to funds appro-*
3 *priated by this Act.*

4 *NOTIFICATION REQUIREMENTS*

5 *SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-*
6 *GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds*
7 *made available in titles I and II of this Act or prior Acts*
8 *making appropriations for the Department of State, foreign*
9 *operations, and related programs to the departments and*
10 *agencies funded by this Act that remain available for obli-*
11 *gation in fiscal year 2020, or provided from any accounts*
12 *in the Treasury of the United States derived by the collec-*
13 *tion of fees or of currency reflows or other offsetting collec-*
14 *tions, or made available by transfer, to the departments and*
15 *agencies funded by this Act, shall be available for obligation*
16 *to—*

17 *(1) create new programs;*

18 *(2) suspend or eliminate a program, project, or*
19 *activity;*

20 *(3) close, suspend, open, or reopen a mission or*
21 *post;*

22 *(4) create, close, reorganize, downsize, or rename*
23 *bureaus, centers, or offices; or*

24 *(5) contract out or privatize any functions or ac-*
25 *tivities presently performed by Federal employees;*

1 *unless previously justified to the Committees on Appropria-*
2 *tions or such Committees are notified 15 days in advance*
3 *of such obligation.*

4 **(b) NOTIFICATION OF REPROGRAMMING OF FUNDS.—**
5 *None of the funds provided under titles I and II of this*
6 *Act or prior Acts making appropriations for the Depart-*
7 *ment of State, foreign operations, and related programs, to*
8 *the departments and agencies funded under titles I and II*
9 *of this Act that remain available for obligation in fiscal*
10 *year 2020, or provided from any accounts in the Treasury*
11 *of the United States derived by the collection of fees avail-*
12 *able to the department and agency funded under title I of*
13 *this Act, shall be available for obligation or expenditure for*
14 *programs, projects, or activities through a reprogramming*
15 *of funds in excess of \$1,000,000 or 10 percent, whichever*
16 *is less, that—*

17 (1) *augments or changes existing programs,*
18 *projects, or activities;*

19 (2) *relocates an existing office or employees;*

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

23 (4) *results from any general savings, including*
24 *savings from a reduction in personnel, which would*

1 *result in a change in existing programs, projects, or*
2 *activities as approved by Congress;*
3 *unless the Committees on Appropriations are notified 15*
4 *days in advance of such reprogramming of funds.*

5 *(c) NOTIFICATION REQUIREMENT.—None of the funds*
6 *made available by this Act under the headings “Global*
7 *Health Programs”, “Development Assistance”, “Inter-*
8 *national Organizations and Programs”, “Trade and Devel-*
9 *opment Agency”, “International Narcotics Control and*
10 *Law Enforcement”, “Economic Support Fund”, “Democ-*
11 *racy Fund”, “Assistance for Europe, Eurasia and Central*
12 *Asia”, “Peacekeeping Operations”, “Nonproliferation,*
13 *Anti-terrorism, Demining and Related Programs”, “Millen-*
14 *nium Challenge Corporation”, “Foreign Military Financ-*
15 *ing Program”, “International Military Education and*
16 *Training”, “United States International Development Fi-*
17 *nance Corporation”, and “Peace Corps”, shall be available*
18 *for obligation for programs, projects, activities, type of ma-*
19 *teriel assistance, countries, or other operations not justified*
20 *or in excess of the amount justified to the Committees on*
21 *Appropriations for obligation under any of these specific*
22 *headings unless the Committees on Appropriations are noti-*
23 *fied 15 days in advance of such obligation: Provided, That*
24 *the President shall not enter into any commitment of funds*
25 *appropriated for the purposes of section 23 of the Arms Ex-*

1 *port Control Act for the provision of major defense equip-*
2 *ment, other than conventional ammunition, or other major*
3 *defense items defined to be aircraft, ships, missiles, or com-*
4 *bat vehicles, not previously justified to Congress or 20 per-*
5 *cent in excess of the quantities justified to Congress unless*
6 *the Committees on Appropriations are notified 15 days in*
7 *advance of such commitment: Provided further, That re-*
8 *quirements of this subsection or any similar provision of*
9 *this or any other Act shall not apply to any reprogramming*
10 *for a program, project, or activity for which funds are ap-*
11 *propriated under titles III through VI of this Act of less*
12 *than 10 percent of the amount previously justified to Con-*
13 *gress for obligation for such program, project, or activity*
14 *for the current fiscal year: Provided further, That any noti-*
15 *fication submitted pursuant to subsection (f) of this section*
16 *shall include information (if known on the date of trans-*
17 *mittal of such notification) on the use of notwithstanding*
18 *authority.*

19 *(d) DEPARTMENT OF DEFENSE PROGRAMS AND FUND-*
20 *ING NOTIFICATIONS.—*

21 *(1) PROGRAMS.—None of the funds appropriated*
22 *by this Act or prior Acts making appropriations for*
23 *the Department of State, foreign operations, and re-*
24 *lated programs may be made available to support or*
25 *continue any program initially funded under any au-*

1 *thority of title 10, United States Code, or any Act*
2 *making or authorizing appropriations for the Depart-*
3 *ment of Defense, unless the Secretary of State, in con-*
4 *sultation with the Secretary of Defense and in accord-*
5 *ance with the regular notification procedures of the*
6 *Committees on Appropriations, submits a justifica-*
7 *tion to such Committees that includes a description*
8 *of, and the estimated costs associated with, the sup-*
9 *port or continuation of such program.*

10 (2) *FUNDING.*—*Notwithstanding any other pro-*
11 *vision of law, funds transferred by the Department of*
12 *Defense to the Department of State and the United*
13 *States Agency for International Development for as-*
14 *sistance for foreign countries and international orga-*
15 *nizations shall be subject to the regular notification*
16 *procedures of the Committees on Appropriations.*

17 (3) *NOTIFICATION ON EXCESS DEFENSE ARTI-*
18 *CLES.*—*Prior to providing excess Department of De-*
19 *fense articles in accordance with section 516(a) of the*
20 *Foreign Assistance Act of 1961, the Department of*
21 *Defense shall notify the Committees on Appropria-*
22 *tions to the same extent and under the same condi-*
23 *tions as other committees pursuant to subsection (f)*
24 *of that section: Provided, That before issuing a letter*
25 *of offer to sell excess defense articles under the Arms*

1 *Export Control Act, the Department of Defense shall*
2 *notify the Committees on Appropriations in accord-*
3 *ance with the regular notification procedures of such*
4 *Committees if such defense articles are significant*
5 *military equipment (as defined in section 47(9) of the*
6 *Arms Export Control Act) or are valued (in terms of*
7 *original acquisition cost) at \$7,000,000 or more, or if*
8 *notification is required elsewhere in this Act for the*
9 *use of appropriated funds for specific countries that*
10 *would receive such excess defense articles: Provided*
11 *further, That such Committees shall also be informed*
12 *of the original acquisition cost of such defense articles.*

13 *(e) WAIVER.—The requirements of this section or any*
14 *similar provision of this Act or any other Act, including*
15 *any prior Act requiring notification in accordance with the*
16 *regular notification procedures of the Committees on Appro-*
17 *priations, may be waived if failure to do so would pose a*
18 *substantial risk to human health or welfare: Provided, That*
19 *in case of any such waiver, notification to the Committees*
20 *on Appropriations shall be provided as early as practicable,*
21 *but in no event later than 3 days after taking the action*
22 *to which such notification requirement was applicable, in*
23 *the context of the circumstances necessitating such waiver:*
24 *Provided further, That any notification provided pursuant*

1 *to such a waiver shall contain an explanation of the emer-*
2 *gency circumstances.*

3 (f) *COUNTRY NOTIFICATION REQUIREMENTS.*—None of
4 *the funds appropriated under titles III through VI of this*
5 *Act may be obligated or expended for assistance for Afghan-*
6 *istan, Bahrain, Burma, Cambodia, Colombia, Cuba, Egypt,*
7 *El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran,*
8 *Iraq, Lebanon, Libya, Mexico, Nicaragua, Pakistan, Phil-*
9 *ippines, the Russian Federation, Somalia, South Sudan,*
10 *Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela, Yemen,*
11 *and Zimbabwe except as provided through the regular noti-*
12 *fication procedures of the Committees on Appropriations.*

13 (g) *TRUST FUNDS.*—Funds appropriated or otherwise
14 *made available in title III of this Act and prior Acts mak-*
15 *ing funds available for the Department of State, foreign op-*
16 *erations, and related programs that are made available for*
17 *a trust fund held by an international financial institution*
18 *shall be subject to the regular notification procedures of the*
19 *Committees on Appropriations and such notification shall*
20 *include the information specified under this section in*
21 *House Report 116–78.*

22 (h) *OTHER PROGRAM NOTIFICATION REQUIREMENT.*—

23 (1) *DIPLOMATIC PROGRAMS.*—Funds appro-
24 *priated under title I of this Act under the heading*
25 *“Diplomatic Programs” that are made available for*

1 *lateral entry into the Foreign Service shall be subject*
2 *to prior consultation with, and the regular notifica-*
3 *tion procedures of, the Committees on Appropriations.*

4 (2) *OTHER PROGRAMS.—Funds appropriated by*
5 *this Act that are made available for the following pro-*
6 *grams and activities shall be subject to the regular no-*
7 *tification procedures of the Committees on Appropria-*
8 *tions:*

9 (A) *the Global Engagement Center, except*
10 *that the Secretary of State shall consult with the*
11 *appropriate congressional committees prior to*
12 *submitting such notification;*

13 (B) *the Power Africa initiative, or any suc-*
14 *cessor program;*

15 (C) *community-based police assistance con-*
16 *ducted pursuant to the authority of section*
17 *7035(a)(1) of this Act;*

18 (D) *the Relief and Recovery Fund and the*
19 *Global Fragility Fund, if enacted into law;*

20 (E) *the Indo-Pacific Strategy and the*
21 *Countering Chinese Influence Fund;*

22 (F) *the Global Security Contingency Fund;*

23 (G) *the Countering Russian Influence*
24 *Fund;*

25 (H) *programs to end modern slavery; and*

1 (I) *the Women’s Global Development and*
2 *Prosperity Fund.*

3 (i) *WITHHOLDING OF FUNDS.—Funds appropriated*
4 *by this Act under titles III and IV that are withheld from*
5 *obligation or otherwise not programmed as a result of ap-*
6 *plication of a provision of law in this or any other Act*
7 *shall, if reprogrammed, be subject to the regular notification*
8 *procedures of the Committees on Appropriations.*

9 (j) *FOREIGN ASSISTANCE REVIEW OR REALIGN-*
10 *MENT.—Programmatic, funding, and organizational*
11 *changes resulting from implementation of any foreign as-*
12 *sistance review or realignment shall be subject to prior con-*
13 *sultation with, and the regular notification procedures of,*
14 *the Committees on Appropriations: Provided, That such no-*
15 *tifications may be submitted in classified form, if necessary.*

16 *DOCUMENT REQUESTS, RECORDS MANAGEMENT, AND*
17 *RELATED CYBERSECURITY PROTECTIONS*

18 *SEC. 7016. (a) DOCUMENT REQUESTS.—None of the*
19 *funds appropriated or made available pursuant to titles III*
20 *through VI of this Act shall be available to a nongovern-*
21 *mental organization, including any contractor, which fails*
22 *to provide upon timely request any document, file, or record*
23 *necessary to the auditing requirements of the Department*
24 *of State and the United States Agency for International*
25 *Development.*

1 **(b) RECORDS MANAGEMENT AND RELATED CYBERSE-**
2 **CURITY PROTECTIONS.**—*The Secretary of State and USAID*
3 *Administrator shall—*

4 (1) *regularly review and update the policies, di-*
5 *rectives, and oversight necessary to comply with Fed-*
6 *eral statutes, regulations, and presidential executive*
7 *orders and memoranda concerning the preservation of*
8 *all records made or received in the conduct of official*
9 *business, including record emails, instant messaging,*
10 *and other online tools;*

11 (2) *use funds appropriated by this Act under the*
12 *headings “Diplomatic Programs” and “Capital In-*
13 *vestment Fund” in title I, and “Operating Expenses”*
14 *and “Capital Investment Fund” in title II, as appro-*
15 *priate, to improve Federal records management pur-*
16 *suant to the Federal Records Act (44 U.S.C. Chapters*
17 *21, 29, 31, and 33) and other applicable Federal*
18 *records management statutes, regulations, or policies*
19 *for the Department of State and USAID;*

20 (3) *direct departing employees, including senior*
21 *officials, that all Federal records generated by such*
22 *employees belong to the Federal Government;*

23 (4) *improve the response time for identifying*
24 *and retrieving Federal records, including requests*
25 *made pursuant to section 552 of title 5, United States*

1 Code (commonly known as the “Freedom of Informa-
2 tion Act”); and

3 (5) strengthen cybersecurity measures to mitigate
4 vulnerabilities, including those resulting from the use
5 of personal email accounts or servers outside the .gov
6 domain, improve the process to identify and remove
7 inactive user accounts, update and enforce guidance
8 related to the control of national security informa-
9 tion, and implement the recommendations of the ap-
10 plicable reports of the cognizant Office of Inspector
11 General.

12 *USE OF FUNDS IN CONTRAVENTION OF THIS ACT*

13 *SEC. 7017. If the President makes a determination not*
14 *to comply with any provision of this Act on constitutional*
15 *grounds, the head of the relevant Federal agency shall notify*
16 *the Committees on Appropriations in writing within 5 days*
17 *of such determination, the basis for such determination and*
18 *any resulting changes to program or policy.*

19 *PROHIBITION ON FUNDING FOR ABORTIONS AND*
20 *INVOLUNTARY STERILIZATION*

21 *SEC. 7018. None of the funds made available to carry*
22 *out part I of the Foreign Assistance Act of 1961, as amend-*
23 *ed, may be used to pay for the performance of abortions*
24 *as a method of family planning or to motivate or coerce*
25 *any person to practice abortions. None of the funds made*

1 *available to carry out part I of the Foreign Assistance Act*
2 *of 1961, as amended, may be used to pay for the perform-*
3 *ance of involuntary sterilization as a method of family*
4 *planning or to coerce or provide any financial incentive*
5 *to any person to undergo sterilizations. None of the funds*
6 *made available to carry out part I of the Foreign Assistance*
7 *Act of 1961, as amended, may be used to pay for any bio-*
8 *medical research which relates in whole or in part, to meth-*
9 *ods of, or the performance of, abortions or involuntary steri-*
10 *lization as a means of family planning. None of the funds*
11 *made available to carry out part I of the Foreign Assistance*
12 *Act of 1961, as amended, may be obligated or expended for*
13 *any country or organization if the President certifies that*
14 *the use of these funds by any such country or organization*
15 *would violate any of the above provisions related to abor-*
16 *tions and involuntary sterilizations.*

17 *ALLOCATIONS AND REPORTS*

18 *SEC. 7019. (a) ALLOCATION TABLES.—Subject to sub-*
19 *section (b), funds appropriated by this Act under titles III*
20 *through V shall be made available at not less than the*
21 *amounts specifically designated in the respective tables in-*
22 *cluded in the explanatory statement described in section 4*
23 *(in the matter preceding division A of this consolidated*
24 *Act): Provided, That such designated amounts for foreign*
25 *countries and international organizations shall serve as the*

1 *amounts for such countries and international organizations*
2 *transmitted to Congress in the report required by section*
3 *653(a) of the Foreign Assistance Act of 1961, and shall be*
4 *made available for such foreign countries and international*
5 *organizations notwithstanding the date of the transmission*
6 *of such report.*

7 **(b) AUTHORIZED DEVIATIONS BELOW MINIMUM LEV-**
8 *ELS.—Unless otherwise provided for by this Act, the Sec-*
9 *retary of State and the Administrator of the United States*
10 *Agency for International Development, as applicable, may*
11 *deviate by not more than 10 percent below the minimum*
12 *amounts specifically designated in the respective tables in*
13 *the explanatory statement described in section 4 (in the*
14 *matter preceding division A of this consolidated Act): Pro-*
15 *vided, That deviations pursuant to this subsection shall be*
16 *subject to prior consultation with the Committees on Appro-*
17 *priations.*

18 **(c) LIMITATION.—***For specifically designated amounts*
19 *that are included, pursuant to subsection (a), in the report*
20 *required by section 653(a) of the Foreign Assistance Act of*
21 *1961, deviations authorized by subsection (b) may only take*
22 *place after submission of such report.*

23 **(d) EXCEPTIONS.—**

24 **(1)** *Subsections (a) and (b) shall not apply to—*

1 (A) amounts designated for “International
2 Military Education and Training” in the respec-
3 tive tables included in the explanatory statement
4 described in section 4 (in the matter preceding
5 division A of this consolidated Act);

6 (B) funds for which the initial period of
7 availability has expired; and

8 (C) amounts designated by this Act as min-
9 imum funding requirements.

10 (2) The authority in subsection (b) to deviate
11 below amounts designated in the respective tables in-
12 cluded in the explanatory statement described in sec-
13 tion 4 (in the matter preceding division A of this con-
14 solidated Act) shall not apply to the table included
15 under the heading “Global Health Programs” in such
16 statement.

17 (3) With respect to the amounts designated for
18 “Global Programs” in the table under the heading
19 “Economic Support Fund” included in the explana-
20 tory statement described in section 4 (in the matter
21 preceding division A of this consolidated Act), sub-
22 section (b) shall be applied by substituting “5 per-
23 cent” for “10 percent”.

24 (e) *REPORTS.*—The Secretary of State, USAID Ad-
25 ministrators, and other designated officials, as appropriate,

1 *PROHIBITION ON ASSISTANCE TO GOVERNMENTS*2 *SUPPORTING INTERNATIONAL TERRORISM*3 *SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-*4 *PORTS.—*

5 (1) *PROHIBITION.—None of the funds appro-*
6 *priated or otherwise made available under titles III*
7 *through VI of this Act may be made available to any*
8 *foreign government which provides lethal military*
9 *equipment to a country the government of which the*
10 *Secretary of State has determined supports inter-*
11 *national terrorism for purposes of section 1754(c) of*
12 *the Export Reform Control Act of 2018 (50 U.S.C.*
13 *4813(c)): Provided, That the prohibition under this*
14 *section with respect to a foreign government shall ter-*
15 *minate 12 months after that government ceases to*
16 *provide such military equipment: Provided further,*
17 *That this section applies with respect to lethal mili-*
18 *tary equipment provided under a contract entered*
19 *into after October 1, 1997.*

20 (2) *DETERMINATION.—Assistance restricted by*
21 *paragraph (1) or any other similar provision of law,*
22 *may be furnished if the President determines that to*
23 *do so is important to the national interest of the*
24 *United States.*

1 (3) *REPORT.*—Whenever the President makes a
2 determination pursuant to paragraph (2), the Presi-
3 dent shall submit to the Committees on Appropria-
4 tions a report with respect to the furnishing of such
5 assistance, including a detailed explanation of the as-
6 sistance to be provided, the estimated dollar amount
7 of such assistance, and an explanation of how the as-
8 sistance furthers United States national interest.

9 (b) *BILATERAL ASSISTANCE.*—

10 (1) *LIMITATIONS.*—Funds appropriated for bi-
11 lateral assistance in titles III through VI of this Act
12 and funds appropriated under any such title in prior
13 Acts making appropriations for the Department of
14 State, foreign operations, and related programs, shall
15 not be made available to any foreign government
16 which the President determines—

17 (A) grants sanctuary from prosecution to
18 any individual or group which has committed
19 an act of international terrorism;

20 (B) otherwise supports international ter-
21 rorism; or

22 (C) is controlled by an organization des-
23 ignated as a terrorist organization under section
24 219 of the Immigration and Nationality Act (8
25 U.S.C. 1189).

1 (2) *WAIVER.*—*The President may waive the ap-*
2 *plication of paragraph (1) to a government if the*
3 *President determines that national security or hu-*
4 *manitarian reasons justify such waiver: Provided,*
5 *That the President shall publish each such waiver in*
6 *the Federal Register and, at least 15 days before the*
7 *waiver takes effect, shall notify the Committees on Ap-*
8 *propriations of the waiver (including the justification*
9 *for the waiver) in accordance with the regular notifi-*
10 *cation procedures of the Committees on Appropria-*
11 *tions.*

12 *AUTHORIZATION REQUIREMENTS*

13 *SEC. 7022. Funds appropriated by this Act, except*
14 *funds appropriated under the heading “Trade and Develop-*
15 *ment Agency”, may be obligated and expended notwith-*
16 *standing section 10 of Public Law 91–672 (22 U.S.C.*
17 *2412), section 15 of the State Department Basic Authorities*
18 *Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign*
19 *Relations Authorization Act, Fiscal Years 1994 and 1995*
20 *(22 U.S.C. 6212), and section 504(a)(1) of the National Se-*
21 *curity Act of 1947 (50 U.S.C. 3094(a)(1)).*

22 *DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY*

23 *SEC. 7023. For the purpose of titles II through VI of*
24 *this Act “program, project, and activity” shall be defined*
25 *at the appropriations Act account level and shall include*

1 *all appropriations and authorizations Acts funding direc-*
2 *tives, ceilings, and limitations with the exception that for*
3 *the “Economic Support Fund”, “Assistance for Europe,*
4 *Eurasia and Central Asia”, and “Foreign Military Financ-*
5 *ing Program” accounts, “program, project, and activity”*
6 *shall also be considered to include country, regional, and*
7 *central program level funding within each such account,*
8 *and for the development assistance accounts of the United*
9 *States Agency for International Development, “program,*
10 *project, and activity” shall also be considered to include*
11 *central, country, regional, and program level funding, ei-*
12 *ther as—*

13 (1) *justified to Congress; or*

14 (2) *allocated by the Executive Branch in accord-*
15 *ance with the report required by section 653(a) of the*
16 *Foreign Assistance Act of 1961 or as modified pursu-*
17 *ant to section 7019 of this Act.*

18 *AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN*
19 *FOUNDATION, AND UNITED STATES AFRICAN DEVELOP-*
20 *MENT FOUNDATION*

21 *SEC. 7024. Unless expressly provided to the contrary,*
22 *provisions of this or any other Act, including provisions*
23 *contained in prior Acts authorizing or making appropria-*
24 *tions for the Department of State, foreign operations, and*
25 *related programs, shall not be construed to prohibit activi-*

1 *ties authorized by or conducted under the Peace Corps Act,*
2 *the Inter-American Foundation Act, or the African Devel-*
3 *opment Foundation Act: Provided, That prior to con-*
4 *ducting activities in a country for which assistance is pro-*
5 *hibited, the agency shall consult with the Committees on*
6 *Appropriations and report to such Committees within 15*
7 *days of taking such action.*

8 *COMMERCE, TRADE AND SURPLUS COMMODITIES*

9 *SEC. 7025. (a) WORLD MARKETS.—None of the funds*
10 *appropriated or made available pursuant to titles III*
11 *through VI of this Act for direct assistance and none of the*
12 *funds otherwise made available to the Export-Import Bank*
13 *and the United States International Development Finance*
14 *Corporation shall be obligated or expended to finance any*
15 *loan, any assistance, or any other financial commitments*
16 *for establishing or expanding production of any commodity*
17 *for export by any country other than the United States,*
18 *if the commodity is likely to be in surplus on world markets*
19 *at the time the resulting productive capacity is expected to*
20 *become operative and if the assistance will cause substantial*
21 *injury to United States producers of the same, similar, or*
22 *competing commodity: Provided, That such prohibition*
23 *shall not apply to the Export-Import Bank if in the judg-*
24 *ment of its Board of Directors the benefits to industry and*
25 *employment in the United States are likely to outweigh the*

1 *injury to United States producers of the same, similar, or*
2 *competing commodity, and the Chairman of the Board so*
3 *notifies the Committees on Appropriations: Provided fur-*
4 *ther, That this subsection shall not prohibit—*

5 (1) *activities in a country that is eligible for as-*
6 *sistance from the International Development Associa-*
7 *tion, is not eligible for assistance from the Inter-*
8 *national Bank for Reconstruction and Development,*
9 *and does not export on a consistent basis the agricul-*
10 *tural commodity with respect to which assistance is*
11 *furnished; or*

12 (2) *activities in a country the President deter-*
13 *mines is recovering from widespread conflict, a hu-*
14 *manitarian crisis, or a complex emergency.*

15 (b) *EXPORTS.—None of the funds appropriated by this*
16 *or any other Act to carry out chapter 1 of part I of the*
17 *Foreign Assistance Act of 1961 shall be available for any*
18 *testing or breeding feasibility study, variety improvement*
19 *or introduction, consultancy, publication, conference, or*
20 *training in connection with the growth or production in*
21 *a foreign country of an agricultural commodity for export*
22 *which would compete with a similar commodity grown or*
23 *produced in the United States: Provided, That this sub-*
24 *section shall not prohibit—*

1 (1) *activities designed to increase food security*
2 *in developing countries where such activities will not*
3 *have a significant impact on the export of agricul-*
4 *tural commodities of the United States;*

5 (2) *research activities intended primarily to ben-*
6 *efit United States producers;*

7 (3) *activities in a country that is eligible for as-*
8 *sistance from the International Development Associa-*
9 *tion, is not eligible for assistance from the Inter-*
10 *national Bank for Reconstruction and Development,*
11 *and does not export on a consistent basis the agricul-*
12 *tural commodity with respect to which assistance is*
13 *furnished; or*

14 (4) *activities in a country the President deter-*
15 *mines is recovering from widespread conflict, a hu-*
16 *manitarian crisis, or a complex emergency.*

17 (c) *INTERNATIONAL FINANCIAL INSTITUTIONS.—The*
18 *Secretary of the Treasury shall instruct the United States*
19 *executive directors of the international financial institu-*
20 *tions to use the voice and vote of the United States to oppose*
21 *any assistance by such institutions, using funds appro-*
22 *priated or made available by this Act, for the production*
23 *or extraction of any commodity or mineral for export, if*
24 *it is in surplus on world markets and if the assistance will*

1 *cause substantial injury to United States producers of the*
2 *same, similar, or competing commodity.*

3 *SEPARATE ACCOUNTS*

4 *SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CUR-*
5 *RENCIES.—*

6 *(1) AGREEMENTS.—If assistance is furnished to*
7 *the government of a foreign country under chapters 1*
8 *and 10 of part I or chapter 4 of part II of the For-*
9 *foreign Assistance Act of 1961 under agreements which*
10 *result in the generation of local currencies of that*
11 *country, the Administrator of the United States Agen-*
12 *cy for International Development shall—*

13 *(A) require that local currencies be depos-*
14 *ited in a separate account established by that*
15 *government;*

16 *(B) enter into an agreement with that gov-*
17 *ernment which sets forth—*

18 *(i) the amount of the local currencies*
19 *to be generated; and*

20 *(ii) the terms and conditions under*
21 *which the currencies so deposited may be*
22 *utilized, consistent with this section; and*

23 *(C) establish by agreement with that gov-*
24 *ernment the responsibilities of USAID and that*
25 *government to monitor and account for deposits*

1 *into and disbursements from the separate ac-*
2 *count.*

3 (2) *USES OF LOCAL CURRENCIES.*—*As may be*
4 *agreed upon with the foreign government, local cur-*
5 *rencies deposited in a separate account pursuant to*
6 *subsection (a), or an equivalent amount of local cur-*
7 *rencies, shall be used only—*

8 *(A) to carry out chapter 1 or 10 of part I*
9 *or chapter 4 of part II of the Foreign Assistance*
10 *Act of 1961 (as the case may be), for such pur-*
11 *poses as—*

12 *(i) project and sector assistance activi-*
13 *ties; or*

14 *(ii) debt and deficit financing; or*

15 *(B) for the administrative requirements of*
16 *the United States Government.*

17 (3) *PROGRAMMING ACCOUNTABILITY.*—*USAID*
18 *shall take all necessary steps to ensure that the equiv-*
19 *alent of the local currencies disbursed pursuant to*
20 *subsection (a)(2)(A) from the separate account estab-*
21 *lished pursuant to subsection (a)(1) are used for the*
22 *purposes agreed upon pursuant to subsection (a)(2).*

23 (4) *TERMINATION OF ASSISTANCE PROGRAMS.*—
24 *Upon termination of assistance to a country under*
25 *chapter 1 or 10 of part I or chapter 4 of part II of*

1 *the Foreign Assistance Act of 1961 (as the case may*
2 *be), any unencumbered balances of funds which re-*
3 *main in a separate account established pursuant to*
4 *subsection (a) shall be disposed of for such purposes*
5 *as may be agreed to by the government of that coun-*
6 *try and the United States Government.*

7 ***(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—***

8 ***(1) IN GENERAL.—****If assistance is made avail-*
9 *able to the government of a foreign country, under*
10 *chapter 1 or 10 of part I or chapter 4 of part II of*
11 *the Foreign Assistance Act of 1961, as cash transfer*
12 *assistance or as nonproject sector assistance, that*
13 *country shall be required to maintain such funds in*
14 *a separate account and not commingle with any other*
15 *funds.*

16 ***(2) APPLICABILITY OF OTHER PROVISIONS OF***
17 ***LAW.—****Such funds may be obligated and expended*
18 *notwithstanding provisions of law which are incon-*
19 *sistent with the nature of this assistance including*
20 *provisions which are referenced in the Joint Explana-*
21 *tory Statement of the Committee of Conference accom-*
22 *panying House Joint Resolution 648 (House Report*
23 *No. 98–1159).*

24 ***(3) NOTIFICATION.—****At least 15 days prior to ob-*
25 *ligating any such cash transfer or nonproject sector*

1 *assistance, the President shall submit a notification*
2 *through the regular notification procedures of the*
3 *Committees on Appropriations, which shall include a*
4 *detailed description of how the funds proposed to be*
5 *made available will be used, with a discussion of the*
6 *United States interests that will be served by such as-*
7 *sistance (including, as appropriate, a description of*
8 *the economic policy reforms that will be promoted by*
9 *such assistance).*

10 (4) *EXEMPTION.—Nonproject sector assistance*
11 *funds may be exempt from the requirements of para-*
12 *graph (1) only through the regular notification proce-*
13 *dures of the Committees on Appropriations.*

14 *ELIGIBILITY FOR ASSISTANCE*

15 *SEC. 7027. (a) ASSISTANCE THROUGH NONGOVERN-*
16 *MENTAL ORGANIZATIONS.—Restrictions contained in this*
17 *or any other Act with respect to assistance for a country*
18 *shall not be construed to restrict assistance in support of*
19 *programs of nongovernmental organizations from funds ap-*
20 *propriated by this Act to carry out the provisions of chap-*
21 *ters 1, 10, 11, and 12 of part I and chapter 4 of part II*
22 *of the Foreign Assistance Act of 1961 and from funds ap-*
23 *propriated under the heading “Assistance for Europe, Eur-*
24 *asia and Central Asia”: Provided, That before using the au-*
25 *thority of this subsection to furnish assistance in support*

1 of programs of nongovernmental organizations, the Presi-
2 dent shall notify the Committees on Appropriations pursu-
3 ant to the regular notification procedures, including a de-
4 scription of the program to be assisted, the assistance to
5 be provided, and the reasons for furnishing such assistance:
6 Provided further, That nothing in this subsection shall be
7 construed to alter any existing statutory prohibitions
8 against abortion or involuntary sterilizations contained in
9 this or any other Act.

10 (b) PUBLIC LAW 480.—During fiscal year 2020, re-
11 strictions contained in this or any other Act with respect
12 to assistance for a country shall not be construed to restrict
13 assistance under the Food for Peace Act (Public Law 83–
14 480; 7 U.S.C. 1721 et seq.): Provided, That none of the
15 funds appropriated to carry out title I of such Act and
16 made available pursuant to this subsection may be obligated
17 or expended except as provided through the regular notifica-
18 tion procedures of the Committees on Appropriations.

19 (c) EXCEPTION.—This section shall not apply—

20 (1) with respect to section 620A of the Foreign
21 Assistance Act of 1961 or any comparable provision
22 of law prohibiting assistance to countries that support
23 international terrorism; or

24 (2) with respect to section 116 of the Foreign As-
25 sistance Act of 1961 or any comparable provision of

1 *law prohibiting assistance to the government of a*
2 *country that violates internationally recognized*
3 *human rights.*

4 *LOCAL COMPETITION*

5 *SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO*
6 *COMPETITION FOR LOCAL ENTITIES.—Funds appropriated*
7 *by this Act that are made available to the United States*
8 *Agency for International Development may only be made*
9 *available for limited competitions through local entities if—*

10 (1) *prior to the determination to limit competi-*
11 *tion to local entities, USAID has—*

12 (A) *assessed the level of local capacity to ef-*
13 *fectively implement, manage, and account for*
14 *programs included in such competition; and*

15 (B) *documented the written results of the*
16 *assessment and decisions made; and*

17 (2) *prior to making an award after limiting*
18 *competition to local entities—*

19 (A) *each successful local entity has been de-*
20 *termined to be responsible in accordance with*
21 *USAID guidelines; and*

22 (B) *effective monitoring and evaluation sys-*
23 *tems are in place to ensure that award funding*
24 *is used for its intended purposes; and*

25 (3) *no level of acceptable fraud is assumed.*

1 (b) *EXTENSION OF PROCUREMENT AUTHORITY.*—Sec-
2 tion 7077 of the Department of State, Foreign Operations,
3 and Related Programs Appropriations Act, 2012 (division
4 I of Public Law 112–74) shall continue in effect during fis-
5 cal year 2020.

6 INTERNATIONAL FINANCIAL INSTITUTIONS

7 SEC. 7029. (a) *EVALUATIONS AND REPORT.*—The Sec-
8 retary of the Treasury shall instruct the United States exec-
9 utive director of each international financial institution to
10 use the voice of the United States to encourage such institu-
11 tion to adopt and implement a publicly available policy,
12 including the strategic use of peer reviews and external ex-
13 perts, to conduct independent, in-depth evaluations of the
14 effectiveness of at least 25 percent of all loans, grants, pro-
15 grams, and significant analytical non-lending activities in
16 advancing the institution’s goals of reducing poverty and
17 promoting equitable economic growth, consistent with rel-
18 evant safeguards, to ensure that decisions to support such
19 loans, grants, programs, and activities are based on accu-
20 rate data and objective analysis: Provided, That not later
21 than 45 days after enactment of this Act, the Secretary shall
22 submit a report to the Committees on Appropriations on
23 steps taken in fiscal year 2019 by the United States execu-
24 tive directors and the international financial institutions

1 *consistent with this subsection compared to the previous fis-*
2 *cal year.*

3 (b) *SAFEGUARDS.*—

4 (1) *STANDARD.*—*The Secretary of the Treasury*
5 *shall instruct the United States Executive Director of*
6 *the International Bank for Reconstruction and Devel-*
7 *opment and the International Development Associa-*
8 *tion to use the voice and vote of the United States to*
9 *oppose any loan, grant, policy, or strategy if such in-*
10 *stitution has adopted and is implementing any social*
11 *or environmental safeguard relevant to such loan,*
12 *grant, policy, or strategy that provides less protection*
13 *than World Bank safeguards in effect on September*
14 *30, 2015.*

15 (2) *ACCOUNTABILITY, STANDARDS, AND BEST*
16 *PRACTICES.*—*The Secretary of the Treasury shall in-*
17 *struct the United States executive director of each*
18 *international financial institution to use the voice*
19 *and vote of the United States to oppose loans or other*
20 *financing for projects unless such projects—*

21 (A) *provide for accountability and trans-*
22 *parency, including the collection, verification,*
23 *and publication of beneficial ownership informa-*
24 *tion related to extractive industries and on-site*
25 *monitoring during the life of the project;*

1 (B) will be developed and carried out in ac-
2 cordance with best practices regarding environ-
3 mental conservation, cultural protection, and
4 empowerment of local populations, including
5 free, prior and informed consent of affected in-
6 digenous communities;

7 (C) do not provide incentives for, or facili-
8 tate, forced displacement; and

9 (D) do not partner with or otherwise in-
10 volve enterprises owned or controlled by the
11 armed forces.

12 (c) COMPENSATION.—None of the funds appropriated
13 under title V of this Act may be made as payment to any
14 international financial institution while the United States
15 executive director to such institution is compensated by the
16 institution at a rate which, together with whatever com-
17 pensation such executive director receives from the United
18 States, is in excess of the rate provided for an individual
19 occupying a position at level IV of the Executive Schedule
20 under section 5315 of title 5, United States Code, or while
21 any alternate United States executive director to such insti-
22 tution is compensated by the institution at a rate in excess
23 of the rate provided for an individual occupying a position
24 at level V of the Executive Schedule under section 5316 of
25 title 5, United States Code.

1 (d) *HUMAN RIGHTS.*—*The Secretary of the Treasury*
2 *shall instruct the United States executive director of each*
3 *international financial institution to use the voice and vote*
4 *of the United States to promote human rights due diligence*
5 *and risk management, as appropriate, in connection with*
6 *any loan, grant, policy, or strategy of such institution in*
7 *accordance with the requirements specified under this sub-*
8 *section in Senate Report 116–126: Provided, That prior to*
9 *voting on any such loan, grant, policy, or strategy the exec-*
10 *utive director shall consult with the Assistant Secretary for*
11 *Democracy, Human Rights, and Labor, Department of*
12 *State, if the executive director has reason to believe that*
13 *such loan, grant, policy, or strategy could result in forced*
14 *displacement or other violation of human rights.*

15 (e) *FRAUD AND CORRUPTION.*—*The Secretary of the*
16 *Treasury shall instruct the United States executive director*
17 *of each international financial institution to use the voice*
18 *of the United States to include in loan, grant, and other*
19 *financing agreements improvements in borrowing countries’*
20 *financial management and judicial capacity to investigate,*
21 *prosecute, and punish fraud and corruption.*

22 (f) *BENEFICIAL OWNERSHIP INFORMATION.*—*The Sec-*
23 *retary of the Treasury shall instruct the United States exec-*
24 *utive director of each international financial institution to*
25 *use the voice of the United States to encourage such institu-*

1 tion to collect, verify, and publish, to the maximum extent
2 practicable, beneficial ownership information (excluding
3 proprietary information) for any corporation or limited li-
4 ability company, other than a publicly listed company, that
5 receives funds from any such financial institution: Pro-
6 vided, That not later than 45 days after enactment of this
7 Act, the Secretary shall submit a report to the Committees
8 on Appropriations on steps taken in fiscal year 2019 by
9 the United States executive directors and the international
10 financial institutions consistent with this subsection com-
11 pared to the previous fiscal year.

12 (g) *WHISTLEBLOWER PROTECTIONS.*—The Secretary
13 of the Treasury shall instruct the United States executive
14 director of each international financial institution to use
15 the voice of the United States to encourage each such insti-
16 tution to effectively implement and enforce policies and pro-
17 cedures which meet or exceed best practices in the United
18 States for the protection of whistleblowers from retaliation,
19 including—

20 (1) protection against retaliation for internal
21 and lawful public disclosure;

22 (2) legal burdens of proof;

23 (3) statutes of limitation for reporting retalia-
24 tion;

1 (4) access to binding independent adjudicative
2 bodies, including shared cost and selection external
3 arbitration; and

4 (5) results that eliminate the effects of proven re-
5 taliation, including provision for the restoration of
6 prior employment.

7 INSECURE COMMUNICATIONS NETWORKS

8 SEC. 7030. Funds appropriated by this Act shall be
9 made available for programs to—

10 (1) advance the adoption of secure, next-genera-
11 tion communications networks and services, including
12 5G, and cybersecurity policies, in countries receiving
13 assistance under this Act and prior Acts making ap-
14 propriations for the Department of State, foreign op-
15 erations, and related programs;

16 (2) counter the establishment of insecure commu-
17 nications networks and services, including 5G, pro-
18 moted by the People's Republic of China and other
19 state-backed enterprises that are subject to undue or
20 extrajudicial control by their country of origin; and

21 (3) provide policy and technical training to in-
22 formation communication technology professionals in
23 countries receiving assistance under this Act, as ap-
24 propriate.

1 *FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY*

2 *SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-*
3 *TO-GOVERNMENT ASSISTANCE.—*

4 (1) *REQUIREMENTS.—Funds appropriated by*
5 *this Act may be made available for direct govern-*
6 *ment-to-government assistance only if the require-*
7 *ments included in section 7031(a)(1)(A) through (E)*
8 *of the Department of State, Foreign Operations, and*
9 *Related Programs Appropriations Act, 2019 (division*
10 *F of Public Law 116–6) are fully met.*

11 (2) *CONSULTATION AND NOTIFICATION.—In ad-*
12 *dition to the requirements in paragraph (1), funds*
13 *may only be made available for direct government-to-*
14 *government assistance subject to prior consultation*
15 *with, and the regular notification procedures of, the*
16 *Committees on Appropriations: Provided, That such*
17 *notification shall contain an explanation of how the*
18 *proposed activity meets the requirements of para-*
19 *graph (1): Provided further, That the requirements of*
20 *this paragraph shall only apply to direct government-*
21 *to-government assistance in excess of \$10,000,000 and*
22 *all funds available for cash transfer, budget support,*
23 *and cash payments to individuals.*

24 (3) *SUSPENSION OF ASSISTANCE.—The Adminis-*
25 *trator of the United States Agency for International*

1 *Development or the Secretary of State, as appro-*
2 *priate, shall suspend any direct government-to-gov-*
3 *ernment assistance if the Administrator or the Sec-*
4 *retary has credible information of material misuse of*
5 *such assistance, unless the Administrator or the Sec-*
6 *retary reports to the Committees on Appropriations*
7 *that it is in the national interest of the United States*
8 *to continue such assistance, including a justification,*
9 *or that such misuse has been appropriately addressed.*

10 (4) *SUBMISSION OF INFORMATION.*—*The Sec-*
11 *retary of State shall submit to the Committees on Ap-*
12 *propriations, concurrent with the fiscal year 2021*
13 *congressional budget justification materials, amounts*
14 *planned for assistance described in paragraph (1) by*
15 *country, proposed funding amount, source of funds,*
16 *and type of assistance.*

17 (5) *DEBT SERVICE PAYMENT PROHIBITION.*—
18 *None of the funds made available by this Act may be*
19 *used by the government of any foreign country for*
20 *debt service payments owed by any country to any*
21 *international financial institution.*

22 (b) *NATIONAL BUDGET AND CONTRACT TRANS-*
23 *PARENCY.*—

24 (1) *MINIMUM REQUIREMENTS OF FISCAL TRANS-*
25 *PARENCY.*—*The Secretary of State shall continue to*

1 *update and strengthen the “minimum requirements of*
2 *fiscal transparency” for each government receiving*
3 *assistance appropriated by this Act, as identified in*
4 *the report required by section 7031(b) of the Depart-*
5 *ment of State, Foreign Operations, and Related Pro-*
6 *grams Appropriations Act, 2014 (division K of Public*
7 *Law 113–76).*

8 (2) *DETERMINATION AND REPORT.—For each*
9 *government identified pursuant to paragraph (1), the*
10 *Secretary of State, not later than 180 days after en-*
11 *actment of this Act, shall make or update any deter-*
12 *mination of “significant progress” or “no significant*
13 *progress” in meeting the minimum requirements of*
14 *fiscal transparency, and make such determinations*
15 *publicly available in an annual “Fiscal Trans-*
16 *parency Report” to be posted on the Department of*
17 *State website: Provided, That such report shall in-*
18 *clude the elements included in the explanatory state-*
19 *ment described in section 4 (in the matter preceding*
20 *division A of this consolidated Act).*

21 (3) *ASSISTANCE.—Not less than \$5,000,000 of*
22 *the funds appropriated by this Act under the heading*
23 *“Economic Support Fund” shall be made available*
24 *for programs and activities to assist governments*
25 *identified pursuant to paragraph (1) to improve*

1 *budget transparency and to support civil society or-*
2 *ganizations in such countries that promote budget*
3 *transparency: Provided, That such sums shall be in*
4 *addition to funds otherwise available for such pur-*
5 *poses: Provided further, That a description of the uses*
6 *of such funds shall be included in the annual “Fiscal*
7 *Transparency Report” required by paragraph (2).*

8 *(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—*

9 *(1) INELIGIBILITY.—(A) Officials of foreign gov-*
10 *ernments and their immediate family members about*
11 *whom the Secretary of State has credible information*
12 *have been involved, directly or indirectly, in signifi-*
13 *cant corruption, including corruption related to the*
14 *extraction of natural resources, or a gross violation of*
15 *human rights shall be ineligible for entry into the*
16 *United States.*

17 *(B) The Secretary shall also publicly or pri-*
18 *vately designate or identify the officials of foreign*
19 *governments and their immediate family members*
20 *about whom the Secretary has such credible informa-*
21 *tion without regard to whether the individual has ap-*
22 *plied for a visa.*

23 *(2) EXCEPTION.—Individuals shall not be ineli-*
24 *gible for entry into the United States pursuant to*
25 *paragraph (1) if such entry would further important*

1 *United States law enforcement objectives or is nec-*
2 *essary to permit the United States to fulfill its obliga-*
3 *tions under the United Nations Headquarters Agree-*
4 *ment: Provided, That nothing in paragraph (1) shall*
5 *be construed to derogate from United States Govern-*
6 *ment obligations under applicable international*
7 *agreements.*

8 (3) *WAIVER.—The Secretary may waive the ap-*
9 *plication of paragraph (1) if the Secretary determines*
10 *that the waiver would serve a compelling national in-*
11 *terest or that the circumstances which caused the in-*
12 *dividual to be ineligible have changed sufficiently.*

13 (4) *REPORT.—Not later than 30 days after en-*
14 *actment of this Act, and every 90 days thereafter, the*
15 *Secretary of State shall submit a report, including a*
16 *classified annex if necessary, to the appropriate con-*
17 *gressional committees and the Committees on the Ju-*
18 *diiciary describing the information related to corrup-*
19 *tion or violation of human rights concerning each of*
20 *the individuals found ineligible in the previous 12*
21 *months pursuant to paragraph (1)(A) as well as the*
22 *individuals who the Secretary designated or identified*
23 *pursuant to paragraph (1)(B), or who would be ineli-*
24 *gible but for the application of paragraph (2), a list*

1 of any waivers provided under paragraph (3), and
2 the justification for each waiver.

3 (5) *POSTING OF REPORT.*—Any unclassified por-
4 tion of the report required under paragraph (4) shall
5 be posted on the Department of State website.

6 (6) *CLARIFICATION.*—For purposes of para-
7 graphs (1), (4), and (5), the records of the Depart-
8 ment of State and of diplomatic and consular offices
9 of the United States pertaining to the issuance or re-
10 fusal of visas or permits to enter the United States
11 shall not be considered confidential.

12 (d) *EXTRACTION OF NATURAL RESOURCES.*—

13 (1) *ASSISTANCE.*—Funds appropriated by this
14 Act shall be made available to promote and support
15 transparency and accountability of expenditures and
16 revenues related to the extraction of natural resources,
17 including by strengthening implementation and mon-
18 itoring of the Extractive Industries Transparency
19 Initiative, implementing and enforcing section 8204
20 of the Food, Conservation, and Energy Act of 2008
21 (Public Law 110–246; 122 Stat. 2052) and the
22 amendments made by such section, and to prevent the
23 sale of conflict diamonds, and provide technical as-
24 sistance to promote independent audit mechanisms

1 *and support civil society participation in natural re-*
2 *source management.*

3 (2) *PUBLIC DISCLOSURE AND INDEPENDENT AU-*
4 *DITS.—(A) The Secretary of the Treasury shall in-*
5 *struct the executive director of each international fi-*
6 *nancial institution that it is the policy of the United*
7 *States to use the voice and vote of the United States*
8 *to oppose any assistance by such institutions (includ-*
9 *ing any loan, credit, grant, or guarantee) to any*
10 *country for the extraction and export of a natural re-*
11 *source if the government of such country has in place*
12 *laws, regulations, or procedures to prevent or limit*
13 *the public disclosure of company payments as re-*
14 *quired by United States law, and unless such govern-*
15 *ment has adopted laws, regulations, or procedures in*
16 *the sector in which assistance is being considered to*
17 *meet the standards included under this section in the*
18 *explanatory statement described in section 4 (in the*
19 *matter preceding division A of this consolidated Act).*

20 (B) *The requirements of subparagraph (A) shall*
21 *not apply to assistance for the purpose of building the*
22 *capacity of such government to meet the requirements*
23 *of this subparagraph.*

24 (e) *FOREIGN ASSISTANCE WEBSITE.—Funds appro-*
25 *priated by this Act under titles I and II, and funds made*

1 available for any independent agency in title III, as appro-
2 priate, shall be made available to support the provision of
3 additional information on United States Government for-
4 eign assistance on the Department of State foreign assist-
5 ance website: Provided, That all Federal agencies funded
6 under this Act shall provide such information on foreign
7 assistance, upon request and in a timely manner, to the
8 Department of State: Provided further, That not later than
9 60 days after enactment of this Act, the Secretary of State
10 and USAID Administrator shall report to the Committees
11 on Appropriations on the process and timeline required to
12 consolidate data from USAID's "Foreign Aid Explorer"
13 and "ForeignAssistance.gov", in accordance with the re-
14 quirements specified in the explanatory statement described
15 in section 4 (in the matter preceding division A of this con-
16 solidated Act).

17 *DEMOCRACY PROGRAMS*

18 *SEC. 7032. (a) FUNDING.—*

19 *(1) IN GENERAL.—Of the funds appropriated by*
20 *this Act under the headings "Development Assist-*
21 *ance", "Economic Support Fund", "Democracy*
22 *Fund", "Assistance for Europe, Eurasia and Central*
23 *Asia", and "International Narcotics Control and Law*
24 *Enforcement", not less than \$2,400,000,000 shall be*
25 *made available for democracy programs.*

1 (2) *PROGRAMS.*—*Of the funds made available for*
2 *democracy programs under the headings “Economic*
3 *Support Fund” and “Assistance for Europe, Eurasia*
4 *and Central Asia” pursuant to paragraph (1), not*
5 *less than \$102,040,000 shall be made available to the*
6 *Bureau of Democracy, Human Rights, and Labor,*
7 *Department of State, at not less than the amounts*
8 *specified for certain countries and regional programs*
9 *designated in the table under this section in the ex-*
10 *planatory statement described in section 4 (in the*
11 *matter preceding division A of this consolidated Act).*

12 **(b) *AUTHORITIES.***—

13 (1) *AVAILABILITY.*—*Funds made available by*
14 *this Act for democracy programs pursuant to sub-*
15 *section (a) and under the heading “National Endow-*
16 *ment for Democracy” may be made available notwith-*
17 *standing any other provision of law, and with regard*
18 *to the National Endowment for Democracy (NED),*
19 *any regulation.*

20 (2) *BENEFICIARIES.*—*Funds made available by*
21 *this Act for the NED are made available pursuant to*
22 *the authority of the National Endowment for Democ-*
23 *racy Act (title V of Public Law 98–164), including*
24 *all decisions regarding the selection of beneficiaries.*

1 (c) *DEFINITION OF DEMOCRACY PROGRAMS.*—For
2 purposes of funds appropriated by this Act, the term “de-
3 mocracy programs” means programs that support good gov-
4 ernance, credible and competitive elections, freedom of ex-
5 pression, association, assembly, and religion, human rights,
6 labor rights, independent media, and the rule of law, and
7 that otherwise strengthen the capacity of democratic polit-
8 ical parties, governments, nongovernmental organizations
9 and institutions, and citizens to support the development
10 of democratic states and institutions that are responsive
11 and accountable to citizens.

12 (d) *PROGRAM PRIORITIZATION.*—Funds made avail-
13 able pursuant to this section that are made available for
14 programs to strengthen government institutions shall be
15 prioritized for those institutions that demonstrate a com-
16 mitment to democracy and the rule of law.

17 (e) *RESTRICTION ON PRIOR APPROVAL.*—With respect
18 to the provision of assistance for democracy programs in
19 this Act, the organizations implementing such assistance,
20 the specific nature of that assistance, and the participants
21 in such programs shall not be subject to the prior approval
22 by the government of any foreign country: Provided, That
23 the Secretary of State, in coordination with the Adminis-
24 trator of the United States Agency for International Devel-
25 opment, shall report to the Committees on Appropriations,

1 *not later than 120 days after enactment of this Act, detail-*
2 *ing steps taken by the Department of State and USAID*
3 *to comply with the requirements of this subsection.*

4 (f) *CONTINUATION OF CURRENT PRACTICES.—The*
5 *United States Agency for International Development shall*
6 *continue to implement civil society and political competi-*
7 *tion and consensus building programs abroad with funds*
8 *appropriated by this Act in a manner that recognizes the*
9 *unique benefits of grants and cooperative agreements in im-*
10 *plementing such programs.*

11 (g) *INFORMING THE NATIONAL ENDOWMENT FOR DE-*
12 *MOCRACY.—The Assistant Secretary for Democracy,*
13 *Human Rights, and Labor, Department of State, and the*
14 *Assistant Administrator for Democracy, Conflict, and Hu-*
15 *manitarian Assistance, USAID, shall regularly inform the*
16 *National Endowment for Democracy of democracy pro-*
17 *grams that are planned and supported by funds made*
18 *available by this Act and prior Acts making appropriations*
19 *for the Department of State, foreign operations, and related*
20 *programs.*

21 (h) *PROTECTION OF CIVIL SOCIETY ACTIVISTS AND*
22 *JOURNALISTS.—Of the funds appropriated by this Act*
23 *under the headings “Economic Support Fund” and “De-*
24 *mocracy Fund”, not less than \$20,000,000 shall be made*
25 *available to support and protect civil society activists and*

1 *journalists who have been threatened, harassed, or attacked,*
2 *including journalists affiliated with the United States*
3 *Agency for Global Media, consistent with the action plan*
4 *submitted pursuant to, and on the same terms and condi-*
5 *tions of, section 7032(i) of the Department of State, Foreign*
6 *Operations, and Related Programs Appropriations Act,*
7 *2018 (division K of Public Law 115–141).*

8 *(i) INTERNATIONAL FREEDOM OF EXPRESSION.—*

9 *(1) OPERATIONS.—Funds appropriated by this*
10 *Act under the heading “Diplomatic Programs” shall*
11 *be made available for the Bureau of Democracy,*
12 *Human Rights, and Labor, Department of State, for*
13 *the costs of administering programs designed to pro-*
14 *mote and defend freedom of expression and the inde-*
15 *pendence of the media in countries where such free-*
16 *dom and independence are restricted or denied.*

17 *(2) ASSISTANCE.—Of the funds appropriated by*
18 *this Act under the heading “Economic Support*
19 *Fund”, not less than \$10,000,000 shall be made avail-*
20 *able for programs that promote and defend freedom of*
21 *expression and the independence of the media abroad:*
22 *Provided, That such funds are in addition to funds*
23 *otherwise made available by this Act for such pur-*
24 *poses, and are intended to complement emergency and*
25 *safety programs for civil society, including journalists*

1 *and media outlets at risk: Provided further, That such*
2 *funds shall be subject to prior consultation with, and*
3 *the regular notification procedures of, the Committees*
4 *on Appropriations.*

5 *INTERNATIONAL RELIGIOUS FREEDOM*

6 *SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM*
7 *OFFICE.—Funds appropriated by this Act under the head-*
8 *ing “Diplomatic Programs” shall be made available for the*
9 *Office of International Religious Freedom, Department of*
10 *State, including for support staff at not less than the*
11 *amounts specified for such office in the table under such*
12 *heading in the explanatory statement described in section*
13 *4 (in the matter preceding division A of this consolidated*
14 *Act).*

15 *(b) ASSISTANCE.—Funds appropriated by this Act*
16 *under the headings “Democracy Fund”, “Economic Sup-*
17 *port Fund”, and “International Broadcasting Operations”*
18 *shall be made available for international religious freedom*
19 *programs and funds appropriated by this Act under the*
20 *headings “International Disaster Assistance” and “Migra-*
21 *tion and Refugee Assistance” shall be made available for*
22 *humanitarian assistance for vulnerable and persecuted reli-*
23 *gious minorities: Provided, That funds made available by*
24 *this Act under the headings “Economic Support Fund” and*
25 *“Democracy Fund” pursuant to this section shall be the re-*

1 *sponsibility of the Ambassador-at-Large for International*
2 *Religious Freedom, in consultation with other relevant*
3 *United States Government officials, and shall be subject to*
4 *prior consultation with the Committees on Appropriations.*

5 *(c) AUTHORITY.—Funds appropriated by this Act and*
6 *prior Acts making appropriations for the Department of*
7 *State, foreign operations, and related programs under the*
8 *heading “Economic Support Fund” may be made available*
9 *notwithstanding any other provision of law for assistance*
10 *for ethnic and religious minorities in Iraq and Syria.*

11 *(d) DESIGNATION OF NON-STATE ACTORS.—Section*
12 *7033(e) of the Department of State, Foreign Operations,*
13 *and Related Programs Appropriations Act, 2017 (division*
14 *J of Public 115–31) shall continue in effect during fiscal*
15 *year 2020.*

16 *SPECIAL PROVISIONS*

17 *SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-*
18 *DREN, AND DISPLACED BURMESE.—Funds appropriated in*
19 *titles III and VI of this Act that are made available for*
20 *victims of war, displaced children, displaced Burmese, and*
21 *to combat trafficking in persons and assist victims of such*
22 *trafficking, may be made available notwithstanding any*
23 *other provision of law.*

24 *(b) FORENSIC ASSISTANCE.—*

1 (1) *Of the funds appropriated by this Act under*
2 *the heading “Economic Support Fund”, not less than*
3 *\$12,500,000 shall be made available for forensic an-*
4 *thropology assistance related to the exhumation and*
5 *identification of victims of war crimes, crimes*
6 *against humanity, and genocide, which shall be ad-*
7 *ministered by the Assistant Secretary for Democracy,*
8 *Human Rights, and Labor, Department of State:*
9 *Provided, That such funds shall be in addition to*
10 *funds made available by this Act and prior Acts mak-*
11 *ing appropriations for the Department of State, for-*
12 *foreign operations, and related programs for assistance*
13 *for countries.*

14 (2) *Of the funds appropriated by this Act under*
15 *the heading “International Narcotics Control and*
16 *Law Enforcement”, not less than \$8,000,000 shall be*
17 *made available for DNA forensic technology programs*
18 *to combat human trafficking in Central America and*
19 *Mexico.*

20 (c) *ATROCITIES PREVENTION.—Of the funds appro-*
21 *priated by this Act under the headings “Economic Support*
22 *Fund” and “International Narcotics Control and Law En-*
23 *forcement”, not less than \$5,000,000 shall be made available*
24 *for programs to prevent atrocities, including to implement*
25 *recommendations of the Atrocities Prevention Board: Pro-*

1 *vided, That funds made available pursuant to this sub-*
2 *section are in addition to amounts otherwise made avail-*
3 *able for such purposes: Provided further, That such funds*
4 *shall be subject to the regular notification procedures of the*
5 *Committees on Appropriations.*

6 *(d) WORLD FOOD PROGRAMME.—Funds managed by*
7 *the Bureau for Democracy, Conflict, and Humanitarian*
8 *Assistance, United States Agency for International Develop-*
9 *ment, 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 *(e) DIRECTIVES AND AUTHORITIES.—*

13 *(1) RESEARCH AND TRAINING.—Funds appro-*
14 *priated by this Act under the heading “Assistance for*
15 *Europe, Eurasia and Central Asia” shall be made*
16 *available to carry out the Program for Research and*
17 *Training on Eastern Europe and the Independent*
18 *States of the Former Soviet Union as authorized by*
19 *the Soviet-Eastern European Research and Training*
20 *Act of 1983 (22 U.S.C. 4501 et seq.).*

21 *(2) GENOCIDE VICTIMS MEMORIAL SITES.—*
22 *Funds appropriated by this Act and prior Acts mak-*
23 *ing appropriations for the Department of State, for-*
24 *ign operations, and related programs under the*
25 *headings “Economic Support Fund” and “Assistance*

1 *for Europe, Eurasia and Central Asia” may be made*
2 *available as contributions to establish and maintain*
3 *memorial sites of genocide, subject to the regular noti-*
4 *fication procedures of the Committees on Appropria-*
5 *tions.*

6 (3) *PRIVATE SECTOR PARTNERSHIPS.—Of the*
7 *funds appropriated by this Act under the headings*
8 *“Development Assistance” and “Economic Support*
9 *Fund” that are made available for private sector*
10 *partnerships, up to \$50,000,000 may remain avail-*
11 *able until September 30, 2022: Provided, That funds*
12 *made available pursuant to this paragraph may only*
13 *be made available following prior consultation with*
14 *the appropriate congressional committees, and the*
15 *regular notification procedures of the Committees on*
16 *Appropriations.*

17 (4) *ADDITIONAL AUTHORITIES.—Of the amounts*
18 *made available by title I of this Act under the head-*
19 *ing “Diplomatic Programs”, up to \$500,000 may be*
20 *made available for grants pursuant to section 504 of*
21 *the Foreign Relations Authorization Act, Fiscal Year*
22 *1979 (22 U.S.C. 2656d), including to facilitate col-*
23 *laboration with indigenous communities, and up to*
24 *\$1,000,000 may be made available for grants to carry*

1 *out the activities of the Cultural Antiquities Task*
2 *Force.*

3 (5) *INNOVATION.—The USAID Administrator*
4 *may use funds appropriated by this Act under title*
5 *III to make innovation incentive awards in accord-*
6 *ance with the terms and conditions of section*
7 *7034(e)(4) of the Department of State, Foreign Oper-*
8 *ations, and Related Programs Appropriations Act,*
9 *2019 (division F of Public Law 116–6): Provided,*
10 *That each individual award may not exceed*
11 *\$100,000: Provided further, That no more than 15*
12 *such awards may be made during fiscal year 2020.*

13 (6) *EXCHANGE VISITOR PROGRAM.—None of the*
14 *funds made available by this Act may be used to mod-*
15 *ify the Exchange Visitor Program administered by*
16 *the Department of State to implement the Mutual*
17 *Educational and Cultural Exchange Act of 1961*
18 *(Public Law 87–256; 22 U.S.C. 2451 et seq.), except*
19 *through the formal rulemaking process pursuant to*
20 *the Administrative Procedure Act (5 U.S.C. 551 et*
21 *seq.) and notwithstanding the exceptions to such rule-*
22 *making process in such Act: Provided, That funds*
23 *made available for such purpose shall only be made*
24 *available after consultation with, and subject to the*
25 *regular notification procedures of, the Committees on*

1 *Appropriations, regarding how any proposed modi-*
2 *fication would affect the public diplomacy goals of,*
3 *and the estimated economic impact on, the United*
4 *States: Provided further, That such consultation shall*
5 *take place not later than 30 days prior to the publica-*
6 *tion in the Federal Register of any regulatory action*
7 *modifying the Exchange Visitor Program.*

8 *(f) PARTNER VETTING.—Prior to initiating a partner*
9 *vetting program, or making significant changes to the scope*
10 *of an existing partner vetting program, the Secretary of*
11 *State and USAID Administrator, as appropriate, shall con-*
12 *sult with the Committees on Appropriations: Provided,*
13 *That the Secretary and the Administrator shall provide a*
14 *direct vetting option for prime awardees in any partner*
15 *vetting program initiated or significantly modified after*
16 *the date of enactment of this Act, unless the Secretary of*
17 *State or USAID Administrator, as applicable, informs the*
18 *Committees on Appropriations on a case-by-case basis that*
19 *a direct vetting option is not feasible for such program.*

20 *(g) CONTINGENCIES.—During fiscal year 2020, the*
21 *President may use up to \$125,000,000 under the authority*
22 *of section 451 of the Foreign Assistance Act of 1961, not-*
23 *withstanding any other provision of law.*

24 *(h) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-*
25 *retary of State should withhold funds appropriated under*

1 *title III of this Act for assistance for the central government*
2 *of any country that is not taking appropriate steps to com-*
3 *ply with the Convention on the Civil Aspects of Inter-*
4 *national Child Abductions, done at the Hague on October*
5 *25, 1980: Provided, That the Secretary shall report to the*
6 *Committees on Appropriations within 15 days of with-*
7 *holding funds under this subsection.*

8 *(i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-*
9 *TECTION.—The Secretary of State may transfer to, and*
10 *merge with, funds under the heading “Protection of Foreign*
11 *Missions and Officials” unobligated balances of expired*
12 *funds appropriated under the heading “Diplomatic Pro-*
13 *grams” for fiscal year 2020, except for funds designated for*
14 *Overseas Contingency Operations/Global War on Terrorism*
15 *pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget*
16 *and Emergency Deficit Control Act of 1985, at no later*
17 *than the end of the fifth fiscal year after the last fiscal year*
18 *for which such funds are available for the purposes for*
19 *which appropriated: Provided, That not more than*
20 *\$50,000,000 may be transferred.*

21 *(j) AUTHORITY.—Funds made available by this Act*
22 *under the heading “Economic Support Fund” to counter*
23 *extremism may be made available notwithstanding any*
24 *other provision of law restricting assistance to foreign coun-*
25 *tries, except sections 502B, 620A, and 620M of the Foreign*

1 *Assistance Act of 1961: Provided, That the use of the author-*
2 *ity of this subsection shall be subject to prior consultation*
3 *with the appropriate congressional committees and the reg-*
4 *ular notification procedures of the Committees on Appro-*
5 *priations.*

6 (k) *PROTECTIONS AND REMEDIES FOR EMPLOYEES OF*
7 *DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZA-*
8 *TIONS.—The Secretary of State shall implement section*
9 *203(a)(2) of the William Wilberforce Trafficking Victims*
10 *Protection Reauthorization Act of 2008 (Public Law 110–*
11 *457): Provided, That in addition to suspension on the basis*
12 *of an unpaid default or final civil judgment directly or in-*
13 *directly related to human trafficking against the employer*
14 *or a family member assigned to an embassy, suspension on*
15 *this basis should also apply to an employer or family mem-*
16 *ber assigned to any diplomatic mission, or any inter-*
17 *national organization: Provided further, That the Secretary*
18 *of State should assist in obtaining payment of final court*
19 *judgments awarded to A–3 and G–5 visa holders, including*
20 *encouraging the sending states to provide compensation di-*
21 *rectly to victims: Provided further, That the Secretary shall*
22 *include in the Trafficking in Persons annual report a con-*
23 *cise summary of each trafficking case involving an A–3 or*
24 *G–5 visa holder that meets one or more of the following*
25 *criteria: (1) a final court judgment (including a default*

1 *judgment) issued against a current or former employee of*
2 *such diplomatic mission or international organization; (2)*
3 *the issuance of a T-visa to the victim; or (3) a request by*
4 *the Department of State to the sending state that immunity*
5 *of individual diplomats or family members be waived to*
6 *permit criminal prosecution.*

7 *(l) EXTENSION OF AUTHORITIES.—*

8 *(1) PASSPORT FEES.—Section 1(b)(2) of the*
9 *Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))*
10 *shall be applied by substituting “September 30, 2020”*
11 *for “September 30, 2010”.*

12 *(2) INCENTIVES FOR CRITICAL POSTS.—The au-*
13 *thority contained in section 1115(d) of the Supple-*
14 *mental Appropriations Act, 2009 (Public Law 111–*
15 *32) shall remain in effect through September 30,*
16 *2020.*

17 *(3) USAID CIVIL SERVICE ANNUITANT WAIV-*
18 *ER.—Section 625(j)(1) of the Foreign Assistance Act*
19 *of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by*
20 *substituting “September 30, 2020” for “October 1,*
21 *2010” in subparagraph (B).*

22 *(4) OVERSEAS PAY COMPARABILITY AND LIMITA-*
23 *TION.—(A) Subject to the limitation described in sub-*
24 *paragraph (B), the authority provided by section*
25 *1113 of the Supplemental Appropriations Act, 2009*

1 *(Public Law 111–32) shall remain in effect through*
2 *September 30, 2020.*

3 *(B) The authority described in subparagraph (A)*
4 *may not be used to pay an eligible member of the*
5 *Foreign Service (as defined in section 1113(b) of the*
6 *Supplemental Appropriations Act, 2009 (Public Law*
7 *111–32)) a locality-based comparability payment*
8 *(stated as a percentage) that exceeds two-thirds of the*
9 *amount of the locality-based comparability payment*
10 *(stated as a percentage) that would be payable to such*
11 *member under section 5304 of title 5, United States*
12 *Code, if such member’s official duty station were in*
13 *the District of Columbia.*

14 *(5) CATEGORICAL ELIGIBILITY.—The Foreign*
15 *Operations, Export Financing, and Related Programs*
16 *Appropriations Act, 1990 (Public Law 101–167) is*
17 *amended—*

18 *(A) in section 599D (8 U.S.C. 1157 note)—*

19 *(i) in subsection (b)(3), by striking*
20 *“and 2019” and inserting “2019, and*
21 *2020”; and*

22 *(ii) in subsection (e), by striking*
23 *“2019” each place it appears and inserting*
24 *“2020”; and*

1 (B) in section 599E(b)(2) (8 U.S.C. 1255
2 note), by striking “2019” and inserting “2020”.

3 (6) *INSPECTOR GENERAL ANNUITANT WAIVER.*—
4 The authorities provided in section 1015(b) of the
5 Supplemental Appropriations Act, 2010 (Public Law
6 111–212) shall remain in effect through September
7 30, 2020, and may be used to facilitate the assign-
8 ment of persons for oversight of programs in Syria,
9 South Sudan, Yemen, Somalia, and Venezuela.

10 (7) *ACCOUNTABILITY REVIEW BOARDS.*—The au-
11 thority provided by section 301(a)(3) of the Omnibus
12 Diplomatic Security and Antiterrorism Act of 1986
13 (22 U.S.C. 4831(a)(3)) shall remain in effect for fa-
14 cilities in Afghanistan through September 30, 2020,
15 except that the notification and reporting require-
16 ments contained in such section shall include the
17 Committees on Appropriations.

18 (8) *SPECIAL INSPECTOR GENERAL FOR AFGHANI-*
19 *STAN RECONSTRUCTION COMPETITIVE STATUS.*—Not-
20 withstanding any other provision of law, any em-
21 ployee of the Special Inspector General for Afghani-
22 stan Reconstruction (SIGAR) who completes at least
23 12 months of continuous service after enactment of
24 this Act or who is employed on the date on which
25 SIGAR terminates, whichever occurs first, shall ac-

1 *quire competitive status for appointment to any posi-*
2 *tion in the competitive service for which the employee*
3 *possesses the required qualifications.*

4 (9) *TRANSFER OF BALANCES.—Section 7081(h)*
5 *of the Department of State, Foreign Operations, and*
6 *Related Programs Appropriations Act, 2017 (division*
7 *J of Public Law 115–31) shall continue in effect dur-*
8 *ing fiscal year 2020.*

9 (10) *DEPARTMENT OF STATE INSPECTOR GEN-*
10 *ERAL WAIVER AUTHORITY.—The Inspector General of*
11 *the Department of State may waive the provisions of*
12 *subsections (a) through (d) of section 824 of the For-*
13 *eign Service Act of 1980 (22 U.S.C. 4064) on a case-*
14 *by-case basis for an annuitant reemployed by the In-*
15 *pector General on a temporary basis, subject to the*
16 *same constraints and in the same manner by which*
17 *the Secretary of State may exercise such waiver au-*
18 *thority pursuant to subsection (g) of such section.*

19 (11) *AFGHAN ALLIES.—Section 602(b)(3)(F) of*
20 *the Afghan Allies Protection Act of 2009 (8 U.S.C.*
21 *1101 note) is amended—*

22 (A) *in the heading, striking “2015, 2016,*
23 *AND 2017” and inserting “2015 THROUGH*
24 *2020”;*

1 (B) in the matter preceding clause (i), by
2 striking “18,500” and inserting “22,500”; and

3 (C) in clauses (i) and (ii), by striking “De-
4 cember 31, 2020” and inserting “December 31,
5 2021”.

6 (m) *MONITORING AND EVALUATION.*—Funds appro-
7 priated by this Act that are made available for monitoring
8 and evaluation of assistance under the headings “Develop-
9 ment Assistance”, “International Disaster Assistance”, and
10 “Migration and Refugee Assistance” shall, as appropriate,
11 be made available for the regular collection of feedback ob-
12 tained directly from beneficiaries on the quality and rel-
13 evance of such assistance: Provided, That the Department
14 of State and USAID shall establish, and post on their re-
15 spective websites, updated procedures for implementing
16 partners that receive funds under such headings for regu-
17 larly collecting and responding to such feedback, including
18 guidelines for the reporting on actions taken in response
19 to the feedback received: Provided further, That the Depart-
20 ment of State and USAID shall regularly conduct oversight
21 to ensure that such feedback is regularly collected and used
22 by implementing partners to maximize the cost-effectiveness
23 and utility of such assistance.

24 (n) *HIV/AIDS WORKING CAPITAL FUND.*—Funds
25 available in the HIV/AIDS Working Capital Fund estab-

1 *lished pursuant to section 525(b)(1) of the Foreign Oper-*
2 *ations, Export Financing, and Related Programs Appro-*
3 *priations Act, 2005 (Public Law 108–447) may be made*
4 *available for pharmaceuticals and other products for child*
5 *survival, malaria, and tuberculosis to the same extent as*
6 *HIV/AIDS pharmaceuticals and other products, subject to*
7 *the terms and conditions in such section: Provided, That*
8 *the authority in section 525(b)(5) of the Foreign Oper-*
9 *ations, Export Financing, and Related Programs Appro-*
10 *priation Act, 2005 (Public Law 108–447) shall be exercised*
11 *by the Assistant Administrator for Global Health, USAID,*
12 *with respect to funds deposited for such non-HIV/AIDS*
13 *pharmaceuticals and other products, and shall be subject*
14 *to the regular notification procedures of the Committees on*
15 *Appropriations: Provided further, That the Secretary of*
16 *State shall include in the congressional budget justification*
17 *an accounting of budgetary resources, disbursements, bal-*
18 *ances, and reimbursements related to such fund.*

19 *(o) LOANS, CONSULTATION, AND NOTIFICATION.—*

20 *(1) LOAN GUARANTEES.—Funds appropriated*
21 *under the headings “Economic Support Fund” and*
22 *“Assistance for Europe, Eurasia and Central Asia”*
23 *by this Act and prior Acts making appropriations for*
24 *the Department of State, foreign operations, and re-*
25 *lated programs may be made available for the costs,*

1 *as defined in section 502 of the Congressional Budget*
2 *Act of 1974, of loan guarantees for Egypt, Jordan,*
3 *Tunisia, and Ukraine, which are authorized to be*
4 *provided: Provided, That amounts made available*
5 *under this paragraph for the costs of such guarantees*
6 *shall not be considered assistance for the purposes of*
7 *provisions of law limiting assistance to a country.*

8 (2) *DESIGNATION REQUIREMENT.—Funds made*
9 *available pursuant to paragraph (1) from prior Acts*
10 *making appropriations for the Department of State,*
11 *foreign operations, and related programs that were*
12 *previously designated by the Congress for Overseas*
13 *Contingency Operations/Global War on Terrorism*
14 *pursuant to section 251(b)(2)(A)(ii) of the Balanced*
15 *Budget and Emergency Deficit Control Act of 1985*
16 *are designated by the Congress for Overseas Contingency*
17 *Operations/Global War on Terrorism pursuant*
18 *to section 251(b)(2)(A)(ii) of such Act.*

19 (3) *CONSULTATION AND NOTIFICATION.—Funds*
20 *made available pursuant to the authorities of this*
21 *subsection shall be subject to prior consultation with*
22 *the appropriate congressional committees and the reg-*
23 *ular notification procedures of the Committees on Ap-*
24 *propriations.*

25 (p) *LOCAL WORKS.—*

1 (1) *FUNDING.*—*Of the funds appropriated by*
2 *this Act under the headings “Development Assistance”*
3 *and “Economic Support Fund”, not less than*
4 *\$50,000,000 shall be made available for Local Works*
5 *pursuant to section 7080 of the Department of State,*
6 *Foreign Operations, and Related Programs Appro-*
7 *propriations Act, 2015 (division J of Public Law 113–*
8 *235), which may remain available until September*
9 *30, 2024.*

10 (2) *ELIGIBLE ENTITIES.*—*For the purposes of*
11 *section 7080 of the Department of State, Foreign Op-*
12 *erations, and Related Programs Appropriations Act,*
13 *2015 (division J of Public Law 113–235), “eligible*
14 *entities” shall be defined as small local, international,*
15 *and United States-based nongovernmental organiza-*
16 *tions, educational institutions, and other small enti-*
17 *ties that have received less than a total of \$5,000,000*
18 *from USAID over the previous 5 fiscal years: Pro-*
19 *vided, That departments or centers of such edu-*
20 *cational institutions may be considered individually*
21 *in determining such eligibility.*

22 (q) *WESTERN HEMISPHERE DRUG POLICY COMMIS-*
23 *SION.*—*Up to \$499,000 of the funds appropriated under the*
24 *heading “Western Hemisphere Drug Policy Commission,*
25 *Salaries and Expenses” of the Department of State, Foreign*

1 *Operations, and Related Programs Appropriations Act,*
2 *2019 (division F of Public Law 116–6) shall remain avail-*
3 *able for obligation until September 30, 2021, notwith-*
4 *standing the period of availability under such heading.*

5 (r) *DEFINITIONS.—*

6 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
7 *TEES.—Unless otherwise defined in this Act, for pur-*
8 *poses of this Act the term “appropriate congressional*
9 *committees” means the Committees on Appropriations*
10 *and Foreign Relations of the Senate and the Commit-*
11 *tees on Appropriations and Foreign Affairs of the*
12 *House of Representatives.*

13 (2) *FUNDS APPROPRIATED BY THIS ACT AND*
14 *PRIOR ACTS.—Unless otherwise defined in this Act,*
15 *for purposes of this Act the term “funds appropriated*
16 *by this Act and prior Acts making appropriations for*
17 *the Department of State, foreign operations, and re-*
18 *lated programs” means funds that remain available*
19 *for obligation, and have not expired.*

20 (3) *INTERNATIONAL FINANCIAL INSTITUTIONS.—*
21 *In this Act “international financial institutions”*
22 *means the International Bank for Reconstruction and*
23 *Development, the International Development Associa-*
24 *tion, the International Finance Corporation, the*
25 *Inter-American Development Bank, the International*

1 *Monetary Fund, the International Fund for Agricul-*
2 *tural Development, the Asian Development Fund, the*
3 *Inter-American Investment Corporation, the North*
4 *American Development Bank, the European Bank for*
5 *Reconstruction and Development, the African Devel-*
6 *opment Bank, the African Development Fund, and*
7 *the Multilateral Investment Guarantee Agency.*

8 (4) *SOUTHERN KORDOFAN.*—*Any reference to*
9 *Southern Kordofan in this or any other Act making*
10 *appropriations for the Department of State, foreign*
11 *operations, and related programs shall for this fiscal*
12 *year, and each fiscal year thereafter, be deemed to in-*
13 *clude portions of Western Kordofan that were pre-*
14 *viously part of Southern Kordofan prior to the 2013*
15 *division of Southern Kordofan.*

16 (5) *USAID.*—*In this Act, the term “USAID”*
17 *means the United States Agency for International De-*
18 *velopment.*

19 (6) *SPEND PLAN.*—*In this Act, the term “spend*
20 *plan” means a plan for the uses of funds appro-*
21 *priated for a particular entity, country, program,*
22 *purpose, or account and which shall include, at a*
23 *minimum, a description of—*

1 (A) realistic and sustainable goals, criteria
2 for measuring progress, and a timeline for
3 achieving such goals;

4 (B) amounts and sources of funds by ac-
5 count;

6 (C) how such funds will complement other
7 ongoing or planned programs; and

8 (D) implementing partners, to the max-
9 imum extent practicable.

10 (7) *SUCCESSOR OPERATING UNIT.*—Any ref-
11 erence to a particular *USAID* operating unit or office
12 in this or prior Acts making appropriations for the
13 Department of State, foreign operations, and related
14 programs shall be deemed to include any successor op-
15 erating unit or office performing the same or similar
16 functions.

17 *LAW ENFORCEMENT AND SECURITY*

18 *SEC. 7035. (a) ASSISTANCE.*—

19 (1) *COMMUNITY-BASED POLICE ASSISTANCE.*—
20 Funds made available under titles III and IV of this
21 Act to carry out the provisions of chapter 1 of part
22 I and chapters 4 and 6 of part II of the Foreign As-
23 sistance Act of 1961, may be used, notwithstanding
24 section 660 of that Act, to enhance the effectiveness
25 and accountability of civilian police authority

1 *through training and technical assistance in human*
2 *rights, the rule of law, anti-corruption, strategic plan-*
3 *ning, and through assistance to foster civilian police*
4 *roles that support democratic governance, including*
5 *assistance for programs to prevent conflict, respond to*
6 *disasters, address gender-based violence, and foster*
7 *improved police relations with the communities they*
8 *serve.*

9 (2) COUNTERTERRORISM PARTNERSHIPS

10 *FUND.—Funds appropriated by this Act under the*
11 *heading “Nonproliferation, Anti-terrorism, Demining*
12 *and Related Programs” shall be made available for*
13 *the Counterterrorism Partnerships Fund for programs*
14 *in areas liberated from, under the influence of, or ad-*
15 *versely affected by, the Islamic State of Iraq and*
16 *Syria or other terrorist organizations: Provided, That*
17 *such areas shall include the Kurdistan Region of*
18 *Iraq: Provided further, That prior to the obligation of*
19 *funds made available pursuant to this paragraph, the*
20 *Secretary of State shall take all practicable steps to*
21 *ensure that mechanisms are in place for monitoring,*
22 *oversight, and control of such funds: Provided further,*
23 *That funds made available pursuant to this para-*
24 *graph shall be subject to prior consultation with the*
25 *appropriate congressional committees, and the regular*

1 *notification procedures of the Committees on Appro-*
2 *priations.*

3 (3) *COMBAT CASUALTY CARE.—(A) Consistent*
4 *with the objectives of the Foreign Assistance Act of*
5 *1961 and the Arms Export Control Act, funds appro-*
6 *priated by this Act under the headings “Peacekeeping*
7 *Operations” and “Foreign Military Financing Pro-*
8 *gram” shall be made available for combat casualty*
9 *training and equipment.*

10 (B) *The Secretary of State shall offer combat*
11 *casualty care training and equipment as a component*
12 *of any package of lethal assistance funded by this Act*
13 *with funds appropriated under the headings “Peace-*
14 *keeping Operations” and “Foreign Military Financ-*
15 *ing Program”:* *Provided, That the requirement of this*
16 *subparagraph shall apply to a country in conflict,*
17 *unless the Secretary determines that such country has*
18 *in place, to the maximum extent practicable, func-*
19 *tioning combat casualty care treatment and equip-*
20 *ment that meets or exceeds the standards rec-*
21 *ommended by the Committee on Tactical Combat Cas-*
22 *ualty Care: Provided further, That any such training*
23 *and equipment for combat casualty care shall be*
24 *made available through an open and competitive*
25 *process.*

1 (4) *TRAINING RELATED TO INTERNATIONAL HU-*
2 *MANITARIAN LAW.—The Secretary of State shall offer*
3 *training related to the requirements of international*
4 *humanitarian law as a component of any package of*
5 *lethal assistance funded by this Act with funds appro-*
6 *propriated under the headings “Peacekeeping Oper-*
7 *ations” and “Foreign Military Financing Program”:*
8 *Provided, That the requirement of this paragraph*
9 *shall not apply to a country that is a member of the*
10 *North Atlantic Treaty Organization (NATO), is a*
11 *major non-NATO ally designated by section 517(b) of*
12 *the Foreign Assistance Act of 1961, or is complying*
13 *with international humanitarian law: Provided fur-*
14 *ther, That any such training shall be made available*
15 *through an open and competitive process.*

16 (5) *SECURITY FORCE PROFESSIONALIZATION.—*
17 *Funds appropriated by this Act under the headings*
18 *“International Narcotics Control and Law Enforce-*
19 *ment” and “Peacekeeping Operations” shall be made*
20 *available to increase the capacity of foreign military*
21 *and law enforcement personnel to operate in accord-*
22 *ance with appropriate standards relating to human*
23 *rights and the protection of civilians in the manner*
24 *specified under this section in Senate Report 116–*
25 *126, following consultation with the Committees on*

1 *Appropriations: Provided, That funds made available*
2 *pursuant to this paragraph shall be made available*
3 *through an open and competitive process.*

4 (6) *GLOBAL SECURITY CONTINGENCY FUND.—*
5 *Notwithstanding any other provision of this Act, up*
6 *to \$7,500,000 from funds appropriated by this Act*
7 *under the headings “Peacekeeping Operations” and*
8 *“Foreign Military Financing Program” may be*
9 *transferred to, and merged with, funds previously*
10 *made available under the heading “Global Security*
11 *Contingency Fund”, subject to the regular notification*
12 *procedures of the Committees on Appropriations.*

13 (7) *INTERNATIONAL PRISON CONDITIONS.—Of the*
14 *funds appropriated by this Act under the headings*
15 *“Development Assistance”, “Economic Support*
16 *Fund”, and “International Narcotics Control and*
17 *Law Enforcement”, not less than \$7,500,000 shall be*
18 *made available for assistance to eliminate inhumane*
19 *conditions in foreign prisons and other detention fa-*
20 *cilities, notwithstanding section 660 of the Foreign*
21 *Assistance Act of 1961: Provided, That the Secretary*
22 *of State and the USAID Administrator shall consult*
23 *with the Committees on Appropriations on the pro-*
24 *posed uses of such funds prior to obligation and not*
25 *later than 60 days after enactment of this Act: Pro-*

1 *vided further, That such funds shall be in addition to*
2 *funds otherwise made available by this Act for such*
3 *purpose.*

4 *(b) AUTHORITIES.—*

5 *(1) RECONSTITUTING CIVILIAN POLICE AUTHOR-*
6 *ITY.—In providing assistance with funds appro-*
7 *priated by this Act under section 660(b)(6) of the*
8 *Foreign Assistance Act of 1961, support for a nation*
9 *emerging from instability may be deemed to mean*
10 *support for regional, district, municipal, or other sub-*
11 *national entity emerging from instability, as well as*
12 *a nation emerging from instability.*

13 *(2) DISARMAMENT, DEMOBILIZATION, AND RE-*
14 *INTEGRATION.—Section 7034(d) of the Department of*
15 *State, Foreign Operations, and Related Programs Ap-*
16 *propriations Act, 2015 (division J of Public Law*
17 *113–235) shall continue in effect during fiscal year*
18 *2020.*

19 *(3) EXTENSION OF WAR RESERVES STOCKPILE*
20 *AUTHORITY.—*

21 *(A) Section 12001(d) of the Department of*
22 *Defense Appropriations Act, 2005 (Public Law*
23 *108–287; 118 Stat. 1011) is amended by striking*
24 *“of this section” and all that follows through the*

1 *period at the end and inserting “of this section*
2 *after September 30, 2021.”.*

3 *(B) Section 514(b)(2)(A) of the Foreign As-*
4 *sistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A))*
5 *is amended by striking “and 2020” and insert-*
6 *ing “2020, and 2021”.*

7 (4) *COMMERCIAL LEASING OF DEFENSE ARTI-*
8 *CLES.—Notwithstanding any other provision of law,*
9 *and subject to the regular notification procedures of*
10 *the Committees on Appropriations, the authority of*
11 *section 23(a) of the Arms Export Control Act (22*
12 *U.S.C. 2763) may be used to provide financing to*
13 *Israel, Egypt, the North Atlantic Treaty Organization*
14 *(NATO), and major non-NATO allies for the procure-*
15 *ment by leasing (including leasing with an option to*
16 *purchase) of defense articles from United States com-*
17 *mercial suppliers, not including Major Defense*
18 *Equipment (other than helicopters and other types of*
19 *aircraft having possible civilian application), if the*
20 *President determines that there are compelling foreign*
21 *policy or national security reasons for those defense*
22 *articles being provided by commercial lease rather*
23 *than by government-to-government sale under such*
24 *Act.*

1 (5) *SPECIAL DEFENSE ACQUISITION FUND.*—Not
2 to exceed \$900,000,000 may be obligated pursuant to
3 section 51(c)(2) of the Arms Export Control Act (22
4 U.S.C. 2795(c)(2)) for the purposes of the Special De-
5 fense Acquisition Fund (the Fund), to remain avail-
6 able for obligation until September 30, 2022: Pro-
7 vided, That the provision of defense articles and de-
8 fense services to foreign countries or international or-
9 ganizations from the Fund shall be subject to the con-
10 currence of the Secretary of State.

11 (6) *PUBLIC DISCLOSURE.*—For the purposes of
12 funds appropriated by this Act and prior Acts mak-
13 ing appropriations for the Department of State, for-
14 eign operations, and related programs that are made
15 available for assistance for units of foreign security
16 forces, the term “to the maximum extent practicable”
17 in section 620M(d)(7) of the Foreign Assistance Act
18 of 1961 (22 U.S.C. 2378d) means that the identity of
19 such units shall be made publicly available unless the
20 Secretary of State, on a case-by-case basis, determines
21 and reports to the appropriate congressional commit-
22 tees that disclosure would endanger the safety of
23 human sources or reveal sensitive intelligence sources
24 and methods, or that non-disclosure is in the national
25 security interest of the United States: Provided, That

1 *any such determination shall include a detailed jus-*
2 *tification, and may be submitted in classified form.*

3 (7) *DUTY TO INFORM.*—*If assistance to a foreign*
4 *security force is provided in a manner in which the*
5 *recipient unit or units cannot be identified prior to*
6 *the transfer of assistance, the Secretary of State shall*
7 *provide a list of units prohibited from receiving such*
8 *assistance pursuant to section 620M of the Foreign*
9 *Assistance Act of 1961 to the recipient government.*

10 (c) *LIMITATIONS.*—

11 (1) *CHILD SOLDIERS.*—*Funds appropriated by*
12 *this Act should not be used to support any military*
13 *training or operations that include child soldiers.*

14 (2) *LANDMINES AND CLUSTER MUNITIONS.*—

15 (A) *LANDMINES.*—*Notwithstanding any*
16 *other provision of law, demining equipment*
17 *available to the United States Agency for Inter-*
18 *national Development and the Department of*
19 *State and used in support of the clearance of*
20 *landmines and unexploded ordnance for humani-*
21 *tarian purposes may be disposed of on a grant*
22 *basis in foreign countries, subject to such terms*
23 *and conditions as the Secretary of State may*
24 *prescribe.*

1 (B) *CLUSTER MUNITIONS.*—No military as-
2 sistance shall be furnished for cluster munitions,
3 no defense export license for cluster munitions
4 may be issued, and no cluster munitions or clus-
5 ter munitions technology shall be sold or trans-
6 ferred, unless—

7 (i) the submunitions of the cluster mu-
8 nitions, after arming, do not result in more
9 than 1 percent unexploded ordnance across
10 the range of intended operational environ-
11 ments, and the agreement applicable to the
12 assistance, transfer, or sale of such cluster
13 munitions or cluster munitions technology
14 specifies that the cluster munitions will
15 only be used against clearly defined mili-
16 tary targets and will not be used where ci-
17 vilians are known to be present or in areas
18 normally inhabited by civilians; or

19 (ii) such assistance, license, sale, or
20 transfer is for the purpose of demilitarizing
21 or permanently disposing of such cluster
22 munitions.

23 (3) *CROWD CONTROL ITEMS.*—Funds appro-
24 priated by this Act should not be used for tear gas,
25 small arms, light weapons, ammunition, or other

1 *items for crowd control purposes for foreign security*
2 *forces that use excessive force to repress peaceful ex-*
3 *pression, association, or assembly in countries that*
4 *the Secretary of State determines are undemocratic or*
5 *are undergoing democratic transitions.*

6 *(d) REPORTS.—*

7 *(1) SECURITY ASSISTANCE REPORT.—Not later*
8 *than 120 days after enactment of this Act, the Sec-*
9 *retary of State shall submit to the Committees on Ap-*
10 *propriations a report on funds obligated and ex-*
11 *pende d during fiscal year 2019, by country and pur-*
12 *pose of assistance, under the headings “Peacekeeping*
13 *Operations”, “International Military Education and*
14 *Training”, and “Foreign Military Financing Pro-*
15 *gram”.*

16 *(2) ANNUAL FOREIGN MILITARY TRAINING RE-*
17 *PORT.—For the purposes of implementing section 656*
18 *of the Foreign Assistance Act of 1961, the term “mili-*
19 *tary training provided to foreign military personnel*
20 *by the Department of Defense and the Department of*
21 *State” shall be deemed to include all military train-*
22 *ing provided by foreign governments with funds ap-*
23 *propriated to the Department of Defense or the De-*
24 *partment of State, except for training provided by the*
25 *government of a country designated by section 517(b)*

1 *of such Act (22 U.S.C. 2321k(b)) as a major non-*
2 *North Atlantic Treaty Organization ally.*

3 *ARAB LEAGUE BOYCOTT OF ISRAEL*

4 *SEC. 7036. It is the sense of the Congress that—*

5 *(1) the Arab League boycott of Israel, and the*
6 *secondary boycott of American firms that have com-*
7 *mercial ties with Israel, is an impediment to peace*
8 *in the region and to United States investment and*
9 *trade in the Middle East and North Africa;*

10 *(2) the Arab League boycott, which was regret-*
11 *tably reinstated in 1997, should be immediately and*
12 *publicly terminated, and the Central Office for the*
13 *Boycott of Israel immediately disbanded;*

14 *(3) all Arab League states should normalize rela-*
15 *tions with their neighbor Israel;*

16 *(4) the President and the Secretary of State*
17 *should continue to vigorously oppose the Arab League*
18 *boycott of Israel and find concrete steps to dem-*
19 *onstrate that opposition by, for example, taking into*
20 *consideration the participation of any recipient coun-*
21 *try in the boycott when determining to sell weapons*
22 *to said country; and*

23 *(5) the President should report to Congress an-*
24 *nually on specific steps being taken by the United*
25 *States to encourage Arab League states to normalize*

1 *forts to establish a just, lasting, and comprehensive*
2 *peace in the Middle East that will enable Israel and*
3 *an independent Palestinian state to exist within the*
4 *context of full and normal relationships, which should*
5 *include—*

6 *(A) termination of all claims or states of*
7 *belligerency;*

8 *(B) respect for and acknowledgment of the*
9 *sovereignty, territorial integrity, and political*
10 *independence of every state in the area through*
11 *measures including the establishment of demili-*
12 *tarized zones;*

13 *(C) their right to live in peace within secure*
14 *and recognized boundaries free from threats or*
15 *acts of force;*

16 *(D) freedom of navigation through inter-*
17 *national waterways in the area; and*

18 *(E) a framework for achieving a just settle-*
19 *ment of the refugee problem.*

20 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
21 *that the governing entity should enact a constitution assur-*
22 *ing the rule of law, an independent judiciary, and respect*
23 *for human rights for its citizens, and should enact other*
24 *laws and regulations assuring transparent and accountable*
25 *governance.*

1 (c) *WAIVER.*—*The President may waive subsection (a)*
2 *if the President determines that it is important to the na-*
3 *tional 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 of*
8 *subsection (a), consistent with the provisions of section 7040*
9 *of this Act (“Limitation on Assistance for the Palestinian*
10 *Authority”).*

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 2020, 30*
20 *days prior to the initial obligation of funds for the bilateral*
21 *West Bank and Gaza Program, the Secretary of State shall*
22 *certify to the Committees on Appropriations that proce-*
23 *dures have been established to assure the Comptroller Gen-*
24 *eral of the United States will have access to appropriate*
25 *United States financial information in order to review the*

1 *uses of United States assistance for the Program funded*
2 *under the heading “Economic Support Fund” for the West*
3 *Bank and Gaza.*

4 (b) *VETTING.—Prior to the obligation of funds appro-*
5 *riated by this Act under the heading “Economic Support*
6 *Fund” for assistance for the West Bank and Gaza, the Sec-*
7 *retary of State shall take all appropriate steps to ensure*
8 *that such assistance is not provided to or through any indi-*
9 *vidual, private or government entity, or educational insti-*
10 *tution that the Secretary knows or has reason to believe ad-*
11 *vocates, plans, sponsors, engages in, or has engaged in, ter-*
12 *rorist activity nor, with respect to private entities or edu-*
13 *cational institutions, those that have as a principal officer*
14 *of the entity’s governing board or governing board of trust-*
15 *ees any individual that has been determined to be involved*
16 *in, or advocating terrorist activity or determined to be a*
17 *member of a designated foreign terrorist organization: Pro-*
18 *vided, That the Secretary of State shall, as appropriate, es-*
19 *tablish procedures specifying the steps to be taken in car-*
20 *rying out this subsection and shall terminate assistance to*
21 *any individual, entity, or educational institution which the*
22 *Secretary has determined to be involved in or advocating*
23 *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*
5 *for—*

6 (A) *the purpose of recognizing or otherwise*
7 *honoring individuals who commit, or have com-*
8 *mitted acts of terrorism; and*

9 (B) *any educational institution located in*
10 *the West Bank or Gaza that is named after an*
11 *individual who the Secretary of State determines*
12 *has committed an act of terrorism.*

13 (2) *SECURITY ASSISTANCE AND REPORTING RE-*
14 *QUIREMENT.*—*Notwithstanding any other provision of*
15 *law, none of the funds made available by this or prior*
16 *appropriations Acts, including funds made available*
17 *by transfer, may be made available for obligation for*
18 *security assistance for the West Bank and Gaza until*
19 *the Secretary of State reports to the Committees on*
20 *Appropriations on the benchmarks that have been es-*
21 *tablished for security assistance for the West Bank*
22 *and Gaza and reports on the extent of Palestinian*
23 *compliance with such benchmarks.*

24 (d) *OVERSIGHT BY THE UNITED STATES AGENCY FOR*
25 *INTERNATIONAL DEVELOPMENT.*—

1 (1) *The Administrator of the United States*
2 *Agency for International Development shall ensure*
3 *that Federal or non-Federal audits of all contractors*
4 *and grantees, and significant subcontractors and sub-*
5 *grantees, under the West Bank and Gaza Program,*
6 *are conducted at least on an annual basis to ensure,*
7 *among other things, compliance with this section.*

8 (2) *Of the funds appropriated by this Act, up to*
9 *\$1,000,000 may be used by the Office of Inspector*
10 *General of the United States Agency for International*
11 *Development for audits, investigations, and other ac-*
12 *tivities in furtherance of the requirements of this sub-*
13 *section: Provided, That such funds are in addition to*
14 *funds otherwise available for such purposes.*

15 (e) *COMPTROLLER GENERAL OF THE UNITED STATES*
16 *AUDIT.—Subsequent to the certification specified in sub-*
17 *section (a), the Comptroller General of the United States*
18 *shall conduct an audit and an investigation of the treat-*
19 *ment, handling, and uses of all funds for the bilateral West*
20 *Bank and Gaza Program, including all funds provided as*
21 *cash transfer assistance, in fiscal year 2020 under the head-*
22 *ing “Economic Support Fund”, and such audit shall ad-*
23 *dress—*

24 (1) *the extent to which such Program complies*
25 *with the requirements of subsections (b) and (c); and*

1 (d) *REPORT.*—Whenever the waiver authority pursu-
2 ant to subsection (b) is exercised, the President shall submit
3 a report to the Committees on Appropriations detailing the
4 justification for the waiver, the purposes for which the funds
5 will be spent, and the accounting procedures in place to
6 ensure that the funds are properly disbursed: Provided,
7 That the report shall also detail the steps the Palestinian
8 Authority has taken to arrest terrorists, confiscate weapons
9 and dismantle the terrorist infrastructure.

10 (e) *CERTIFICATION.*—If the President exercises the
11 waiver authority under subsection (b), the Secretary of
12 State must certify and report to the Committees on Appro-
13 priations prior to the obligation of funds that the Pales-
14 tinian Authority has established a single treasury account
15 for all Palestinian Authority financing and all financing
16 mechanisms flow through this account, no parallel financ-
17 ing mechanisms exist outside of the Palestinian Authority
18 treasury account, and there is a single comprehensive civil
19 service roster and payroll, and the Palestinian Authority
20 is acting to counter incitement of violence against Israelis
21 and is supporting activities aimed at promoting peace, co-
22 existence, and security cooperation with Israel.

23 (f) *PROHIBITION TO HAMAS AND THE PALESTINE LIB-*
24 *ERATION ORGANIZATION.*—

1 (1) *None of the funds appropriated in titles III*
2 *through VI of this Act may be obligated for salaries*
3 *of personnel of the Palestinian Authority located in*
4 *Gaza or may be obligated or expended for assistance*
5 *to Hamas or any entity effectively controlled by*
6 *Hamas, any power-sharing government of which*
7 *Hamas is a member, or that results from an agree-*
8 *ment with Hamas and over which Hamas exercises*
9 *undue influence.*

10 (2) *Notwithstanding the limitation of paragraph*
11 *(1), assistance may be provided to a power-sharing*
12 *government only if the President certifies and reports*
13 *to the Committees on Appropriations that such gov-*
14 *ernment, including all of its ministers or such equiva-*
15 *lent, has publicly accepted and is complying with the*
16 *principles contained in section 620K(b)(1) (A) and*
17 *(B) of the Foreign Assistance Act of 1961, as amend-*
18 *ed.*

19 (3) *The President may exercise the authority in*
20 *section 620K(e) of the Foreign Assistance Act of 1961,*
21 *as added by the Palestinian Anti-Terrorism Act of*
22 *2006 (Public Law 109–446) with respect to this sub-*
23 *section.*

24 (4) *Whenever the certification pursuant to para-*
25 *graph (2) is exercised, the Secretary of State shall*

1 submit a report to the Committees on Appropriations
2 within 120 days of the certification and every quarter
3 thereafter on whether such government, including all
4 of its ministers or such equivalent are continuing to
5 comply with the principles contained in section
6 620K(b)(1) (A) and (B) of the Foreign Assistance Act
7 of 1961, as amended: Provided, That the report shall
8 also detail the amount, purposes and delivery mecha-
9 nisms for any assistance provided pursuant to the
10 abovementioned certification and a full accounting of
11 any direct support of such government.

12 (5) None of the funds appropriated under titles
13 III through VI of this Act may be obligated for assist-
14 ance for the Palestine Liberation Organization.

15 MIDDLE EAST AND NORTH AFRICA

16 SEC. 7041. (a) EGYPT.—

17 (1) CERTIFICATION AND REPORT.—Funds appro-
18 priated by this Act that are available for assistance
19 for Egypt may be made available notwithstanding
20 any other provision of law restricting assistance for
21 Egypt, except for this subsection and section 620M of
22 the Foreign Assistance Act of 1961, and may only be
23 made available for assistance for the Government of
24 Egypt if the Secretary of State certifies and reports

1 *to the Committees on Appropriations that such gov-*
2 *ernment is—*

3 *(A) sustaining the strategic relationship*
4 *with the United States; and*

5 *(B) meeting its obligations under the 1979*
6 *Egypt-Israel Peace Treaty.*

7 *(2) ECONOMIC SUPPORT FUND.—Of the funds*
8 *appropriated by this Act under the heading “Eco-*
9 *nomie Support Fund”, not less than \$125,000,000*
10 *shall be made available for assistance for Egypt, of*
11 *which not less than \$40,000,000 should be made*
12 *available for higher education programs, including*
13 *not less than \$15,000,000 for scholarships for Eryp-*
14 *tian students with high financial need to attend not-*
15 *for-profit institutions of higher education in Egypt*
16 *that are currently accredited by a regional accred-*
17 *iting agency recognized by the United States Depart-*
18 *ment of Education, or meets standards equivalent to*
19 *those required for United States institutional accredi-*
20 *tation by a regional accrediting agency recognized by*
21 *such Department: Provided, That such funds shall be*
22 *made available for democracy programs, and for de-*
23 *velopment programs in the Sinai: Provided further,*
24 *That such funds may not be made available for cash*
25 *transfer assistance or budget support unless the Sec-*

1 *retary of State certifies and reports to the appro-*
2 *prate congressional committees that the Government*
3 *of Egypt is taking consistent and effective steps to*
4 *stabilize the economy and implement market-based*
5 *economic reforms.*

6 (3) *FOREIGN MILITARY FINANCING PROGRAM.—*

7 (A) *Of the funds appropriated by this Act under the*
8 *heading “Foreign Military Financing Program”,*
9 *\$1,300,000,000, to remain available until September*
10 *30, 2021, should be made available for assistance for*
11 *Egypt: Provided, That such funds may be transferred*
12 *to an interest bearing account in the Federal Reserve*
13 *Bank of New York, following consultation with the*
14 *Committees on Appropriations, and the uses of any*
15 *interest earned on such funds shall be subject to the*
16 *regular notification procedures of the Committees on*
17 *Appropriations: Provided further, That \$300,000,000*
18 *of such funds shall be withheld from obligation until*
19 *the Secretary of State certifies and reports to the*
20 *Committees on Appropriations that the Government*
21 *of Egypt is taking sustained and effective steps to—*

22 (i) *strengthen the rule of law, democratic*
23 *institutions, and human rights in Egypt, includ-*
24 *ing to protect religious minorities and the rights*
25 *of women, which are in addition to steps taken*

1 *during the previous calendar year for such pur-*
2 *poses;*

3 *(ii) implement reforms that protect free-*
4 *doms of expression, association, and peaceful as-*
5 *sembly, including the ability of civil society or-*
6 *ganizations, human rights defenders, and the*
7 *media to function without interference;*

8 *(iii) release political prisoners and provide*
9 *detainees with due process of law;*

10 *(iv) hold Egyptian security forces account-*
11 *able, including officers credibly alleged to have*
12 *violated human rights;*

13 *(v) investigate and prosecute cases of*
14 *extrajudicial killings and forced disappearances;*
15 *and*

16 *(vi) provide regular access for United States*
17 *officials to monitor such assistance in areas*
18 *where the assistance is used:*

19 *Provided further, That the certification requirement*
20 *of this paragraph shall not apply to funds appro-*
21 *priated by this Act under such heading for counterter-*
22 *rorism, border security, and nonproliferation pro-*
23 *grams for Egypt.*

24 *(B) The Secretary of State may waive the certifi-*
25 *cation requirement in subparagraph (A) if the Sec-*

1 *retary determines and reports to the Committees on*
2 *Appropriations that to do so is important to the na-*
3 *tional security interest of the United States, and sub-*
4 *mits a report to such Committees containing a de-*
5 *tailed justification for the use of such waiver and the*
6 *reasons why any of the requirements of subparagraph*
7 *(A) cannot be met: Provided, That the report required*
8 *by this paragraph shall be submitted in unclassified*
9 *form, but may be accompanied by a classified annex.*

10 (4) *REPORT.*—*Not later than 30 days after en-*
11 *actment of this Act, and every 60 days thereafter, the*
12 *Secretary of State shall submit a report to the appro-*
13 *priate congressional committees describing and assess-*
14 *ing the actions taken by the Government of Egypt*
15 *during the previous 60 days to fairly compensate*
16 *April Corley for injuries and losses sustained as a re-*
17 *sult of the attack on her tour group by the Egyptian*
18 *military on September 13, 2015, and progress in re-*
19 *solving her case: Provided, That if the Secretary re-*
20 *ports that no progress has been made in the previous*
21 *60 days, the report shall include the reasons for the*
22 *lack of progress.*

23 (b) *IRAN.*—

24 (1) *FUNDING.*—*Funds appropriated by this Act*
25 *under the headings “Diplomatic Programs”, “Eco-*

1 *conomic Support Fund*”, and “*Nonproliferation, Anti-*
2 *terrorism, Demining and Related Programs*” shall be
3 *made available for the programs and activities de-*
4 *scribed under this section in House Report 116–78.*

5 (2) *REPORTS.*—

6 (A) *SEMI-ANNUAL REPORT.*—*The Secretary*
7 *of State shall submit to the Committees on Ap-*
8 *propriations the semi-annual report required by*
9 *section 135(d)(4) of the Atomic Energy Act of*
10 *1954 (42 U.S.C. 2160e(d)(4)), as added by sec-*
11 *tion 2 of the Iran Nuclear Agreement Review Act*
12 *of 2015 (Public Law 114–17).*

13 (B) *SANCTIONS REPORT.*—*Not later than*
14 *180 days after the date of enactment of this Act,*
15 *the Secretary of State, in consultation with the*
16 *Secretary of the Treasury, shall submit to the*
17 *appropriate congressional committees a report*
18 *on—*

19 (i) *the status of United States bilateral*
20 *sanctions on Iran;*

21 (ii) *the reimposition and renewed en-*
22 *forcement of secondary sanctions; and*

23 (iii) *the impact such sanctions have*
24 *had on Iran’s destabilizing activities*
25 *throughout the Middle East.*

1 (c) *IRAQ.*—

2 (1) *PURPOSES.*—*Funds appropriated under ti-*
3 *ties III and IV of this Act shall be made available for*
4 *assistance for Iraq for—*

5 (A) *bilateral economic assistance and inter-*
6 *national security assistance, including in the*
7 *Kurdistan Region of Iraq and for the Marla*
8 *Ruzicka Iraqi War Victims Fund;*

9 (B) *stabilization assistance, including in*
10 *Anbar Province;*

11 (C) *humanitarian assistance, including in*
12 *the Kurdistan Region of Iraq; and*

13 (D) *programs to protect and assist religious*
14 *and ethnic minority populations in Iraq, includ-*
15 *ing as described under this section in the explan-*
16 *atory statement described in section 4 (in the*
17 *matter preceding division A of this consolidated*
18 *Act).*

19 (2) *UNITED STATES CONSULATE GENERAL*
20 *BASRAH.*—*Any change in the status of operations at*
21 *United States Consulate General Basrah, including*
22 *the return of Consulate property located adjacent to*
23 *the Basrah International Airport to the Government*
24 *of Iraq, shall be subject to prior consultation with the*
25 *appropriate congressional committees and the regular*

1 *notification procedures of the Committees on Appro-*
2 *priations.*

3 (3) *BASING RIGHTS AGREEMENT.*—None of the
4 *funds appropriated or otherwise made available by*
5 *this Act may be used by the Government of the United*
6 *States to enter into a permanent basing rights agree-*
7 *ment between the United States and Iraq.*

8 (d) *JORDAN.*—

9 (1) *ASSISTANCE APPROPRIATED BY THIS ACT.*—
10 *Of the funds appropriated by this Act under titles III*
11 *and IV, not less than \$1,525,000,000 shall be made*
12 *available for assistance for Jordan, of which: not less*
13 *than \$1,082,400,000 shall be made available under*
14 *the heading “Economic Support Fund”, of which not*
15 *less than \$745,100,000 shall be made available for*
16 *budget support for the Government of Jordan; and*
17 *not less than \$425,000,000 shall be made available*
18 *under the heading “Foreign Military Financing Pro-*
19 *gram”.*

20 (2) *ASSISTANCE APPROPRIATED BY PRIOR*
21 *ACTS.*—*Of the funds appropriated under the heading*
22 *“Economic Support Fund” in prior Acts making ap-*
23 *propriations for the Department of State, foreign op-*
24 *erations, and related programs, not less than*
25 *\$125,000,000 shall be made available for assistance*

1 for Jordan, of which \$100,000,000 shall be made
2 available for budget support for the Government of
3 Jordan and \$25,000,000 shall be made available for
4 programs to increase electricity transmission to
5 neighboring countries, including Iraq: Provided, That
6 such funds are in addition to amounts otherwise
7 made available for such purposes.

8 (e) *LEBANON*.—

9 (1) *ASSISTANCE*.—Funds appropriated under ti-
10 tles III and IV of this Act shall be made available for
11 assistance for Lebanon: Provided, That such funds
12 made available under the heading “Economic Sup-
13 port Fund” may be made available notwithstanding
14 section 1224 of the Foreign Relations Authorization
15 Act, Fiscal Year 2003 (Public Law 107–228; 22
16 U.S.C. 2346 note).

17 (2) *SECURITY ASSISTANCE*.—

18 (A) Funds appropriated by this Act under
19 the headings “International Narcotics Control
20 and Law Enforcement” and “Foreign Military
21 Financing Program” that are made available for
22 assistance for Lebanon may be made available
23 for programs and equipment for the Lebanese In-
24 ternal Security Forces (ISF) and the Lebanese
25 Armed Forces (LAF) to address security and sta-

1 *bility requirements in areas affected by conflict*
2 *in Syria, following consultation with the appro-*
3 *priate congressional committees.*

4 *(B) Funds appropriated by this Act under*
5 *the heading “Foreign Military Financing Pro-*
6 *gram” that are made available for assistance for*
7 *Lebanon may only be made available for pro-*
8 *grams to—*

9 *(i) professionalize the LAF to mitigate*
10 *internal and external threats from non-state*
11 *actors, including Hizballah;*

12 *(ii) strengthen border security and*
13 *combat terrorism, including training and*
14 *equipping the LAF to secure the borders of*
15 *Lebanon and address security and stability*
16 *requirements in areas affected by conflict in*
17 *Syria, interdicting arms shipments, and*
18 *preventing the use of Lebanon as a safe*
19 *haven for terrorist groups; and*

20 *(iii) implement United Nations Secu-*
21 *rity Council Resolution 1701:*

22 *Provided, That prior to obligating funds made*
23 *available by this subparagraph for assistance for*
24 *the LAF, the Secretary of State shall submit to*
25 *the Committees on Appropriations a spend plan,*

1 *including actions to be taken to ensure equip-*
2 *ment provided to the LAF is used only for the*
3 *intended purposes, except such plan may not be*
4 *considered as meeting the notification require-*
5 *ments under section 7015 of this Act or under*
6 *section 634A of the Foreign Assistance Act of*
7 *1961, and shall be submitted not later than Sep-*
8 *tember 1, 2020: Provided further, That any noti-*
9 *fication submitted pursuant to such section shall*
10 *include any funds specifically intended for lethal*
11 *military equipment.*

12 (3) *LIMITATION.*—*None of the funds appro-*
13 *priated by this Act may be made available for the*
14 *ISF or the LAF if the ISF or the LAF is controlled*
15 *by a foreign terrorist organization, as designated pur-*
16 *suant to section 219 of the Immigration and Nation-*
17 *ality Act (8 U.S.C. 1189).*

18 (f) *LIBYA.*—

19 (1) *ASSISTANCE.*—*Funds appropriated under ti-*
20 *ties III and IV of this Act shall be made available for*
21 *stabilization assistance for Libya, including support*
22 *for a United Nations-facilitated political process and*
23 *border security: Provided, That the limitation on the*
24 *uses of funds for certain infrastructure projects in sec-*
25 *tion 7041(f)(2) of the Department of State, Foreign*

1 *Operations, and Related Programs Appropriations*
2 *Act, 2014 (division K of Public Law 113–76) shall*
3 *apply to such funds.*

4 (2) *CERTIFICATION.—Prior to the initial obliga-*
5 *tion of funds made available by this Act for assistance*
6 *for Libya, the Secretary of State shall certify and re-*
7 *port to the Committees on Appropriations that all*
8 *practicable steps have been taken to ensure that mech-*
9 *anisms are in place for monitoring, oversight, and*
10 *control of such funds.*

11 (g) *MOROCCO.—*

12 (1) *AVAILABILITY AND CONSULTATION REQUIRE-*
13 *MENT.—Funds appropriated under title III of this*
14 *Act shall be made available for assistance for the*
15 *Western Sahara: Provided, That not later than 90*
16 *days after enactment of this Act and prior to the obli-*
17 *gation of such funds, the Secretary of State, in con-*
18 *sultation with the Administrator of the United States*
19 *Agency for International Development, shall consult*
20 *with the Committees on Appropriations on the pro-*
21 *posed uses of such funds.*

22 (2) *FOREIGN MILITARY FINANCING PROGRAM.—*
23 *Funds appropriated by this Act under the heading*
24 *“Foreign Military Financing Program” that are*
25 *available for assistance for Morocco may only be used*

1 *for the purposes requested in the Congressional Budget*
2 *et Justification, Foreign Operations, Fiscal Year*
3 *2017.*

4 *(h) SAUDI ARABIA.—*

5 *(1) INTERNATIONAL MILITARY EDUCATION AND*
6 *TRAINING.—None of the funds appropriated by this*
7 *Act under the heading “International Military Edu-*
8 *cation and Training” may be made available for as-*
9 *sistance for the Government of Saudi Arabia.*

10 *(2) EXPORT-IMPORT BANK.—None of the funds*
11 *appropriated or otherwise made available by this Act*
12 *and prior Acts making appropriations for the De-*
13 *partment of State, foreign operations, and related*
14 *programs should be obligated or expended by the Ex-*
15 *port-Import Bank of the United States to guarantee,*
16 *insure, or extend (or participate in the extension of)*
17 *credit in connection with the export of nuclear tech-*
18 *nology, equipment, fuel, materials, or other nuclear*
19 *technology-related goods or services to Saudi Arabia*
20 *unless the Government of Saudi Arabia—*

21 *(A) has in effect a nuclear cooperation*
22 *agreement pursuant to section 123 of the Atomic*
23 *Energy Act of 1954 (42 U.S.C. 2153);*

1 (B) has committed to renounce uranium en-
2 richment and reprocessing on its territory under
3 that agreement; and

4 (C) has signed and implemented an Addi-
5 tional Protocol to its Comprehensive Safeguards
6 Agreement with the International Atomic Energy
7 Agency.

8 (i) SYRIA.—

9 (1) NON-LETHAL ASSISTANCE.—Of the funds ap-
10 propriated by this Act under the headings “Economic
11 Support Fund”, “International Narcotics Control and
12 Law Enforcement”, and “Peacekeeping Operations”,
13 not less than \$40,000,000 shall be made available,
14 notwithstanding any other provision of law, for non-
15 lethal stabilization assistance for Syria, of which not
16 less than \$7,000,000 shall be made available for emer-
17 gency medical and rescue response and chemical
18 weapons use investigations.

19 (2) LIMITATIONS.—Funds made available pursu-
20 ant to paragraph (1) of this subsection—

21 (A) may not be made available for a project
22 or activity that supports or otherwise legitimizes
23 the Government of Iran, foreign terrorist organi-
24 zations (as designated pursuant to section 219 of

1 *the Immigration and Nationality Act (8 U.S.C.*
2 *1189)), or a proxy of Iran in Syria;*

3 *(B) may not be made available for activities*
4 *that further the strategic objectives of the Govern-*
5 *ment of the Russian Federation that the Sec-*
6 *retary of State determines may threaten or un-*
7 *dermine United States national security inter-*
8 *ests; and*

9 *(C) should not be used in areas of Syria*
10 *controlled by a government led by Bashar al-*
11 *Assad or associated forces.*

12 (3) *MONITORING AND OVERSIGHT.*—*Prior to the*
13 *obligation of any funds appropriated by this Act and*
14 *made available for assistance for Syria, the Secretary*
15 *of State shall take all practicable steps to ensure that*
16 *mechanisms are in place for monitoring, oversight,*
17 *and control of such assistance inside Syria.*

18 (4) *CONSULTATION AND NOTIFICATION.*—*Funds*
19 *made available pursuant to this subsection may only*
20 *be made available following consultation with the ap-*
21 *propriate congressional committees, and shall be sub-*
22 *ject to the regular notification procedures of the Com-*
23 *mittees on Appropriations.*

24 (j) *TUNISIA.*—

1 (1) *ASSISTANCE APPROPRIATED BY THIS ACT.*—
2 *Of the funds appropriated under titles III and IV of*
3 *this Act, not less than \$191,400,000 shall be made*
4 *available for assistance for Tunisia.*

5 (2) *ASSISTANCE APPROPRIATED BY PRIOR*
6 *ACTS.*—*Of the funds appropriated under the heading*
7 *“Economic Support Fund” in prior Acts making ap-*
8 *propriations for the Department of State, foreign op-*
9 *erations, and related programs, not less than*
10 *\$50,000,000 shall be made available for assistance for*
11 *Tunisia: Provided, That such funds are in addition*
12 *to amounts otherwise made available for such pur-*
13 *poses.*

14 (k) *WEST BANK AND GAZA.*—

15 (1) *REPORT ON ASSISTANCE.*—*Prior to the ini-*
16 *tial obligation of funds made available by this Act*
17 *under the heading “Economic Support Fund” for as-*
18 *sistance for the West Bank and Gaza, the Secretary*
19 *of State shall report to the Committees on Appropria-*
20 *tions that the purpose of such assistance is to—*

21 (A) *advance Middle East peace;*

22 (B) *improve security in the region;*

23 (C) *continue support for transparent and*
24 *accountable government institutions;*

25 (D) *promote a private sector economy; or*

1 (E) address urgent humanitarian needs.

2 (2) LIMITATIONS.—

3 (A)(i) None of the funds appropriated under
4 the heading “Economic Support Fund” in this
5 Act may be made available for assistance for the
6 Palestinian Authority, if after the date of enact-
7 ment of this Act—

8 (I) the Palestinians obtain the same
9 standing as member states or full member-
10 ship as a state in the United Nations or
11 any specialized agency thereof outside an
12 agreement negotiated between Israel and the
13 Palestinians; or

14 (II) the Palestinians initiate an Inter-
15 national Criminal Court (ICC) judicially
16 authorized investigation, or actively support
17 such an investigation, that subjects Israeli
18 nationals to an investigation for alleged
19 crimes against Palestinians.

20 (i) The Secretary of State may waive the
21 restriction in clause (i) of this subparagraph re-
22 sulting from the application of subclause (I) of
23 such clause if the Secretary certifies to the Com-
24 mittees on Appropriations that to do so is in the
25 national security interest of the United States,

1 *and submits a report to such Committees detail-*
2 *ing how the waiver and the continuation of as-*
3 *istance would assist in furthering Middle East*
4 *peace.*

5 *(B)(i) The President may waive the provi-*
6 *sions of section 1003 of the Foreign Relations*
7 *Authorization Act, Fiscal Years 1988 and 1989*
8 *(Public Law 100–204) if the President deter-*
9 *mines and certifies in writing to the Speaker of*
10 *the House of Representatives, the President pro*
11 *tempore of the Senate, and the appropriate con-*
12 *gressional committees that the Palestinians have*
13 *not, after the date of enactment of this Act—*

14 *(I) obtained in the United Nations or*
15 *any specialized agency thereof the same*
16 *standing as member states or full member-*
17 *ship as a state outside an agreement nego-*
18 *tiated between Israel and the Palestinians;*
19 *and*

20 *(II) initiated or actively supported an*
21 *ICC investigation against Israeli nationals*
22 *for alleged crimes against Palestinians.*

23 *(ii) Not less than 90 days after the Presi-*
24 *dent is unable to make the certification pursuant*
25 *to clause (i) of this subparagraph, the President*

1 *may waive section 1003 of Public Law 100–204*
2 *if the President determines and certifies in writ-*
3 *ing to the Speaker of the House of Representa-*
4 *tives, the President pro tempore of the Senate,*
5 *and the Committees on Appropriations that the*
6 *Palestinians have entered into direct and mean-*
7 *ingful negotiations with Israel: Provided, That*
8 *any waiver of the provisions of section 1003 of*
9 *Public Law 100–204 under clause (i) of this sub-*
10 *paragraph or under previous provisions of law*
11 *must expire before the waiver under the pre-*
12 *ceding sentence may be exercised.*

13 *(iii) Any waiver pursuant to this subpara-*
14 *graph shall be effective for no more than a period*
15 *of 6 months at a time and shall not apply be-*
16 *yond 12 months after the enactment of this Act.*

17 (3) *REDUCTION.*—*The Secretary of State shall*
18 *reduce the amount of assistance made available by*
19 *this Act under the heading “Economic Support*
20 *Fund” for the Palestinian Authority by an amount*
21 *the Secretary determines is equivalent to the amount*
22 *expended by the Palestinian Authority, the Palestine*
23 *Liberation Organization, and any successor or affili-*
24 *ated organizations with such entities as payments for*
25 *acts of terrorism by individuals who are imprisoned*

1 *after being fairly tried and convicted for acts of ter-*
2 *rorism and by individuals who died committing acts*
3 *of terrorism during the previous calendar year: Pro-*
4 *vided, That the Secretary shall report to the Commit-*
5 *tees on Appropriations on the amount reduced for fis-*
6 *cal year 2020 prior to the obligation of funds for the*
7 *Palestinian Authority.*

8 (4) *PRIVATE SECTOR PARTNERSHIP PRO-*
9 *GRAMS.—Funds appropriated by this Act and prior*
10 *Acts making appropriations for the Department of*
11 *State, foreign operations, and related programs may*
12 *be made available for private sector partnership pro-*
13 *grams for the West Bank and Gaza if such funds are*
14 *authorized: Provided, That funds made available pur-*
15 *suant to this paragraph shall be subject to prior con-*
16 *sultation with the appropriate congressional commit-*
17 *tees, and the regular notification procedures of the*
18 *Committees on Appropriations.*

19 (5) *SECURITY REPORT.—The reporting require-*
20 *ments in section 1404 of the Supplemental Appro-*
21 *priations Act, 2008 (Public Law 110–252) shall*
22 *apply to funds made available by this Act, including*
23 *a description of modifications, if any, to the security*
24 *strategy of the Palestinian Authority.*

1 (b) CAMEROON.—Funds appropriated under title IV
2 of this Act that are made available for assistance for the
3 armed forces of Cameroon, including the Rapid Interven-
4 tion Battalion, may only be made available to counter re-
5 gional terrorism, including Boko Haram and other Islamic
6 State affiliates, participate in international peacekeeping
7 operations, and for military education and maritime secu-
8 rity programs.

9 (c) CENTRAL AFRICAN REPUBLIC.—Of the funds ap-
10 propriated by this Act under the heading “Economic Sup-
11 port Fund”, not less than \$3,000,000 shall be made avail-
12 able for a contribution to the Special Criminal Court in
13 Central African Republic.

14 (d) DEMOCRATIC REPUBLIC OF THE CONGO.—Funds
15 appropriated by this Act under titles III and IV shall be
16 made available for assistance for the Democratic Republic
17 of the Congo for stabilization, global health, and bilateral
18 economic assistance, including in areas affected by, and at
19 risk from, the Ebola virus disease.

20 (e) LAKE CHAD BASIN COUNTRIES.—Funds appro-
21 priated under titles III and IV of this Act shall be made
22 available, following consultation with the Committees on
23 Appropriations, for assistance for Cameroon, Chad, Niger,
24 and Nigeria for—

1 (1) *democracy, development, and health pro-*
2 *grams;*

3 (2) *assistance for individuals targeted by foreign*
4 *terrorist and other extremist organizations, including*
5 *Boko Haram, consistent with the provisions of section*
6 *7059 of this Act;*

7 (3) *assistance for individuals displaced by vio-*
8 *lent conflict; and*

9 (4) *counterterrorism programs.*

10 (f) *MALAWI.—Of the funds appropriated by this Act*
11 *under the heading “Development Assistance”, not less than*
12 *\$60,000,000 shall be made available for assistance for Ma-*
13 *lawi, of which up to \$10,000,000 shall be made available*
14 *for higher education programs.*

15 (g) *SAHEL STABILIZATION AND SECURITY.—Funds*
16 *appropriated under titles III and IV of this Act shall be*
17 *made available for stabilization, health, development, and*
18 *security programs in the countries of the Sahel region.*

19 (h) *SOUTH SUDAN.—*

20 (1) *ASSISTANCE.—Of the funds appropriated*
21 *under title III of this Act that are made available for*
22 *assistance for South Sudan, not less than \$15,000,000*
23 *shall be made available for democracy programs and*
24 *not less than \$8,000,000 shall be made available for*
25 *conflict mitigation and reconciliation programs.*

1 (2) *LIMITATION ON ASSISTANCE FOR THE CEN-*
2 *TRAL GOVERNMENT.—Funds appropriated by this Act*
3 *that are made available for assistance for the central*
4 *Government of South Sudan may only be made avail-*
5 *able, following consultation with the Committees on*
6 *Appropriations, for—*

7 (A) *humanitarian assistance;*

8 (B) *health programs, including to prevent,*
9 *detect, and respond to the Ebola virus disease;*

10 (C) *assistance to support South Sudan*
11 *peace negotiations or to advance or implement a*
12 *peace agreement; and*

13 (D) *assistance to support implementation of*
14 *outstanding issues of the Comprehensive Peace*
15 *Agreement and mutual arrangements related to*
16 *such agreement:*

17 *Provided, That prior to the initial obligation of funds made*
18 *available pursuant to subparagraphs (C) and (D), the Sec-*
19 *retary of State shall consult with the Committees on Appro-*
20 *priations on the intended uses of such funds and steps taken*
21 *by such government to advance or implement a peace agree-*
22 *ment.*

23 (i) *SUDAN.—*

24 (1) *LIMITATIONS ON ASSISTANCE AND LOANS.—*

25 (A) *Notwithstanding any other provision of law, none*

1 of the funds appropriated by this Act may be made
2 available for assistance for the Government of Sudan.

3 (B) None of the funds appropriated by this Act
4 may be made available for the cost, as defined in sec-
5 tion 502 of the Congressional Budget Act of 1974, of
6 modifying loans and loan guarantees held by the Gov-
7 ernment of Sudan, including the cost of selling, reduc-
8 ing, or canceling amounts owed to the United States,
9 and modifying concessional loans, guarantees, and
10 credit agreements.

11 (2) *EXCLUSIONS.*—The limitations of paragraph
12 (1) shall not apply to—

13 (A) humanitarian assistance;

14 (B) assistance for democracy, health, agri-
15 culture, economic growth, and education pro-
16 grams;

17 (C) assistance for the Darfur region, South-
18 ern Kordofan State, Blue Nile State, other
19 marginalized areas and populations in Sudan,
20 and Abyei; and

21 (D) assistance to support implementation of
22 outstanding issues of the Comprehensive Peace
23 Agreement, mutual arrangements related to post-
24 referendum issues associated with such Agree-

1 *ment, or any other viable peace agreement in*
2 *Sudan.*

3 (3) *CONSULTATION.—Funds appropriated by*
4 *this Act and prior Acts making appropriations for*
5 *the Department of State, foreign operations, and re-*
6 *lated programs that are made available for any new*
7 *program or activity in Sudan shall be subject to prior*
8 *consultation with the appropriate congressional com-*
9 *mittees.*

10 (j) *ZIMBABWE.—*

11 (1) *INSTRUCTION.—The Secretary of the Treas-*
12 *ury shall instruct the United States executive director*
13 *of each international financial institution to vote*
14 *against any extension by the respective institution of*
15 *any loan or grant to the Government of Zimbabwe,*
16 *except to meet basic human needs or to promote de-*
17 *mocracy, unless the Secretary of State certifies and*
18 *reports to the Committees on Appropriations that the*
19 *rule of law has been restored, including respect for*
20 *ownership and title to property, and freedoms of ex-*
21 *pression, association, and assembly.*

22 (2) *LIMITATION.—None of the funds appro-*
23 *priated by this Act shall be made available for assist-*
24 *ance for the central Government of Zimbabwe, except*

1 *for health and education, unless the Secretary of State*
2 *certifies and reports as required in paragraph (1).*

3 *EAST ASIA AND THE PACIFIC*

4 *SEC. 7043. (a) BURMA.—*

5 *(1) BILATERAL ECONOMIC ASSISTANCE.—(A) Of*
6 *the funds appropriated under title III of this Act, not*
7 *less than \$131,450,000 shall be made available for as-*
8 *stance for Burma: Provided, That such funds may*
9 *be made available notwithstanding any other provi-*
10 *sion of law and following consultation with the ap-*
11 *propriate congressional committees: Provided further,*
12 *That such funds shall be made available for programs*
13 *to promote ethnic and religious tolerance and to com-*
14 *bat gender-based violence, including in Kachin,*
15 *Karen, Rakhine, and Shan states: Provided further,*
16 *That such funds may be made available for ethnic*
17 *groups and civil society in Burma to help sustain*
18 *ceasefire agreements and further prospects for rec-*
19 *onciliation and peace, which may include support to*
20 *representatives of ethnic armed groups for this pur-*
21 *pose.*

22 *(B) Funds appropriated under title III of this*
23 *Act for assistance for Burma shall be made available*
24 *for community-based organizations operating in*
25 *Thailand to provide food, medical, and other humani-*

1 *tarian assistance to internally displaced persons in*
2 *eastern Burma, in addition to assistance for Burmese*
3 *refugees from funds appropriated by this Act under*
4 *the heading “Migration and Refugee Assistance”: Pro-*
5 *vided, That such funds may be available for programs*
6 *to support the return of Kachin, Karen, Rohingya,*
7 *Shan, and other refugees and internally displaced*
8 *persons to their locations of origin or preference in*
9 *Burma only if such returns are voluntary and con-*
10 *sistent with international law.*

11 *(C) Funds appropriated under title III of this*
12 *Act for assistance for Burma that are made available*
13 *for assistance for the Government of Burma to sup-*
14 *port the implementation of Nationwide Ceasefire*
15 *Agreement conferences, committees, and other proce-*
16 *dures may only be made available if the Secretary of*
17 *State reports to the Committees on Appropriations*
18 *that such conferences, committees, and procedures are*
19 *directed toward a sustainable peace and the Govern-*
20 *ment of Burma is implementing its commitments*
21 *under such Agreement.*

22 *(2) INTERNATIONAL SECURITY ASSISTANCE.—*
23 *None of the funds appropriated by this Act under the*
24 *headings “International Military Education and*
25 *Training” and “Foreign Military Financing Pro-*

1 *gram” may be made available for assistance for*
2 *Burma: Provided, That the Department of State may*
3 *continue consultations with the armed forces of*
4 *Burma only on human rights and disaster response*
5 *in a manner consistent with the prior fiscal year, and*
6 *following consultation with the appropriate congress-*
7 *sional committees.*

8 (3) *LIMITATIONS.—None of the funds appro-*
9 *priated under title III of this Act for assistance for*
10 *Burma may be made available to any organization or*
11 *entity controlled by the armed forces of Burma, or to*
12 *any individual or organization that advocates vio-*
13 *lence against ethnic or religious groups or individuals*
14 *in Burma, as determined by the Secretary of State*
15 *for programs administered by the Department of*
16 *State and USAID or the President of the National*
17 *Endowment for Democracy (NED) for programs ad-*
18 *ministered by NED.*

19 (4) *CONSULTATION.—Any new program or activ-*
20 *ity in Burma initiated in fiscal year 2020 shall be*
21 *subject to prior consultation with the appropriate*
22 *congressional committees.*

23 (b) *CAMBODIA.—*

1 (1) *ASSISTANCE.*—*Of the funds appropriated*
2 *under title III of this Act, not less than \$82,505,000*
3 *shall be made available for assistance for Cambodia.*

4 (2) *CERTIFICATION AND EXCEPTIONS.*—

5 (A) *CERTIFICATION.*—*None of the funds ap-*
6 *propriated by this Act that are made available*
7 *for assistance for the Government of Cambodia*
8 *may be obligated or expended unless the Sec-*
9 *retary of State certifies and reports to the Com-*
10 *mittees on Appropriations that such Government*
11 *is taking effective steps to—*

12 (i) *strengthen regional security and*
13 *stability, particularly regarding territorial*
14 *disputes in the South China Sea and the*
15 *enforcement of international sanctions with*
16 *respect to North Korea;*

17 (ii) *assert its sovereignty against inter-*
18 *ference by the People's Republic of China,*
19 *including by verifiably maintaining the*
20 *neutrality of Ream Naval Base, other mili-*
21 *tary installations in Cambodia, and dual*
22 *use facilities such as the Dara Sakor devel-*
23 *opment project; and*

24 (iii) *respect the rights, freedoms, and*
25 *responsibilities enshrined in the Constitu-*

1 *tion of the Kingdom of Cambodia as en-*
2 *acted in 1993.*

3 (B) *EXCEPTIONS.—The certification re-*
4 *quired by subparagraph (A) shall not apply to*
5 *funds appropriated by this Act and made avail-*
6 *able for democracy, health, education, and envi-*
7 *ronment programs, programs to strengthen the*
8 *sovereignty of Cambodia, and programs to edu-*
9 *cate and inform the people of Cambodia of the*
10 *influence efforts of the People’s Republic of China*
11 *in Cambodia.*

12 (3) *USES OF FUNDS.—Funds appropriated*
13 *under title III of this Act for assistance for Cambodia*
14 *shall be made available for—*

15 (A) *research and education programs asso-*
16 *ciated with the Khmer Rouge in Cambodia; and*

17 (B) *programs in the Khmer language to*
18 *monitor, map, and publicize the efforts by the*
19 *People’s Republic of China to expand its influ-*
20 *ence in Cambodia, including in Sihanoukville,*
21 *Bavet, Poipet, Koh Kong, and areas bordering*
22 *Vietnam.*

23 (c) *INDO-PACIFIC STRATEGY AND THE ASIA REASSUR-*
24 *ANCE INITIATIVE ACT OF 2018.—*

1 (1) *ASSISTANCE.*—*Of the funds appropriated*
2 *under titles III and IV of this Act, not less than*
3 *\$1,482,000,000 shall be made available to support the*
4 *implementation of the Indo-Pacific Strategy and the*
5 *Asia Reassurance Initiative Act of 2018 (Public Law*
6 *115–409).*

7 (2) *COUNTERING CHINESE INFLUENCE FUND.*—
8 *Of the funds appropriated by this Act under the head-*
9 *ings “Development Assistance”, “Economic Support*
10 *Fund”, “International Narcotics Control and Law*
11 *Enforcement”, “Nonproliferation, Anti-terrorism,*
12 *Demining and Related Programs”, and “Foreign*
13 *Military Financing Program”, not less than*
14 *\$300,000,000 shall be made available for a Coun-*
15 *tering Chinese Influence Fund to counter the influ-*
16 *ence of the People’s Republic of China globally, which*
17 *shall be subject to prior consultation with the Com-*
18 *mittees on Appropriations: Provided, That such funds*
19 *are in addition to amounts otherwise made available*
20 *for such purposes: Provided further, That such funds*
21 *appropriated under such headings may be transferred*
22 *to, and merged with, funds appropriated under such*
23 *headings: Provided further, That such transfer au-*
24 *thority is in addition to any other transfer authority*
25 *provided by this Act or any other Act, and is subject*

1 to the regular notification procedures of the Commit-
2 tees on Appropriations.

3 (3) *RESTRICTION ON USES OF FUNDS.*—None of
4 the funds appropriated by this Act and prior Acts
5 making appropriations for the Department of State,
6 foreign operations, and related programs may be
7 made available for any project or activity that di-
8 rectly supports or promotes—

9 (A) the Belt and Road Initiative or any
10 dual-use infrastructure projects of the People’s
11 Republic of China; and

12 (B) the use of technology, including bio-
13 technology, digital, telecommunications, and
14 cyber, developed by the People’s Republic of
15 China unless the Secretary of State, in consulta-
16 tion with the USAID Administrator and the
17 Chief Executive Officer of the United States
18 International Development Finance Corporation,
19 as appropriate, determines that such use does not
20 adversely impact the national security of the
21 United States.

22 (d) *LAOS.*—Of the funds appropriated under title III
23 of this Act, not less than \$34,280,000 shall be made avail-
24 able for assistance for Laos.

25 (e) *NORTH KOREA.*—

1 (1) *CYBERSECURITY.*—None of the funds appro-
2 priated by this Act or prior Acts making appropria-
3 tions for the Department of State, foreign operations,
4 and related programs may be made available for as-
5 sistance for the central government of a country the
6 Secretary of State determines and reports to the ap-
7 propriate congressional committees engages in signifi-
8 cant transactions contributing materially to the mali-
9 cious cyber-intrusion capabilities of the Government
10 of North Korea: Provided, That the Secretary of State
11 shall submit the report required by section 209 of the
12 North Korea Sanctions and Policy Enhancement Act
13 of 2016 (Public Law 114–122; 22 U.S.C. 9229) to the
14 Committees on Appropriations: Provided further,
15 That the Secretary of State may waive the applica-
16 tion of the restriction in this paragraph with respect
17 to assistance for the central government of a country
18 if the Secretary determines and reports to the appro-
19 priate congressional committees that to do so is im-
20 portant to the national security interest of the United
21 States, including a description of such interest served.

22 (2) *BROADCASTS.*—Funds appropriated by this
23 Act under the heading “International Broadcasting
24 Operations” shall be made available to maintain

1 *broadcasting hours into North Korea at levels not less*
2 *than the prior fiscal year.*

3 (3) *HUMAN RIGHTS PROMOTION AND LIMITATION*
4 *ON USE OF FUNDS.—(A) Funds appropriated by this*
5 *Act under the headings “Economic Support Fund”*
6 *and “Democracy Fund” shall be made available for*
7 *the promotion of human rights in North Korea: Pro-*
8 *vided, That the authority of section 7032(b)(1) of this*
9 *Act shall apply to such funds.*

10 (B) *None of the funds made available by this Act*
11 *under the heading “Economic Support Fund” may be*
12 *made available for assistance for the Government of*
13 *North Korea.*

14 (f) *PEOPLE’S REPUBLIC OF CHINA.—*

15 (1) *LIMITATION ON USE OF FUNDS.—None of the*
16 *funds appropriated under the heading “Diplomatic*
17 *Programs” in this Act may be obligated or expended*
18 *for processing licenses for the export of satellites of*
19 *United States origin (including commercial satellites*
20 *and satellite components) to the People’s Republic of*
21 *China (PRC) unless, at least 15 days in advance, the*
22 *Committees on Appropriations are notified of such*
23 *proposed action.*

24 (2) *PEOPLE’S LIBERATION ARMY.—The terms*
25 *and requirements of section 620(h) of the Foreign As-*

1 *sistance Act of 1961 shall apply to foreign assistance*
2 *projects or activities of the People’s Liberation Army*
3 *(PLA) of the PRC, to include such projects or activi-*
4 *ties by any entity that is owned or controlled by, or*
5 *an affiliate of, the PLA: Provided, That none of the*
6 *funds appropriated or otherwise made available pur-*
7 *suant to this Act may be used to finance any grant,*
8 *contract, or cooperative agreement with the PLA, or*
9 *any entity that the Secretary of State has reason to*
10 *believe is owned or controlled by, or an affiliate of,*
11 *the PLA.*

12 (3) *UNITED STATES-CHINA FRIENDSHIP VOLUN-*
13 *TEER PROGRAM.—Not later than 90 days after enact-*
14 *ment of this Act and following consultation with the*
15 *heads of other relevant Federal agencies, the Director*
16 *of the Peace Corps shall submit a report to the appro-*
17 *priate congressional committees on the United States-*
18 *China Friendship Volunteer Program, including a de-*
19 *scription of program coordination, implementation,*
20 *and oversight, and the goals and objectives served:*
21 *Provided, That the Director shall also consult with*
22 *the Committees on Appropriations on such report.*

23 (4) *HONG KONG.—*

24 (A) *DEMOCRACY PROGRAMS.—Of the funds*
25 *appropriated by this Act under the heading “De-*

1 *mocracy Fund*” for the *Human Rights and De-*
2 *mocracy Fund of the Bureau of Democracy,*
3 *Human Rights, and Labor, Department of State,*
4 *not less than \$1,500,000 shall be made available*
5 *for democracy programs for Hong Kong, includ-*
6 *ing legal and other support for democracy activ-*
7 *ists.*

8 *(B) REPORT.—Funds appropriated under*
9 *title I of this Act shall be made available to pre-*
10 *pare and submit to Congress the report required*
11 *by section 301 of the United States-Hong Kong*
12 *Policy Act of 1992 (22 U.S.C. 5731), which shall*
13 *also include a description of—*

14 *(i) efforts by the Hong Kong authori-*
15 *ties and the Government of the People’s Re-*
16 *public of China to prevent free assembly*
17 *and communications by the people of Hong*
18 *Kong;*

19 *(ii) the technical surveillance equip-*
20 *ment and methods used by the Hong Kong*
21 *authorities and the Government of the Peo-*
22 *ple’s Republic of China to monitor the*
23 *movement and communications of the Hong*
24 *Kong population;*

1 (iii) the application of social and po-
2 litical control tools developed by the Govern-
3 ment of the People's Republic of China and
4 used by such Government and the Hong
5 Kong authorities in Hong Kong;

6 (iv) the disinformation and political
7 influence campaigns conducted by the Gov-
8 ernment of the People's Republic of China
9 in Hong Kong and overseas with respect to
10 the situation in Hong Kong; and

11 (v) the mission and activities of the
12 People's Armed Police, the People's Libera-
13 tion Army, the Ministries of Public Secu-
14 rity and State Security in Beijing, the Gov-
15 ernment of the People's Republic of China,
16 and other Chinese security forces in Hong
17 Kong, including their respective roles in
18 human rights abuses against the people of
19 Hong Kong.

20 (g) PHILIPPINES.—None of the funds appropriated by
21 this Act under the heading "International Narcotics Control
22 and Law Enforcement" may be made available for counter-
23 narcotics assistance for the Philippines, except for drug de-
24 mand reduction, maritime law enforcement, or
25 transnational interdiction.

1 (h) *TIBET.*—

2 (1) *FINANCING OF PROJECTS IN TIBET.*—*The*
3 *Secretary of the Treasury should instruct the United*
4 *States executive director of each international finan-*
5 *cial institution to use the voice and vote of the United*
6 *States to support financing of projects in Tibet if*
7 *such projects do not provide incentives for the migra-*
8 *tion and settlement of non-Tibetans into Tibet or fa-*
9 *facilitate the transfer of ownership of Tibetan land and*
10 *natural resources to non-Tibetans, are based on a*
11 *thorough needs-assessment, foster self-sufficiency of the*
12 *Tibetan people and respect Tibetan culture and tradi-*
13 *tions, and are subject to effective monitoring.*

14 (2) *PROGRAMS FOR TIBETAN COMMUNITIES.*—(A)
15 *Notwithstanding any other provision of law, of the*
16 *funds appropriated by this Act under the heading*
17 *“Economic Support Fund”, not less than \$8,000,000*
18 *shall be made available to nongovernmental organiza-*
19 *tions to support activities which preserve cultural tra-*
20 *ditions and promote sustainable development, edu-*
21 *cation, and environmental conservation in Tibetan*
22 *communities in the Tibet Autonomous Region and in*
23 *other Tibetan communities in China.*

24 (B) *Of the funds appropriated by this Act under*
25 *the heading “Economic Support Fund”, not less than*

1 \$6,000,000 shall be made available for programs to
2 promote and preserve Tibetan culture and language
3 in the refugee and diaspora Tibetan communities, de-
4 velopment, and the resilience of Tibetan communities
5 and the Central Tibetan Administration in India and
6 Nepal, and to assist in the education and development
7 of the next generation of Tibetan leaders from such
8 communities: Provided, That such funds are in addi-
9 tion to amounts made available in subparagraph (A)
10 for programs inside Tibet.

11 (C) Of the funds appropriated by this Act under
12 the heading “Economic Support Fund”, not less than
13 \$3,000,000 shall be made available for programs to
14 strengthen the capacity of the Central Tibetan Ad-
15 ministration: Provided, That such funds shall be ad-
16 ministered by the United States Agency for Inter-
17 national Development.

18 (i) VIETNAM.—Of the funds appropriated under titles
19 III and IV of this Act, not less than \$159,634,000 shall be
20 made available for assistance for Vietnam, of which not less
21 than—

22 (1) \$13,000,000 shall be made available for
23 health and disability programs in areas sprayed with
24 Agent Orange and contaminated with dioxin, to as-
25 sist individuals with severe upper or lower body mo-

1 *bility impairment or cognitive or developmental dis-*
2 *abilities;*

3 (2) \$20,000,000 shall be made available, notwith-
4 standing any other provision of law, for activities re-
5 lated to the remediation of dioxin contaminated sites
6 in Vietnam and may be made available for assistance
7 for the Government of Vietnam, including the mili-
8 tary, for such purposes; and

9 (3) \$1,500,000 shall be made available for a war
10 legacy reconciliation program.

11 SOUTH AND CENTRAL ASIA

12 SEC. 7044. (a) AFGHANISTAN.—

13 (1) FUNDING AND LIMITATIONS.—Funds appro-
14 priated by this Act under the headings “Economic
15 Support Fund” and “International Narcotics Control
16 and Law Enforcement” that are made available for
17 assistance for Afghanistan—

18 (A) shall be made available to implement
19 the South Asia Strategy, the Revised Strategy for
20 United States Engagement in Afghanistan, and
21 the United States Agency for International De-
22 velopment Country Development Cooperation
23 Strategy for Afghanistan;

24 (B) shall be made available to continue sup-
25 port for institutions of higher education in

1 *Kabul, Afghanistan that are accessible to both*
2 *women and men in a coeducational environ-*
3 *ment, including for the costs for operations and*
4 *security for such institutions;*

5 *(C) shall be made available for programs*
6 *that protect and strengthen the rights of Afghan*
7 *women and girls and promote the political and*
8 *economic empowerment of women including their*
9 *meaningful inclusion in political processes: Pro-*
10 *vided, That such assistance to promote the eco-*
11 *nomie empowerment of women shall be made*
12 *available as grants to Afghan organizations, to*
13 *the maximum extent practicable; and*

14 *(D) may not be made available for any pro-*
15 *gram, project, or activity pursuant to section*
16 *7044(a)(1)(C) of the Department of State, For-*
17 *ign Operations, and Related Programs Appro-*
18 *priations Act, 2019 (division F of Public Law*
19 *116–6).*

20 *(2) AFGHAN WOMEN.—*

21 *(A) IN GENERAL.—The Secretary of State*
22 *shall promote the meaningful participation of*
23 *Afghan women in ongoing peace and reconcili-*
24 *ation processes in Afghanistan in a manner con-*
25 *sistent with the Women, Peace, and Security Act*

1 *of 2017 (Public Law 115–68), including advoca-*
2 *cacy for the inclusion of Afghan women leaders*
3 *in ongoing and future dialogue and negotiations*
4 *and efforts to ensure that any peace agreement*
5 *reached with the Taliban protects the rights of*
6 *women and girls and ensures their freedom of*
7 *movement, rights to education and work, and ac-*
8 *cess to healthcare and legal representation.*

9 *(B) ASSISTANCE.—Funds appropriated by*
10 *this Act and prior Acts making appropriations*
11 *for the Department of State, foreign operations,*
12 *and related programs under the heading “Eco-*
13 *nomics Support Fund” shall be made available*
14 *for an endowment pursuant to paragraph*
15 *(3)(A)(iv) of this subsection for an institution of*
16 *higher education in Kabul, Afghanistan that is*
17 *accessible to both women and men in a coeduca-*
18 *tional environment: Provided, That such endow-*
19 *ment shall be established in partnership with a*
20 *United States-based American higher education*
21 *institution that will serve on its board of trust-*
22 *ees: Provided further, That prior to the obliga-*
23 *tion of funds for such an endowment, the Admin-*
24 *istrator of the United States Agency for Inter-*
25 *national Development shall submit a report to*

1 *the Committees on Appropriations describing the*
2 *governance structure, including a proposed board*
3 *of trustees, and financial safeguards, including*
4 *regular audit and reporting requirements, in*
5 *any endowment agreement: Provided further,*
6 *That the USAID Administrator shall provide a*
7 *report on the expenditure of funds generated*
8 *from such an endowment to the Committees on*
9 *Appropriations on an annual basis.*

10 (3) *AUTHORITIES.*—

11 (A) *Funds appropriated by this Act under*
12 *titles III through VI that are made available for*
13 *assistance for Afghanistan may be made avail-*
14 *able—*

15 (i) *notwithstanding section 7012 of*
16 *this Act or any similar provision of law*
17 *and section 660 of the Foreign Assistance*
18 *Act of 1961;*

19 (ii) *for reconciliation programs and*
20 *disarmament, demobilization, and re-*
21 *integration activities for former combatants*
22 *who have renounced violence against the*
23 *Government of Afghanistan, including in*
24 *accordance with section 7046(a)(2)(B)(ii) of*
25 *the Department of State, Foreign Oper-*

1 *ations, and Related Programs Appropria-*
2 *tions Act, 2012 (division I of Public Law*
3 *112–74);*

4 *(iii) for an endowment to empower*
5 *women and girls; and*

6 *(iv) for an endowment for higher edu-*
7 *cation.*

8 *(B) Section 7046(a)(2)(A) of the Depart-*
9 *ment of State, Foreign Operations, and Related*
10 *Programs Appropriations Act, 2012 (division I*
11 *of Public Law 112–74) shall apply to funds ap-*
12 *propriated by this Act for assistance for Afghani-*
13 *stan.*

14 *(C) Of the funds appropriated by this Act*
15 *under the heading “Diplomatic Programs”, up*
16 *to \$3,000,000 may be transferred to any other*
17 *appropriation of any department or agency of*
18 *the United States Government, upon the concur-*
19 *rence of the head of such department or agency,*
20 *to support operations in, and assistance for, Af-*
21 *ghanistan and to carry out the provisions of the*
22 *Foreign Assistance Act of 1961: Provided, That*
23 *any such transfer shall be subject to the regular*
24 *notification procedures of the Committees on Ap-*
25 *propriations.*

1 (4) *AGREEMENT AND CERTIFICATION.*—*Funds*
2 *appropriated by this Act shall be made available for*
3 *the following purposes—*

4 (A) *the submission to the appropriate con-*
5 *gressional committees by the President of a copy*
6 *of any agreement or arrangement between the*
7 *Government of the United States and the*
8 *Taliban relating to the United States presence in*
9 *Afghanistan or Taliban commitments on the fu-*
10 *ture of Afghanistan, which shall be submitted not*
11 *later than 30 days after finalizing such an*
12 *agreement or arrangement; and*

13 (B) *the submission to the appropriate con-*
14 *gressional committees of a joint certification by*
15 *the Secretary of State and Secretary of Defense*
16 *that such agreement or arrangement will further*
17 *the objective of setting conditions for the long-*
18 *term defeat of al Qaeda and Islamic State and*
19 *will not make the United States more vulnerable*
20 *to terrorist attacks originating from Afghanistan*
21 *or supported by terrorist elements in Afghani-*
22 *stan.*

23 (5) *BASING RIGHTS AGREEMENT.*—*None of the*
24 *funds made available by this Act may be used by the*
25 *United States Government to enter into a permanent*

1 *basing rights agreement between the United States*
2 *and Afghanistan.*

3 (b) *BANGLADESH.—Of the funds appropriated under*
4 *titles III and IV of this Act, not less than \$198,323,000*
5 *shall be made available for assistance for Bangladesh, of*
6 *which—*

7 (1) *not less than \$23,500,000 shall be made*
8 *available to address the needs of communities im-*
9 *acted by refugees from Burma;*

10 (2) *not less than \$10,000,000 shall be made*
11 *available for programs to protect freedom of expres-*
12 *sion and due process of law; and*

13 (3) *not less than \$23,300,000 shall be made*
14 *available for democracy programs, of which not less*
15 *than \$2,000,000 shall be made available for such pro-*
16 *grams for the Rohingya community in Bangladesh.*

17 (c) *NEPAL.—*

18 (1) *ASSISTANCE.—Of the funds appropriated*
19 *under titles III and IV of this Act, not less than*
20 *\$130,265,000 shall be made available for assistance*
21 *for Nepal, including for earthquake recovery and re-*
22 *construction programs and democracy programs.*

23 (2) *FOREIGN MILITARY FINANCING PROGRAM.—*
24 *Funds appropriated by this Act under the heading*
25 *“Foreign Military Financing Program” shall only be*

1 *made available for humanitarian and disaster relief*
2 *and reconstruction activities in Nepal, and in sup-*
3 *port of international peacekeeping operations: Pro-*
4 *vided, That such funds may only be made available*
5 *for any additional uses if the Secretary of State cer-*
6 *tifies and reports to the Committees on Appropria-*
7 *tions that the Government of Nepal is investigating*
8 *and prosecuting violations of human rights and the*
9 *laws of war, and the Nepal Army is cooperating fully*
10 *with civilian judicial authorities in such cases.*

11 *(d) PAKISTAN.—*

12 *(1) TERMS AND CONDITIONS.—The terms and*
13 *conditions of section 7044(c) of the Department of*
14 *State, Foreign Operations, and Related Programs Ap-*
15 *propriations Act, 2019 (division F of Public Law*
16 *116–6) shall continue in effect during fiscal year*
17 *2020.*

18 *(2) ASSISTANCE.—Of the funds appropriated*
19 *under title III of this Act that are made available for*
20 *assistance for Pakistan, not less than \$15,000,000*
21 *shall be made available for democracy programs and*
22 *not less than \$10,000,000 shall be made available for*
23 *gender programs.*

24 *(e) SRI LANKA.—*

1 (1) *ASSISTANCE.*—*Funds appropriated under*
2 *title III of this Act shall be made available for assist-*
3 *ance for Sri Lanka for democracy and economic de-*
4 *velopment programs, particularly in areas recovering*
5 *from ethnic and religious conflict: Provided, That*
6 *such funds shall be made available for programs to*
7 *assist in the identification and resolution of cases of*
8 *missing persons.*

9 (2) *CERTIFICATION.*—*Funds appropriated by*
10 *this Act for assistance for the central Government of*
11 *Sri Lanka, except for funds made available for hu-*
12 *manitarian assistance, victims of trauma, and tech-*
13 *nical assistance to promote fiscal transparency and*
14 *sovereignty, may be made available only if the Sec-*
15 *retary of State certifies and reports to the Committees*
16 *on Appropriations that such Government is taking ef-*
17 *fective and consistent steps to—*

18 (A) *respect and uphold the rights and free-*
19 *doms of the people of Sri Lanka regardless of*
20 *ethnicity and religious belief, including by inves-*
21 *tigating violations of human rights and holding*
22 *perpetrators of such violations accountable;*

23 (B) *assert its sovereignty against inter-*
24 *ference by the People’s Republic of China; and*

1 (C) *promote reconciliation between ethnic*
2 *and religious groups arising from past conflict*
3 *in Sri Lanka, including by addressing land con-*
4 *fiscation and ownership issues, resolving cases of*
5 *missing persons, and reducing the presence of the*
6 *armed forces in former conflict zones.*

7 (3) *INTERNATIONAL SECURITY ASSISTANCE.—Of*
8 *the funds appropriated by this Act under the heading*
9 *“Foreign Military Financing Program”, not to exceed*
10 *\$500,000 may be made available for assistance for*
11 *Sri Lanka: Provided, That such funds may be made*
12 *available only for programs to support humanitarian*
13 *and disaster response preparedness and maritime se-*
14 *curity, including professionalization and training for*
15 *the navy and coast guard: Provided further, That*
16 *funds made available under the heading “Peace-*
17 *keeping Operations” may only be made available sub-*
18 *ject to the regular notification procedures of the Com-*
19 *mittees on Appropriations.*

20 (f) *REGIONAL PROGRAMS.—Funds appropriated by*
21 *this Act shall be made available for assistance for Afghani-*
22 *stan, Pakistan, and other countries in South and Central*
23 *Asia to significantly increase the recruitment, training,*
24 *and retention of women in the judiciary, police, and other*
25 *security forces, and to train judicial and security personnel*

1 *in such countries to prevent and address gender-based vio-*
2 *lence, human trafficking, and other practices that dis-*
3 *proportionately harm women and girls.*

4 *LATIN AMERICA AND THE CARIBBEAN*

5 *SEC. 7045. (a) CENTRAL AMERICA.—*

6 *(1) ASSISTANCE.—*

7 *(A) FISCAL YEAR 2020.—Of the funds ap-*
8 *propriated by this Act under titles III and IV,*
9 *not less than \$519,885,000 should be made avail-*
10 *able for assistance for Belize, Costa Rica, El Sal-*
11 *vador, Guatemala, Honduras, Nicaragua, and*
12 *Panama, including through the Central America*
13 *Regional Security Initiative: Provided, That*
14 *such assistance shall be prioritized for programs*
15 *and activities that addresses the key factors that*
16 *contribute to the migration of unaccompanied,*
17 *undocumented minors to the United States and*
18 *such funds shall be made available for global*
19 *health, humanitarian, development, democracy,*
20 *border security, and law enforcement programs*
21 *for such countries, including for programs to re-*
22 *duce violence against women and girls and to*
23 *combat corruption, and for support of commis-*
24 *sions against corruption and impunity, as ap-*
25 *propriate: Provided further, That not less than*

1 \$45,000,000 shall be for support of offices of At-
2 torneys General and of other entities and activi-
3 ties to combat corruption and impunity in such
4 countries.

5 (B) FISCAL YEAR 2019.—Of the funds ap-
6 propriated under titles III and IV of the Depart-
7 ment of State, Foreign Operations, and Related
8 Programs Appropriations Act, 2019 (division F
9 of Public Law 116–6), not less than
10 \$527,600,000 should be made available for assist-
11 ance for Belize, Costa Rica, El Salvador, Guate-
12 mala, Honduras, Nicaragua, and Panama, in-
13 cluding through the Central America Regional
14 Security Initiative: Provided, That such funds
15 shall be made available subject to the conditions
16 in paragraph (2) of this subsection and notwith-
17 standing paragraphs (1) and (2) of section
18 7045(a) of the Department of State, Foreign Op-
19 erations, and Related Programs Appropriations
20 Act, 2019 (division F of Public Law 116–6).

21 (2) NORTHERN TRIANGLE.—

22 (A) LIMITATION ON ASSISTANCE TO CER-
23 TAIN CENTRAL GOVERNMENTS.—Of the funds
24 made available pursuant to paragraph (1) under
25 the heading “Economic Support Fund” and

1 *under title IV of this Act that are made available*
2 *for assistance for each of the central governments*
3 *of El Salvador, Guatemala, and Honduras, 50*
4 *percent may only be obligated after the Secretary*
5 *of State certifies and reports to the appropriate*
6 *congressional committees that such government*
7 *is—*

8 *(i) combating corruption and impu-*
9 *nity, including prosecuting corrupt govern-*
10 *ment officials;*

11 *(ii) implementing reforms, policies,*
12 *and programs to increase transparency and*
13 *strengthen public institutions;*

14 *(iii) protecting the rights of civil soci-*
15 *ety, opposition political parties, and the*
16 *independence of the media;*

17 *(iv) providing effective and accountable*
18 *law enforcement and security for its citi-*
19 *zens, and upholding due process of law;*

20 *(v) implementing policies to reduce*
21 *poverty and promote equitable economic*
22 *growth and opportunity;*

23 *(vi) supporting the independence of the*
24 *judiciary and of electoral institutions;*

25 *(vii) improving border security;*

1 (viii) combating human smuggling and
2 trafficking and countering the activities of
3 criminal gangs, drug traffickers, and
4 transnational criminal organizations; and

5 (ix) informing its citizens of the dan-
6 gers of the journey to the southwest border
7 of the United States.

8 (B) *REPROGRAMMING.*—If the Secretary is
9 unable to make the certification required by sub-
10 paragraph (A) for one or more of the govern-
11 ments, such assistance for such central govern-
12 ment shall be reprogrammed for assistance for
13 other countries in Latin America and the Carib-
14 bean, notwithstanding the minimum funding re-
15 quirements of this subsection and of section 7019
16 of this Act: Provided, That any such reprogram-
17 ming shall be subject to the regular notification
18 procedures of the Committees on Appropriations.

19 (C) *EXCEPTIONS.*—The limitation of sub-
20 paragraph (A) shall not apply to funds appro-
21 priated by this Act that are made available for—

22 (i) the Mission to Support the Fight
23 Against Corruption and Impunity in Hon-
24 duras, the International Commission
25 Against Impunity in El Salvador, and sup-

1 port of offices of Attorneys General and of
2 other entities and activities related to com-
3 bating corruption and impunity;

4 (ii) programs to combat gender-based
5 violence;

6 (iii) humanitarian assistance; and

7 (iv) food security programs.

8 (b) COLOMBIA.—

9 (1) ASSISTANCE.—Of the funds appropriated by
10 this Act under titles III and IV, not less than
11 \$448,253,000 shall be made available for assistance
12 for Colombia: Provided, That such funds shall be
13 made available for the programs and activities de-
14 scribed under this section in the explanatory state-
15 ment described in section 4 (in the matter preceding
16 division A of this consolidated Act).

17 (2) WITHHOLDING OF FUNDS.—

18 (A) COUNTERNARCOTICS.—Of the funds ap-
19 propriated by this Act under the heading “Inter-
20 national Narcotics Control and Law Enforce-
21 ment” and made available for assistance for Co-
22 lombia, 20 percent may be obligated only after
23 the Secretary of State certifies and reports to the
24 Committees on Appropriations that the Govern-
25 ment of Colombia is continuing to implement a

1 *national whole-of-government counternarcotics*
2 *strategy intended to reduce by 50 percent cocaine*
3 *production and coca cultivation levels in Colom-*
4 *bia by 2023.*

5 *(B) HUMAN RIGHTS.—Of the funds appro-*
6 *priated by this Act under the heading “Foreign*
7 *Military Financing Program” and made avail-*
8 *able for assistance for Colombia, 20 percent may*
9 *be obligated only after the Secretary of State cer-*
10 *tifies and reports to the Committees on Appro-*
11 *priations that—*

12 *(i) the Special Jurisdiction for Peace*
13 *and other judicial authorities are taking ef-*
14 *fective steps to hold accountable perpetrators*
15 *of gross violations of human rights in a*
16 *manner consistent with international law,*
17 *including for command responsibility, and*
18 *sentence them to deprivation of liberty;*

19 *(ii) the Government of Colombia is*
20 *taking effective steps to prevent attacks*
21 *against human rights defenders and other*
22 *civil society activists, trade unionists, and*
23 *journalists, and judicial authorities are*
24 *prosecuting those responsible for such at-*
25 *tacks; and*

1 (iii) senior military officers responsible
2 for ordering, committing, and covering up
3 cases of false positives are being held ac-
4 countable, including removal from active
5 duty if found guilty through criminal or
6 disciplinary proceedings.

7 (3) *EXCEPTIONS.*—The limitations of paragraph
8 (2) shall not apply to funds made available for avia-
9 tion instruction and maintenance, and maritime and
10 riverine security programs.

11 (4) *AUTHORITY.*—Aircraft supported by funds
12 appropriated by this Act and prior Acts making ap-
13 propriations for the Department of State, foreign op-
14 erations, and related programs and made available
15 for assistance for Colombia may be used to transport
16 personnel and supplies involved in drug eradication
17 and interdiction, including security for such activi-
18 ties, and to provide transport in support of alter-
19 native development programs and investigations by
20 civilian judicial authorities.

21 (5) *LIMITATION.*—None of the funds appro-
22 priated by this Act or prior Acts making appropria-
23 tions for the Department of State, foreign operations,
24 and related programs that are made available for as-
25 sistance for Colombia may be made available for pay-

1 *ment of reparations to conflict victims or compensa-*
2 *tion to demobilized combatants associated with a*
3 *peace agreement between the Government of Colombia*
4 *and illegal armed groups.*

5 *(c) HAITI.—*

6 *(1) CERTIFICATION.—Funds appropriated by*
7 *this Act under the heading “Economic Support*
8 *Fund” that are made available for assistance for*
9 *Haiti may not be made available for assistance for*
10 *the central Government of Haiti unless the Secretary*
11 *of State certifies and reports to the Committees on*
12 *Appropriations that such government is taking effec-*
13 *tive steps, which are steps taken since the certification*
14 *and report submitted during the prior year, if appli-*
15 *cable, to—*

16 *(A) strengthen the rule of law in Haiti, in-*
17 *cluding by—*

18 *(i) selecting judges in a transparent*
19 *manner based on merit;*

20 *(ii) reducing pre-trial detention;*

21 *(iii) respecting the independence of the*
22 *judiciary; and*

23 *(iv) improving governance by imple-*
24 *menting reforms to increase transparency*

1 and accountability, including through the
2 penal and criminal codes;

3 (B) combat corruption, including by imple-
4 menting the anti-corruption law enacted in 2014
5 and prosecuting corrupt officials;

6 (C) increase government revenues, including
7 by implementing tax reforms, and increasing ex-
8 penditures on public services; and

9 (D) resolve commercial disputes between
10 United States entities and the Government of
11 Haiti.

12 (2) *HAITIAN COAST GUARD.*—The Government of
13 Haiti shall be eligible to purchase defense articles and
14 services under the Arms Export Control Act (22
15 U.S.C. 2751 et seq.) for the Coast Guard.

16 (3) *LIMITATION.*—None of the funds made avail-
17 able by this Act may be used to provide assistance to
18 the armed forces of Haiti.

19 (d) *THE CARIBBEAN.*—Of the funds appropriated by
20 this Act under titles III and IV, not less than \$60,000,000
21 shall be made available for the Caribbean Basin Security
22 Initiative.

23 (e) *VENEZUELA.*—

24 (1) Of the funds appropriated by this Act under
25 the heading “Economic Support Fund”, not less than

1 \$30,000,000 shall be made available for democracy
2 programs for Venezuela.

3 (2) *Funds appropriated under title III of this*
4 *Act and prior Acts making appropriations for the De-*
5 *partment of State, foreign operations, and related*
6 *programs shall be made available for assistance for*
7 *communities in countries supporting or otherwise im-*
8 *pacted by refugees from Venezuela, including Colom-*
9 *bia, Peru, Ecuador, Curacao, and Trinidad and To-*
10 *bago: Provided, That such amounts are in addition to*
11 *funds otherwise made available for assistance for such*
12 *countries, subject to prior consultation with, and the*
13 *regular notification procedures of, the Committees on*
14 *Appropriations.*

15 EUROPE AND EURASIA

16 SEC. 7046. (a) ASSISTANCE.—

17 (1) *GEORGIA.*—*Of the funds appropriated by*
18 *this Act under titles III and IV, not less than*
19 *\$132,025,000 shall be made available for assistance*
20 *for Georgia.*

21 (2) *UKRAINE.*—*Of the funds appropriated by*
22 *this Act under titles III and IV, not less than*
23 *\$448,000,000 shall be made available for assistance*
24 *for Ukraine.*

1 (b) *LIMITATION.*—None of the funds appropriated by
2 this Act may be made available for assistance for a govern-
3 ment of an Independent State of the former Soviet Union
4 if such government directs any action in violation of the
5 territorial integrity or national sovereignty of any other
6 Independent State of the former Soviet Union, such as those
7 violations included in the Helsinki Final Act: Provided,
8 That except as otherwise provided in section 7047(a) of this
9 Act, funds may be made available without regard to the
10 restriction in this subsection if the President determines
11 that to do so is in the national security interest of the
12 United States: Provided further, That prior to executing the
13 authority contained in the previous proviso, the Secretary
14 of State shall consult with the Committees on Appropria-
15 tions on how such assistance supports the national security
16 interest of the United States.

17 (c) *SECTION 907 OF THE FREEDOM SUPPORT ACT.*—
18 Section 907 of the FREEDOM Support Act (22 U.S.C.
19 5812 note) shall not apply to—

20 (1) activities to support democracy or assistance
21 under title V of the FREEDOM Support Act (22
22 U.S.C. 5851 et seq.) and section 1424 of the Defense
23 Against Weapons of Mass Destruction Act of 1996 (50
24 U.S.C. 2333) or non-proliferation assistance;

1 (2) *any assistance provided by the Trade and*
2 *Development Agency under section 661 of the Foreign*
3 *Assistance Act of 1961;*

4 (3) *any activity carried out by a member of the*
5 *United States and Foreign Commercial Service while*
6 *acting within his or her official capacity;*

7 (4) *any insurance, reinsurance, guarantee, or*
8 *other assistance provided by the United States Inter-*
9 *national Development Finance Corporation as au-*
10 *thorized by the BUILD Act of 2018 (division F of*
11 *Public Law 115–254);*

12 (5) *any financing provided under the Export-*
13 *Import Bank Act of 1945 (Public Law 79–173); or*

14 (6) *humanitarian assistance.*

15 (d) *TURKEY.—None of the funds made available by*
16 *this Act may be used to facilitate or support the sale of*
17 *defense articles or defense services to the Turkish Presi-*
18 *dential Protection Directorate (TPPD) under Chapter 2 of*
19 *the Arms Export Control Act (22 U.S.C. 2761 et seq.) unless*
20 *the Secretary of State determines and reports to the appro-*
21 *priate congressional committees that members of the TPPD*
22 *that are named in the July 17, 2017, indictment by the*
23 *Superior Court of the District of Columbia, and against*
24 *whom there are pending charges, have returned to the*
25 *United States to stand trial in connection with the offenses*

1 *contained in such indictment or have otherwise been*
2 *brought to justice: Provided, That the limitation in this*
3 *paragraph shall not apply to the use of funds made avail-*
4 *able by this Act for border security purposes, for North At-*
5 *lantic Treaty Organization or coalition operations, or to*
6 *enhance the protection of United States officials and facili-*
7 *ties in Turkey.*

8 *COUNTERING RUSSIAN INFLUENCE AND AGGRESSION*

9 *SEC. 7047. (a) LIMITATION.—None of the funds appro-*
10 *priated by this Act may be made available for assistance*
11 *for the central Government of the Russian Federation.*

12 *(b) ANNEXATION OF CRIMEA.—*

13 *(1) PROHIBITION.—None of the funds appro-*
14 *priated by this Act may be made available for assist-*
15 *ance for the central government of a country that the*
16 *Secretary of State determines and reports to the Com-*
17 *mittees on Appropriations has taken affirmative steps*
18 *intended to support or be supportive of the Russian*
19 *Federation annexation of Crimea or other territory in*
20 *Ukraine: Provided, That except as otherwise provided*
21 *in subsection (a), the Secretary may waive the re-*
22 *striction on assistance required by this paragraph if*
23 *the Secretary determines and reports to such Commit-*
24 *tees that to do so is in the national interest of the*

1 *United States, and includes a justification for such*
2 *interest.*

3 (2) *LIMITATION.*—None of the funds appro-
4 *propriated by this Act may be made available for—*

5 (A) *the implementation of any action or*
6 *policy that recognizes the sovereignty of the Rus-*
7 *sian Federation over Crimea or other territory*
8 *in Ukraine;*

9 (B) *the facilitation, financing, or guarantee*
10 *of United States Government investments in Cri-*
11 *mea or other territory in Ukraine under the con-*
12 *trol of Russian-backed separatists, if such activ-*
13 *ity includes the participation of Russian Gov-*
14 *ernment officials, or other Russian owned or con-*
15 *trolled financial entities; or*

16 (C) *assistance for Crimea or other territory*
17 *in Ukraine under the control of Russian-backed*
18 *separatists, if such assistance includes the par-*
19 *ticipation of Russian Government officials, or*
20 *other Russian owned or controlled financial enti-*
21 *ties.*

22 (3) *INTERNATIONAL FINANCIAL INSTITUTIONS.*—
23 *The Secretary of the Treasury shall instruct the*
24 *United States executive directors of each international*
25 *financial institution to use the voice and vote of the*

1 *United States to oppose any assistance by such insti-*
2 *tution (including any loan, credit, or guarantee) for*
3 *any program that violates the sovereignty or terri-*
4 *torial integrity of Ukraine.*

5 (4) *DURATION.—The requirements and limita-*
6 *tions of this subsection shall cease to be in effect if the*
7 *Secretary of State determines and reports to the Com-*
8 *mittees on Appropriations that the Government of*
9 *Ukraine has reestablished sovereignty over Crimea*
10 *and other territory in Ukraine under the control of*
11 *Russian-backed separatists.*

12 (c) *OCCUPATION OF THE GEORGIAN TERRITORIES OF*
13 *ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—*

14 (1) *PROHIBITION.—None of the funds appro-*
15 *priated by this Act may be made available for assist-*
16 *ance for the central government of a country that the*
17 *Secretary of State determines and reports to the Com-*
18 *mittees on Appropriations has recognized the inde-*
19 *pendence of, or has established diplomatic relations*
20 *with, the Russian Federation occupied Georgian terri-*
21 *tories of Abkhazia and Tskhinvali Region/South*
22 *Ossetia: Provided, That the Secretary shall publish on*
23 *the Department of State website a list of any such*
24 *central governments in a timely manner: Provided*
25 *further, That the Secretary may waive the restriction*

1 *on assistance required by this paragraph if the Sec-*
2 *retary determines and reports to the Committees on*
3 *Appropriations that to do so is in the national inter-*
4 *est of the United States, and includes a justification*
5 *for such interest.*

6 (2) *LIMITATION.*—None of the funds appro-
7 *priated by this Act may be made available to support*
8 *the Russian Federation occupation of the Georgian*
9 *territories of Abkhazia and Tskhinvali Region/South*
10 *Ossetia.*

11 (3) *INTERNATIONAL FINANCIAL INSTITUTIONS.*—
12 *The Secretary of the Treasury shall instruct the*
13 *United States executive directors of each international*
14 *financial institution to use the voice and vote of the*
15 *United States to oppose any assistance by such insti-*
16 *tution (including any loan, credit, or guarantee) for*
17 *any program that violates the sovereignty and terri-*
18 *torial integrity of Georgia.*

19 (d) *COUNTERING RUSSIAN INFLUENCE FUND.*—

20 (1) *ASSISTANCE.*—Of the funds appropriated by
21 *this Act under the headings “Assistance for Europe,*
22 *Eurasia and Central Asia”, “International Narcotics*
23 *Control and Law Enforcement”, “International Mili-*
24 *tary Education and Training”, and “Foreign Mili-*
25 *tary Financing Program”, not less than \$290,000,000*

1 *shall be made available to carry out the purposes of*
2 *the Countering Russian Influence Fund, as author-*
3 *ized by section 254 of the Countering Russian Infl-*
4 *uence in Europe and Eurasia Act of 2017 (Public Law*
5 *115–44; 22 U.S.C. 9543) and notwithstanding the*
6 *country limitation in subsection (b) of such section,*
7 *and programs to enhance the capacity of law enforce-*
8 *ment and security forces in countries in Europe, Eur-*
9 *asia, and Central Asia and strengthen security co-*
10 *operation between such countries and the United*
11 *States and the North Atlantic Treaty Organization,*
12 *as appropriate.*

13 (2) *ECONOMICS AND TRADE.—Funds appro-*
14 *priated by this Act and made available for assistance*
15 *for the Eastern Partnership countries shall be made*
16 *available to advance the implementation of Associa-*
17 *tion Agreements and trade agreements with the Euro-*
18 *pean Union, and to reduce their vulnerability to ex-*
19 *ternal economic and political pressure from the Rus-*
20 *sian Federation.*

21 (e) *DEMOCRACY PROGRAMS.—Funds appropriated by*
22 *this Act shall be made available to support democracy pro-*
23 *grams in the Russian Federation and other countries in*
24 *Europe, Eurasia, and Central Asia, including to promote*
25 *Internet freedom: Provided, That not later than 90 days*

1 *after enactment of this Act, the Secretary of State, in con-*
2 *sultation with the Administrator of the United States Agen-*
3 *cy for International Development, shall submit to the ap-*
4 *propriate congressional committees a comprehensive,*
5 *multiyear strategy for the promotion of democracy in such*
6 *countries.*

7 *UNITED NATIONS*

8 *SEC. 7048. (a) TRANSPARENCY AND ACCOUNT-*
9 *ABILITY.—*

10 *(1) WITHHOLDING OF FUNDS.—Of the funds ap-*
11 *propriated under the heading “Contributions to Inter-*
12 *national Organizations” in title I and “International*
13 *Organizations and Programs” in title V of this Act*
14 *that are available for contributions to the United Na-*
15 *tions (including the Department of Peacekeeping Op-*
16 *erations), any United Nations agency, or the Organi-*
17 *zation of American States, 15 percent may not be ob-*
18 *ligated for such organization, department, or agency*
19 *until the Secretary of State determines and reports to*
20 *the Committees on Appropriations that the organiza-*
21 *tion, department, or agency is—*

22 *(A) posting on a publicly available website,*
23 *consistent with privacy regulations and due*
24 *process, regular financial and programmatic au-*
25 *ditions of such organization, department, or agency,*

1 *and providing the United States Government*
2 *with necessary access to such financial and per-*
3 *formance audits;*

4 *(B) effectively implementing and enforcing*
5 *policies and procedures which meet or exceed best*
6 *practices in the United States for the protection*
7 *of whistleblowers from retaliation, including—*

8 *(i) protection against retaliation for*
9 *internal and lawful public disclosures;*

10 *(ii) legal burdens of proof;*

11 *(iii) statutes of limitation for reporting*
12 *retaliation;*

13 *(iv) access to binding independent ad-*
14 *judicative bodies, including shared cost and*
15 *selection external arbitration; and*

16 *(v) results that eliminate the effects of*
17 *proven retaliation, including provision for*
18 *the restoration of prior employment; and*

19 *(C) effectively implementing and enforcing*
20 *policies and procedures on the appropriate use of*
21 *travel funds, including restrictions on first class*
22 *and business class travel.*

23 (2) *WAIVER.—The restrictions imposed by or*
24 *pursuant to paragraph (1) may be waived on a case-*
25 *by-case basis if the Secretary of State determines and*

1 *reports to the Committees on Appropriations that*
2 *such waiver is necessary to avert or respond to a hu-*
3 *manitarian crisis.*

4 *(b) RESTRICTIONS ON UNITED NATIONS DELEGATIONS*
5 *AND ORGANIZATIONS.—*

6 *(1) RESTRICTIONS ON UNITED STATES DELEGA-*
7 *TIONS.—None of the funds made available by this Act*
8 *may be used to pay expenses for any United States*
9 *delegation to any specialized agency, body, or com-*
10 *mission of the United Nations if such agency, body,*
11 *or commission is chaired or presided over by a coun-*
12 *try, the government of which the Secretary of State*
13 *has determined, for purposes of section 1754(c) of the*
14 *Export Reform Control Act of 2018 (50 U.S.C.*
15 *4813(c)), supports international terrorism.*

16 *(2) RESTRICTIONS ON CONTRIBUTIONS.—None of*
17 *the funds made available by this Act may be used by*
18 *the Secretary of State as a contribution to any orga-*
19 *nization, agency, commission, or program within the*
20 *United Nations system if such organization, agency,*
21 *commission, or program is chaired or presided over*
22 *by a country the government of which the Secretary*
23 *of State has determined, for purposes of section 620A*
24 *of the Foreign Assistance Act of 1961, section 40 of*
25 *the Arms Export Control Act, section 1754(c) of the*

1 *Export Reform Control Act of 2018 (50 U.S.C.*
2 *4813(c)), or any other provision of law, is a govern-*
3 *ment that has repeatedly provided support for acts of*
4 *international terrorism.*

5 (3) *WAIVER.—The Secretary of State may waive*
6 *the restriction in this subsection if the Secretary de-*
7 *termines and reports to the Committees on Appro-*
8 *propriations that to do so is important to the national*
9 *interest of the United States, including a description*
10 *of the national interest served.*

11 (c) *UNITED NATIONS HUMAN RIGHTS COUNCIL.—*
12 *None of the funds appropriated by this Act may be made*
13 *available in support of the United Nations Human Rights*
14 *Council unless the Secretary of State determines and re-*
15 *ports to the Committees on Appropriations that participa-*
16 *tion in the Council is important to the national interest*
17 *of the United States and that such Council is taking signifi-*
18 *cant steps to remove Israel as a permanent agenda item*
19 *and ensure integrity in the election of members to such*
20 *Council: Provided, That such report shall include a descrip-*
21 *tion of the national interest served and the steps taken to*
22 *remove Israel as a permanent agenda item and ensure in-*
23 *tegrity in the election of members to such Council: Provided*
24 *further, That the Secretary of State shall report to the Com-*
25 *mittees on Appropriations not later than September 30,*

1 2020, on the resolutions considered in the United Nations
2 Human Rights Council during the previous 12 months, and
3 on steps taken to remove Israel as a permanent agenda item
4 and ensure integrity in the election of members to such
5 Council.

6 (d) UNITED NATIONS RELIEF AND WORKS AGENCY.—
7 Prior to the initial obligation of funds for the United Na-
8 tions Relief and Works Agency (UNRWA), the Secretary of
9 State shall report to the Committees on Appropriations, in
10 writing, on whether UNRWA is—

11 (1) utilizing Operations Support Officers in the
12 West Bank, Gaza, and other fields of operation to in-
13 spect UNRWA installations and reporting any inap-
14 propriate use;

15 (2) acting promptly to address any staff or bene-
16 ficiary violation of its own policies (including the
17 policies on neutrality and impartiality of employees)
18 and the legal requirements under section 301(c) of the
19 Foreign Assistance Act of 1961;

20 (3) implementing procedures to maintain the
21 neutrality of its facilities, including implementing a
22 no-weapons policy, and conducting regular inspec-
23 tions of its installations, to ensure they are only used
24 for humanitarian or other appropriate purposes;

1 (4) *taking necessary and appropriate measures*
2 *to ensure it is operating in compliance with the con-*
3 *ditions of section 301(c) of the Foreign Assistance Act*
4 *of 1961 and continuing regular reporting to the De-*
5 *partment of State on actions it has taken to ensure*
6 *conformance with such conditions;*

7 (5) *taking steps to ensure the content of all edu-*
8 *cational materials currently taught in UNRWA-ad-*
9 *ministered schools and summer camps is consistent*
10 *with the values of human rights, dignity, and toler-*
11 *ance and does not induce incitement;*

12 (6) *not engaging in operations with financial in-*
13 *stitutions or related entities in violation of relevant*
14 *United States law, and is taking steps to improve the*
15 *financial transparency of the organization; and*

16 (7) *in compliance with the United Nations*
17 *Board of Auditors' biennial audit requirements and*
18 *is implementing in a timely fashion the Board's rec-*
19 *ommendations.*

20 (e) *PROHIBITION OF PAYMENTS TO UNITED NATIONS*
21 *MEMBERS.—None of the funds appropriated or made avail-*
22 *able pursuant to titles III through VI of this Act for car-*
23 *rying out the Foreign Assistance Act of 1961, may be used*
24 *to pay in whole or in part any assessments, arrearages,*
25 *or dues of any member of the United Nations or, from funds*

1 appropriated by this Act to carry out chapter 1 of part
2 I of the Foreign Assistance Act of 1961, the costs for partici-
3 pation of another country's delegation at international con-
4 ferences held under the auspices of multilateral or inter-
5 national organizations.

6 (f) *REPORT.*—Not later than 45 days after enactment
7 of this Act, the Secretary of State shall submit a report to
8 the Committees on Appropriations detailing the amount of
9 funds available for obligation or expenditure in fiscal year
10 2020 for contributions to any organization, department,
11 agency, or program within the United Nations system or
12 any international program that are withheld from obliga-
13 tion or expenditure due to any provision of law: Provided,
14 That the Secretary shall update such report each time addi-
15 tional funds are withheld by operation of any provision of
16 law: Provided further, That the reprogramming of any
17 withheld funds identified in such report, including updates
18 thereof, shall be subject to prior consultation with, and the
19 regular notification procedures of, the Committees on Ap-
20 propriations.

21 (g) *SEXUAL EXPLOITATION AND ABUSE IN PEACE-*
22 *KEEPING OPERATIONS.*—The Secretary of State should
23 withhold assistance to any unit of the security forces of a
24 foreign country if the Secretary has credible information
25 that such unit has engaged in sexual exploitation or abuse,

1 *including while serving in a United Nations peacekeeping*
2 *operation, until the Secretary determines that the govern-*
3 *ment of such country is taking effective steps to hold the*
4 *responsible members of such unit accountable and to pre-*
5 *vent future incidents: Provided, That the Secretary shall*
6 *promptly notify the government of each country subject to*
7 *any withholding of assistance pursuant to this paragraph,*
8 *and shall notify the appropriate congressional committees*
9 *of such withholding not later than 10 days after a deter-*
10 *mination to withhold such assistance is made: Provided fur-*
11 *ther, That the Secretary shall, to the maximum extent prac-*
12 *ticable, assist such government in bringing the responsible*
13 *members of such unit to justice.*

14 *(h) ADDITIONAL AVAILABILITY.—Subject to the regular*
15 *notification procedures of the Committees on Appropria-*
16 *tions, funds appropriated by this Act which are returned*
17 *or not made available due to the implementation of sub-*
18 *section (a), the third proviso under the heading “Contribu-*
19 *tions for International Peacekeeping Activities” in title I*
20 *of this Act, or section 307(a) of the Foreign Assistance Act*
21 *of 1961 (22 U.S.C. 2227(a)), shall remain available for obli-*
22 *gation until September 30, 2021: Provided, That the re-*
23 *quirement to withhold funds for programs in Burma under*
24 *section 307(a) of the Foreign Assistance Act of 1961 shall*
25 *not apply to funds appropriated by this Act.*

1 (i) *NATIONAL SECURITY INTEREST WITHHOLDING.*—

2 (1) *WITHHOLDING.*—*The Secretary of State shall*
3 *withhold 5 percent of the funds appropriated by this*
4 *Act under the heading “Contributions to Inter-*
5 *national Organizations” for a specialized agency or*
6 *other entity of the United Nations if the Secretary, in*
7 *consultation with the United States Ambassador to*
8 *the United Nations, determines and reports to the*
9 *Committees on Appropriations that such agency or*
10 *entity has taken an official action that is against the*
11 *national security interest of the United States or an*
12 *ally of the United States, including Israel.*

13 (2) *RELEASE OF FUNDS.*—*The Secretary of*
14 *State, in consultation with the United States Amba-*
15 *sador to the United Nations, may release funds with-*
16 *held pursuant to paragraph (1) if the Secretary deter-*
17 *mines and reports to the Committees on Appropria-*
18 *tions that such agency or entity is taking steps to ad-*
19 *dress the action that resulted in the withholding of*
20 *such funds.*

21 (3) *REPROGRAMMING.*—*Should the Secretary of*
22 *State be unable to make a determination pursuant to*
23 *paragraph (2) regarding the release of withheld funds,*
24 *such funds may be reprogrammed for other purposes*

1 *the national interest of the United States: Provided further,*
2 *That funds made available pursuant to this section shall*
3 *be matched, to the maximum extent practicable, by sources*
4 *other than the United States Government, including from*
5 *the private sector.*

6 (b) *REQUIREMENTS.—*

7 (1) *DEPARTMENT OF STATE AND UNITED STATES*
8 *AGENCY FOR INTERNATIONAL DEVELOPMENT.—Funds*
9 *appropriated by this Act under the headings “Eco-*
10 *nomics Support Fund”, “Democracy Fund”, and “As-*
11 *sistance for Europe, Eurasia and Central Asia” that*
12 *are made available pursuant to subsection (a) shall*
13 *be—*

14 (A) *coordinated with other democracy pro-*
15 *grams funded by this Act under such headings,*
16 *and shall be incorporated into country assistance*
17 *and democracy promotion strategies, as appro-*
18 *priate;*

19 (B) *for programs to implement the May*
20 *2011, International Strategy for Cyberspace, the*
21 *Department of State International Cyberspace*
22 *Policy Strategy required by section 402 of the*
23 *Cybersecurity Act of 2015 (division N of Public*
24 *Law 114–113), and the comprehensive strategy*
25 *to promote Internet freedom and access to infor-*

1 *mation in Iran, as required by section 414 of the*
2 *Iran Threat Reduction and Syria Human*
3 *Rights Act of 2012 (22 U.S.C. 8754);*

4 *(C) made available for programs that sup-*
5 *port the efforts of civil society to counter the de-*
6 *velopment of repressive Internet-related laws and*
7 *regulations, including countering threats to*
8 *Internet freedom at international organizations;*
9 *to combat violence against bloggers and other*
10 *users; and to enhance digital security training*
11 *and capacity building for democracy activists;*

12 *(D) made available for research of key*
13 *threats to Internet freedom; the continued devel-*
14 *opment of technologies that provide or enhance*
15 *access to the Internet, including circumvention*
16 *tools that bypass Internet blocking, filtering, and*
17 *other censorship techniques used by authori-*
18 *tarian governments; and maintenance of the*
19 *technological advantage of the United States*
20 *Government over such censorship techniques:*
21 *Provided, That the Secretary of State, in con-*
22 *sultation with the Chief Executive Officer (CEO)*
23 *of the United States Agency for Global Media*
24 *(USAGM), shall coordinate any such research*
25 *and development programs with other relevant*

1 *United States Government departments and*
2 *agencies in order to share information, tech-*
3 *nologies, and best practices, and to assess the ef-*
4 *fectiveness of such technologies; and*

5 *(E) made available only after the Assistant*
6 *Secretary for Democracy, Human Rights, and*
7 *Labor, Department of State, concurs that such*
8 *funds are allocated consistent with—*

9 *(i) the strategies referenced in subpara-*
10 *graph (B) of this paragraph;*

11 *(ii) best practices regarding security*
12 *for, and oversight of, Internet freedom pro-*
13 *grams; and*

14 *(iii) sufficient resources and support*
15 *for the development and maintenance of*
16 *anti-censorship technology and tools.*

17 *(2) UNITED STATES AGENCY FOR GLOBAL*
18 *MEDIA.—Funds appropriated by this Act under the*
19 *heading “International Broadcasting Operations”*
20 *that are made available pursuant to subsection (a)*
21 *shall be—*

22 *(A) made available only for tools and tech-*
23 *niques to securely develop and distribute*
24 *USAGM digital content, facilitate audience ac-*
25 *cess to such content on websites that are*

1 *censored, coordinate the distribution of USAGM*
2 *digital content to targeted regional audiences,*
3 *and to promote and distribute such tools and*
4 *techniques, including digital security techniques;*

5 *(B) coordinated with programs funded by*
6 *this Act under the heading “International*
7 *Broadcasting Operations”, and shall be incor-*
8 *porated into country broadcasting strategies, as*
9 *appropriate;*

10 *(C) coordinated by the USAGM CEO to*
11 *provide Internet circumvention tools and tech-*
12 *niques for audiences in countries that are stra-*
13 *tegic priorities for the USAGM and in a manner*
14 *consistent with the USAGM Internet freedom*
15 *strategy; and*

16 *(D) made available for the research and de-*
17 *velopment of new tools or techniques authorized*
18 *in subparagraph (A) only after the USAGM*
19 *CEO, in consultation with the Secretary of State*
20 *and other relevant United States Government de-*
21 *partments and agencies, evaluates the risks and*
22 *benefits of such new tools or techniques, and es-*
23 *tablishes safeguards to minimize the use of such*
24 *new tools or techniques for illicit purposes.*

1 (c) *COORDINATION AND SPEND PLANS.*—After con-
2 sultation among the relevant agency heads to coordinate
3 and de-conflict planned activities, but not later than 90
4 days after enactment of this Act, the Secretary of State and
5 the USAGM CEO shall submit to the Committees on Appro-
6 priations spend plans for funds made available by this Act
7 for programs to promote Internet freedom globally, which
8 shall include a description of safeguards established by rel-
9 evant agencies to ensure that such programs are not used
10 for illicit purposes: Provided, That the Department of State
11 spend plan shall include funding for all such programs for
12 all relevant Department of State and the United States
13 Agency for International Development offices and bureaus.

14 (d) *SECURITY AUDITS.*—Funds made available pursu-
15 ant to this section to promote Internet freedom globally may
16 only be made available to support technologies that undergo
17 comprehensive security audits conducted by the Bureau of
18 Democracy, Human Rights, and Labor, Department of
19 State to ensure that such technology is secure and has not
20 been compromised in a manner detrimental to the interest
21 of the United States or to individuals and organizations
22 benefiting from programs supported by such funds: Pro-
23 vided, That the security auditing procedures used by such
24 Bureau shall be reviewed and updated periodically to reflect
25 current industry security standards.

1 *inhuman, or degrading treatment or punishment by foreign*
2 *police, military or other security forces in countries receiv-*
3 *ing assistance from funds appropriated by this Act.*

4 *AIRCRAFT TRANSFER, COORDINATION, AND USE*

5 *SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-*
6 *standing any other provision of law or regulation, aircraft*
7 *procured with funds appropriated by this Act and prior*
8 *Acts making appropriations for the Department of State,*
9 *foreign operations, and related programs under the head-*
10 *ings “Diplomatic Programs”, “International Narcotics*
11 *Control and Law Enforcement”, “Andean Counterdrug Ini-*
12 *tiative”, and “Andean Counterdrug Programs” may be*
13 *used for any other program and in any region.*

14 *(b) PROPERTY DISPOSAL.—The authority provided in*
15 *subsection (a) shall apply only after the Secretary of State*
16 *determines and reports to the Committees on Appropria-*
17 *tions that the equipment is no longer required to meet pro-*
18 *grammatic purposes in the designated country or region:*
19 *Provided, That any such transfer shall be subject to prior*
20 *consultation with, and the regular notification procedures*
21 *of, the Committees on Appropriations.*

22 *(c) AIRCRAFT COORDINATION.—*

23 *(1) AUTHORITY.—The uses of aircraft purchased*
24 *or leased by the Department of State and the United*
25 *States Agency for International Development with*

1 *funds made available in this Act or prior Acts mak-*
2 *ing appropriations for the Department of State, for-*
3 *foreign operations, and related programs shall be coordi-*
4 *nated under the authority of the appropriate Chief of*
5 *Mission: Provided, That notwithstanding section*
6 *7063(b) of this Act, such aircraft may be used to*
7 *transport, on a reimbursable or non-reimbursable*
8 *basis, Federal and non-Federal personnel supporting*
9 *Department of State and USAID programs and ac-*
10 *tivities: Provided further, That official travel for other*
11 *agencies for other purposes may be supported on a re-*
12 *imbursable basis, or without reimbursement when*
13 *traveling on a space available basis: Provided further,*
14 *That funds received by the Department of State in*
15 *connection with the use of aircraft owned, leased, or*
16 *chartered by the Department of State may be credited*
17 *to the Working Capital Fund of the Department and*
18 *shall be available for expenses related to the purchase,*
19 *lease, maintenance, chartering, or operation of such*
20 *aircraft.*

21 (2) *SCOPE.—The requirement and authorities of*
22 *this subsection shall only apply to aircraft, the pri-*
23 *mary purpose of which is the transportation of per-*
24 *sonnel.*

EXTRADITION

1
2 *SEC. 7055. (a) LIMITATION.—None of the funds appro-*
3 *priated in this Act may be used to provide assistance (other*
4 *than funds provided under the headings “International Dis-*
5 *aster Assistance”, “Complex Crises Fund”, “International*
6 *Narcotics Control and Law Enforcement”, “Migration and*
7 *Refugee Assistance”, “United States Emergency Refugee*
8 *and Migration Assistance Fund”, and “Nonproliferation,*
9 *Anti-terrorism, Demining and Related Assistance”)* for the
10 *central government of a country which has notified the De-*
11 *partment of State of its refusal to extradite to the United*
12 *States any individual indicted for a criminal offense for*
13 *which the maximum penalty is life imprisonment without*
14 *the possibility of parole or for killing a law enforcement*
15 *officer, as specified in a United States extradition request.*

16 *(b) CLARIFICATION.—Subsection (a) shall only apply*
17 *to the central government of a country with which the*
18 *United States maintains diplomatic relations and with*
19 *which the United States has an extradition treaty and the*
20 *government of that country is in violation of the terms and*
21 *conditions of the treaty.*

22 *(c) WAIVER.—The Secretary of State may waive the*
23 *restriction in subsection (a) on a case-by-case basis if the*
24 *Secretary certifies to the Committees on Appropriations*

1 *that such waiver is important to the national interest of*
2 *the United States.*

3 *IMPACT ON JOBS IN THE UNITED STATES*

4 *SEC. 7056. None of the funds appropriated or other-*
5 *wise made available under titles III through VI of this Act*
6 *may be obligated or expended to provide—*

7 *(1) any financial incentive to a business enter-*
8 *prise currently located in the United States for the*
9 *purpose of inducing such an enterprise to relocate*
10 *outside the United States if such incentive or induce-*
11 *ment is likely to reduce the number of employees of*
12 *such business enterprise in the United States because*
13 *United States production is being replaced by such*
14 *enterprise outside the United States;*

15 *(2) assistance for any program, project, or activ-*
16 *ity that contributes to the violation of internationally*
17 *recognized workers' rights, as defined in section*
18 *507(4) of the Trade Act of 1974, of workers in the re-*
19 *recipient country, including any designated zone or*
20 *area in that country: Provided, That the application*
21 *of section 507(4)(D) and (E) of such Act (19 U.S.C.*
22 *2467(4)(D) and (E)) should be commensurate with*
23 *the level of development of the recipient country and*
24 *sector, and shall not preclude assistance for the infor-*

1 *mal sector in such country, micro and small-scale en-*
 2 *terprise, and smallholder agriculture;*

3 *(3) any assistance to an entity outside the*
 4 *United States if such assistance is for the purpose of*
 5 *directly relocating or transferring jobs from the*
 6 *United States to other countries and adversely im-*
 7 *pacts the labor force in the United States; or*

8 *(4) for the enforcement of any rule, regulation,*
 9 *policy, or guidelines implemented pursuant to the*
 10 *Supplemental Guidelines for High Carbon Intensity*
 11 *Projects approved by the Export-Import Bank of the*
 12 *United States on December 12, 2013, when enforce-*
 13 *ment of such rule, regulation, policy, or guidelines*
 14 *would prohibit, or have the effect of prohibiting, any*
 15 *coal-fired or other power-generation project the pur-*
 16 *pose of which is to—*

17 *(A) provide affordable electricity in Inter-*
 18 *national Development Association (IDA)-eligible*
 19 *countries and IDA-blend countries; and*

20 *(B) increase exports of goods and services*
 21 *from the United States or prevent the loss of jobs*
 22 *from the United States.*

23 *UNITED NATIONS POPULATION FUND*

24 *SEC. 7057. (a) CONTRIBUTION.—Of the funds made*
 25 *available under the heading “International Organizations*

1 *and Programs” in this Act for fiscal year 2020, \$32,500,000*
2 *shall be made available for the United Nations Population*
3 *Fund (UNFPA).*

4 (b) *AVAILABILITY OF FUNDS.—Funds appropriated by*
5 *this Act for UNFPA, that are not made available for*
6 *UNFPA because of the operation of any provision of law,*
7 *shall be transferred to the “Global Health Programs” ac-*
8 *count and shall be made available for family planning, ma-*
9 *ternal, and reproductive health activities, subject to the reg-*
10 *ular notification procedures of the Committees on Appro-*
11 *priations.*

12 (c) *PROHIBITION ON USE OF FUNDS IN CHINA.—None*
13 *of the funds made available by this Act may be used by*
14 *UNFPA for a country program in the People’s Republic*
15 *of China.*

16 (d) *CONDITIONS ON AVAILABILITY OF FUNDS.—Funds*
17 *made available by this Act for UNFPA may not be made*
18 *available unless—*

19 (1) *UNFPA maintains funds made available by*
20 *this Act in an account separate from other accounts*
21 *of UNFPA and does not commingle such funds with*
22 *other sums; and*

23 (2) *UNFPA does not fund abortions.*

24 (e) *REPORT TO CONGRESS AND DOLLAR-FOR-DOLLAR*
25 *WITHHOLDING OF FUNDS.—*

1 711; 22 U.S.C. 7601 et seq.), as amended: Provided, That
2 of the funds appropriated under title III of this Act, not
3 less than \$575,000,000 should be made available for family
4 planning/reproductive health, including in areas where
5 population growth threatens biodiversity or endangered spe-
6 cies.

7 (b) *INFECTIOUS DISEASE OUTBREAKS.*—

8 (1) *EXTRAORDINARY MEASURES.*—If the Sec-
9 retary of State determines and reports to the Commit-
10 tees on Appropriations that an international infec-
11 tious disease outbreak is sustained, severe, and is
12 spreading internationally, or that it is in the na-
13 tional interest to respond to a Public Health Emer-
14 gency of International Concern, funds appropriated
15 by this Act under the headings “Global Health Pro-
16 grams”, “Development Assistance”, “International
17 Disaster Assistance”, “Complex Crises Fund”, “Eco-
18 nomic Support Fund”, “Democracy Fund”, “Assist-
19 ance for Europe, Eurasia and Central Asia”, “Migra-
20 tion and Refugee Assistance”, and “Millennium Chal-
21 lenge Corporation” may be made available to combat
22 such infectious disease or public health emergency,
23 and may be transferred to, and merged with, funds
24 appropriated under such headings for the purposes of
25 this paragraph.

1 (2) *EMERGENCY RESERVE FUND.*—Up to
2 \$10,000,000 of the funds made available under the
3 heading “Global Health Programs” may be made
4 available for the Emergency Reserve Fund established
5 pursuant to section 7058(c)(1) of the Department of
6 State, Foreign Operations, and Related Programs Ap-
7 propriations Act, 2017 (division J of Public Law
8 115–31): Provided, That such funds shall be made
9 available under the same terms and conditions of such
10 section.

11 (3) *EBOLA VIRUS DISEASE.*—Funds appro-
12 priated by this Act and prior Acts making appro-
13 priations for the Department of State, foreign oper-
14 ations, and related programs under the heading
15 “International Disaster Assistance” that are made
16 available to respond to the Ebola virus disease out-
17 break in the Democratic Republic of the Congo, in-
18 cluding in countries affected by, or at risk of being
19 affected by, such outbreak, shall be the responsibility
20 of the Assistant Administrator for Democracy, Con-
21 flict, and Humanitarian Assistance, USAID, or suc-
22 cessor official responsible for USAID Ebola response.

23 (4) *CONSULTATION AND NOTIFICATION.*—Funds
24 made available by this subsection shall be subject to
25 prior consultation with the appropriate congressional

1 *committees and the regular notification procedures of*
2 *the Committees on Appropriations.*

3 *GENDER EQUALITY*

4 *SEC. 7059. (a) WOMEN'S EMPOWERMENT.—*

5 *(1) GENDER EQUALITY.—Funds appropriated by*
6 *this Act shall be made available to promote gender*
7 *equality in United States Government diplomatic and*
8 *development efforts by raising the status, increasing*
9 *the participation, and protecting the rights of women*
10 *and girls worldwide.*

11 *(2) WOMEN'S ECONOMIC EMPOWERMENT.—Funds*
12 *appropriated by this Act are available to implement*
13 *the Women's Entrepreneurship and Economic Em-*
14 *powerment Act of 2018 (Public Law 115-428): Pro-*
15 *vided, That the Secretary of State and the Adminis-*
16 *trator of the United States Agency for International*
17 *Development, as appropriate, shall consult with the*
18 *Committees on Appropriations on the implementation*
19 *of such Act.*

20 *(3) WOMEN'S GLOBAL DEVELOPMENT AND PROS-*
21 *PERITY FUND.—Of the funds appropriated under title*
22 *III of this Act, up to \$100,000,000 may be made*
23 *available for the Women's Global Development and*
24 *Prosperity Fund.*

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 for programs specifically designed
4 to increase leadership opportunities for women in countries
5 where women and girls suffer discrimination due to law,
6 policy, or practice, by strengthening protections for wom-
7 en's political status, expanding women's participation in
8 political parties and elections, and increasing women's op-
9 portunities for leadership positions in the public and pri-
10 vate sectors at the local, provincial, and national levels.

11 (c) *GENDER-BASED VIOLENCE.*—

12 (1) *Of the funds appropriated under titles III*
13 *and IV of this Act, not less than \$165,000,000 shall*
14 *be made available to implement a multi-year strategy*
15 *to prevent and respond to gender-based violence in*
16 *countries where it is common in conflict and non-con-*
17 *flict settings.*

18 (2) *Funds appropriated under titles III and IV*
19 *of this Act that are available to train foreign police,*
20 *judicial, and military personnel, including for inter-*
21 *national peacekeeping operations, shall address, where*
22 *appropriate, prevention and response to gender-based*
23 *violence and trafficking in persons, and shall promote*
24 *the integration of women into the police and other se-*
25 *curity forces.*

1 (d) *WOMEN, PEACE, AND SECURITY.—Funds appro-*
2 *priated by this Act under the headings “Development As-*
3 *sistance”, “Economic Support Fund”, “Assistance for Eu-*
4 *rope, Eurasia and Central Asia”, and “International Nar-*
5 *cotics Control and Law Enforcement” should be made*
6 *available to support a multi-year strategy to expand, and*
7 *improve coordination of, United States Government efforts*
8 *to empower women as equal partners in conflict prevention,*
9 *peace building, transitional processes, and reconstruction*
10 *efforts in countries affected by conflict or in political transi-*
11 *tion, and to ensure the equitable provision of relief and re-*
12 *covery assistance to women and girls.*

13 (e) *WOMEN AND GIRLS AT RISK FROM EXTREMISM*
14 *AND CONFLICT.—Of the funds appropriated by this Act*
15 *under the heading “Economic Support Fund”, not less than*
16 *\$15,000,000 shall be made available to support women and*
17 *girls who are at risk from extremism and conflict, and for*
18 *the activities described in section 7059(e)(1) of the Depart-*
19 *ment of State, Foreign Operations, and Related Programs*
20 *Appropriations Act, 2018 (division K of Public Law 115–*
21 *141): Provided, That such funds are in addition to amounts*
22 *otherwise made available by this Act for such purposes, and*
23 *shall be made available following consultation with, and the*
24 *regular notification procedures of, the Committees on Ap-*
25 *propriations.*

SECTOR ALLOCATIONS

1
2 *SEC. 7060. (a) BASIC EDUCATION AND HIGHER EDU-*
3 *CATION.—*

4 (1) *BASIC EDUCATION.—(A) Of the funds appro-*
5 *priated under title III of this Act, not less than*
6 *\$875,000,000 shall be made available for assistance*
7 *for basic education, and such funds may be made*
8 *available notwithstanding any other provision of law*
9 *that restricts assistance to foreign countries: Provided,*
10 *That such funds shall also be used for secondary edu-*
11 *cation activities: Provided further, That the Adminis-*
12 *trator of the United States Agency for International*
13 *Development, following consultation with the Com-*
14 *mittees on Appropriations, may reprogram such*
15 *funds between countries: Provided further, That funds*
16 *made available under the headings “Development As-*
17 *sistance” and “Economic Support Fund” for the sup-*
18 *port of non-state schools in this Act and prior Acts*
19 *making appropriations for the Department of State,*
20 *foreign operations, and related programs shall be sub-*
21 *ject to the regular notification procedures of the Com-*
22 *mittees on Appropriations.*

23 (B) *Of the funds appropriated under title*
24 *III of this Act for assistance for basic education*
25 *programs, not less than \$125,000,000 shall be*

1 *made available for contributions to multilateral*
2 *partnerships that support education.*

3 (2) *HIGHER EDUCATION.*—*Of the funds appro-*
4 *propriated by title III of this Act, not less than*
5 *\$235,000,000 shall be made available for assistance*
6 *for higher education: Provided, That such funds may*
7 *be made available notwithstanding any other provi-*
8 *sion of law that restricts assistance to foreign coun-*
9 *tries, and shall be subject to the regular notification*
10 *procedures of the Committees on Appropriations: Pro-*
11 *vided further, That of such amount, not less than*
12 *\$35,000,000 shall be made available for new and on-*
13 *going partnerships between higher education institu-*
14 *tions in the United States and developing countries*
15 *focused on building the capacity of higher education*
16 *institutions and systems in developing countries: Pro-*
17 *vided further, That not later than 45 days after en-*
18 *actment of this Act, the USAID Administrator shall*
19 *consult with the Committees on Appropriations on the*
20 *proposed uses of funds for such partnerships.*

21 (b) *DEVELOPMENT PROGRAMS.*—*Of the funds appro-*
22 *propriated by this Act under the heading “Development Assist-*
23 *ance”, not less than \$17,000,000 shall be made available*
24 *for cooperative development programs of USAID and not*

1 *less than \$30,000,000 shall be made available for the Amer-*
2 *ican Schools and Hospitals Abroad program.*

3 *(c) ENVIRONMENT PROGRAMS.—*

4 *(1)(A) Funds appropriated by this Act to carry*
5 *out the provisions of sections 103 through 106, and*
6 *chapter 4 of part II, of the Foreign Assistance Act of*
7 *1961 may be used, notwithstanding any other provi-*
8 *sion of law, except for the provisions of this sub-*
9 *section, to support environment programs.*

10 *(B) Funds made available pursuant to this sub-*
11 *section shall be subject to the regular notification pro-*
12 *cedures of the Committees on Appropriations.*

13 *(2)(A) Of the funds appropriated under title III*
14 *of this Act, not less than \$315,000,000 shall be made*
15 *available for biodiversity conservation programs.*

16 *(B) Not less than \$100,664,000 of the funds ap-*
17 *propriated under titles III and IV of this Act shall*
18 *be made available to combat the transnational threat*
19 *of wildlife poaching and trafficking.*

20 *(C) None of the funds appropriated under title*
21 *IV of this Act may be made available for training or*
22 *other assistance for any military unit or personnel*
23 *that the Secretary of State determines has been*
24 *credibly alleged to have participated in wildlife*
25 *poaching or trafficking, unless the Secretary reports*

1 *to the appropriate congressional committees that to do*
2 *so is in the national security interest of the United*
3 *States.*

4 *(D) Funds appropriated by this Act for biodiver-*
5 *sity programs shall not be used to support the expan-*
6 *sion of industrial scale logging or any other indus-*
7 *trial scale extractive activity into areas that were pri-*
8 *mary/intact tropical forests as of December 30, 2013,*
9 *and the Secretary of the Treasury shall instruct the*
10 *United States executive directors of each international*
11 *financial institutions (IFI) to use the voice and vote*
12 *of the United States to oppose any financing of any*
13 *such activity.*

14 *(3) The Secretary of the Treasury shall instruct*
15 *the United States executive director of each IFI that*
16 *it is the policy of the United States to use the voice*
17 *and vote of the United States, in relation to any loan,*
18 *grant, strategy, or policy of such institution, regard-*
19 *ing the construction of any large dam consistent with*
20 *the criteria set forth in Senate Report 114–79, while*
21 *also considering whether the project involves impor-*
22 *tant foreign policy objectives.*

23 *(4) Of the funds appropriated under title III of*
24 *this Act, not less than \$135,000,000 shall be made*
25 *available for sustainable landscapes programs.*

1 (5) *Of the funds appropriated under title III of*
2 *this Act, not less than \$177,000,000 shall be made*
3 *available for adaptation programs.*

4 (6) *Of the funds appropriated under title III of*
5 *this Act, not less than \$179,000,000 shall be made*
6 *available for renewable energy programs.*

7 (d) *FOOD SECURITY AND AGRICULTURAL DEVELOP-*
8 *MENT.—Of the funds appropriated by title III of this Act,*
9 *not less than \$1,005,600,000 shall be made available for*
10 *food security and agricultural development programs to*
11 *carry out the purposes of the Global Food Security Act of*
12 *2016 (Public Law 114–195): Provided, That funds may be*
13 *made available for a contribution as authorized by section*
14 *3202 of the Food, Conservation, and Energy Act of 2008*
15 *(Public Law 110–246), as amended by section 3310 of the*
16 *Agriculture Improvement Act of 2018 (Public Law 115–*
17 *334).*

18 (e) *MICRO, SMALL, AND MEDIUM-SIZED ENTER-*
19 *PRISES.—Of the funds appropriated by this Act, not less*
20 *than \$265,000,000 shall be made available to support the*
21 *development of, and access to financing for, micro, small,*
22 *and medium-sized enterprises that benefit the poor, espe-*
23 *cially women.*

24 (f) *PROGRAMS TO COMBAT TRAFFICKING IN PER-*
25 *SONS.—Of the funds appropriated by this Act under the*

1 headings “Development Assistance”, “Economic Support
2 Fund”, “Assistance for Europe, Eurasia and Central Asia”,
3 and “International Narcotics Control and Law Enforce-
4 ment”, not less than \$67,000,000 shall be made available
5 for activities to combat trafficking in persons internation-
6 ally, of which not less than \$45,000,000 shall be from funds
7 made available under the heading “International Narcotics
8 Control and Law Enforcement”: Provided, That funds ap-
9 propriated by this Act that are made available for programs
10 to end modern slavery shall be in addition to funds made
11 available by this subsection to combat trafficking in per-
12 sons.

13 (g) RECONCILIATION PROGRAMS.—Of the funds appro-
14 priated by this Act under the heading “Development Assist-
15 ance”, not less than \$30,000,000 shall be made available
16 to support people-to-people reconciliation programs which
17 bring together individuals of different ethnic, religious, and
18 political backgrounds from areas of civil strife and war, in-
19 cluding between Israelis and Palestinians living in the West
20 Bank and Gaza: Provided, That the USAID Administrator
21 shall consult with the Committees on Appropriations, prior
22 to the initial obligation of funds, on the uses of such funds,
23 and such funds shall be subject to the regular notification
24 procedures of the Committees on Appropriations: Provided
25 further, That to the maximum extent practicable, such

1 *funds shall be matched by sources other than the United*
2 *States Government: Provided further, That such funds shall*
3 *be administered by the Office of Conflict Management and*
4 *Mitigation, USAID.*

5 *(h) WATER AND SANITATION.—Of the funds appro-*
6 *priated by this Act, not less than \$450,000,000 shall be*
7 *made available for water supply and sanitation projects*
8 *pursuant to section 136 of the Foreign Assistance Act of*
9 *1961, of which not less than \$225,000,000 shall be for pro-*
10 *grams in sub-Saharan Africa, and of which not less than*
11 *\$15,000,000 shall be made available to support initiatives*
12 *by local communities in developing countries to build and*
13 *maintain safe latrines.*

14 *BUDGET DOCUMENTS*

15 *SEC. 7061. (a) OPERATING PLANS.—Not later than 45*
16 *days after enactment of this Act, each department, agency,*
17 *or organization funded in titles I, II, and VI of this Act,*
18 *and the Department of the Treasury and Independent Agen-*
19 *cies funded in title III of this Act, including the Inter-*
20 *American Foundation and the United States African Devel-*
21 *opment Foundation, shall submit to the Committees on Ap-*
22 *propriations an operating plan for funds appropriated to*
23 *such department, agency, or organization in such titles of*
24 *this Act, or funds otherwise available for obligation in fiscal*
25 *year 2020, that provides details of the uses of such funds*

1 *at the program, project, and activity level: Provided, That*
2 *such plans shall include, as applicable, a comparison be-*
3 *tween the congressional budget justification funding levels,*
4 *the most recent congressional directives or approved fund-*
5 *ing levels, and the funding levels proposed by the depart-*
6 *ment or agency; and a clear, concise, and informative de-*
7 *scription/justification: Provided further, That operating*
8 *plans that include changes in levels of funding for pro-*
9 *grams, projects, and activities specified in the congressional*
10 *budget justification, in this Act, or amounts specifically*
11 *designated in the respective tables included in the explana-*
12 *tory statement described in section 4 (in the matter pre-*
13 *ceding division A of this consolidated Act), as applicable,*
14 *shall be subject to the notification and reprogramming re-*
15 *quirements of section 7015 of this Act.*

16 *(b) SPEND PLANS.—*

17 *(1) Not later than 90 days after enactment of*
18 *this Act, the Secretary of State or Administrator of*
19 *the United States Agency for International Develop-*
20 *ment, as appropriate, shall submit to the Committees*
21 *on Appropriations a spend plan for funds made*
22 *available by this Act, for—*

23 *(A) assistance for Afghanistan, Iraq, Leb-*
24 *anon, Pakistan, Colombia, and countries in Cen-*
25 *tral America;*

1 (B) assistance made available pursuant to
2 section 7047(d) of this Act to counter Russian
3 influence and aggression, except that such plan
4 shall be on a country-by-country basis;

5 (C) assistance made available pursuant to
6 section 7059 of this Act;

7 (D) the Indo-Pacific Strategy;

8 (E) democracy programs, Power Africa,
9 and sectors enumerated in subsections (a), (c),
10 (d), (e), (f), (g) and (h) of section 7060 of this
11 Act;

12 (F) funds provided under the heading
13 “International Narcotics Control and Law En-
14 forcement” for International Organized Crime
15 and for Cybercrime and Intellectual Property
16 Rights: Provided, That the spend plans shall in-
17 clude bilateral and global programs funded
18 under such heading along with a brief descrip-
19 tion of the activities planned for each country;
20 and

21 (G) the regional security initiatives de-
22 scribed under this heading in Senate Report
23 116–126.

24 (2) Not later than 90 days after enactment of
25 this Act, the Secretary of the Treasury shall submit

1 to the Committees on Appropriations a detailed spend
2 plan for funds made available by this Act under the
3 heading “Department of the Treasury, International
4 Affairs Technical Assistance” in title III.

5 (c) *SPENDING REPORT.*—Not later than 45 days after
6 enactment of this Act, the USAID Administrator shall sub-
7 mit to the Committees on Appropriations a detailed report
8 on spending of funds made available during fiscal year
9 2019 under the heading “Development Credit Authority”.

10 (d) *CLARIFICATION.*—The spend plans referenced in
11 subsection (b) shall not be considered as meeting the notifi-
12 cation requirements in this Act or under section 634A of
13 the Foreign Assistance Act of 1961.

14 (e) *CONGRESSIONAL BUDGET JUSTIFICATION.*—

15 (1) *SUBMISSION.*—The congressional budget jus-
16 tification for Department of State operations and for-
17 eign operations shall be provided to the Committees
18 on Appropriations concurrent with the date of sub-
19 mission of the President’s budget for fiscal year 2021:
20 Provided, That the appendices for such justification
21 shall be provided to the Committees on Appropria-
22 tions not later than 10 calendar days thereafter.

23 (2) *MULTI-YEAR AVAILABILITY OF CERTAIN*
24 *FUNDS.*—The Secretary of State and the USAID Ad-
25 ministrator shall include in the congressional budget

1 *justification a detailed justification for multi-year*
2 *availability for any funds requested under the head-*
3 *ings “Diplomatic Programs” and “Operating Ex-*
4 *penses”.*

5 *REORGANIZATION*

6 *SEC. 7062. (a) OVERSIGHT.—*

7 *(1) PRIOR CONSULTATION AND NOTIFICATION.—*

8 *Funds appropriated by this Act, prior Acts making*
9 *appropriations for the Department of State, foreign*
10 *operations, and related programs, or any other Act*
11 *may not be used to implement a reorganization, rede-*
12 *sign, or other plan described in paragraph (2) by the*
13 *Department of State, the United States Agency for*
14 *International Development, or any other Federal de-*
15 *partment, agency, or organization funded by this Act*
16 *without prior consultation by the head of such depart-*
17 *ment, agency, or organization with the appropriate*
18 *congressional committees: Provided, That such funds*
19 *shall be subject to the regular notification procedures*
20 *of the Committees on Appropriations: Provided fur-*
21 *ther, That any such notification submitted to such*
22 *Committees shall include a detailed justification for*
23 *any proposed action, including the information speci-*
24 *fied under section 7073 of the joint explanatory state-*
25 *ment accompanying the Department of State, Foreign*

1 *Operations, and Related Programs Appropriations*
2 *Act, 2019 (division F of Public Law 116–6): Provided*
3 *further, That congressional notifications submitted in*
4 *prior fiscal years pursuant to similar provisions of*
5 *law in prior Acts making appropriations for the De-*
6 *partment of State, foreign operations, and related*
7 *programs may be deemed to meet the notification re-*
8 *quirements of this section.*

9 (2) *DESCRIPTION OF ACTIVITIES.—Pursuant to*
10 *paragraph (1), a reorganization, redesign, or other*
11 *plan shall include any action to—*

12 (A) *expand, eliminate, consolidate, or*
13 *downsize covered departments, agencies, or orga-*
14 *nizations, including bureaus and offices within*
15 *or between such departments, agencies, or orga-*
16 *nizations, including the transfer to other agen-*
17 *cies of the authorities and responsibilities of such*
18 *bureaus and offices;*

19 (B) *expand, eliminate, consolidate, or*
20 *downsize the United States official presence over-*
21 *seas, including at bilateral, regional, and multi-*
22 *lateral diplomatic facilities and other platforms;*
23 *or*

24 (C) *expand or reduce the size of the perma-*
25 *nent Civil Service, Foreign Service, eligible fam-*

1 *ily member, and locally employed staff workforce*
2 *of the Department of State and USAID from the*
3 *levels specified in sections 7063(d)(1) and*
4 *7064(i)(1) of this Act.*

5 *(b) ADDITIONAL REQUIREMENTS AND LIMITATIONS.—*

6 *(1) USAID REORGANIZATION.—Not later than*
7 *30 days after enactment of this Act, and quarterly*
8 *thereafter until September 30, 2021, the USAID Ad-*
9 *ministrator shall submit a report to the appropriate*
10 *congressional committees on the status of USAID’s re-*
11 *organization in the manner described in House Re-*
12 *port 116–78.*

13 *(2) BUREAU OF POPULATION, REFUGEES, AND*
14 *MIGRATION, DEPARTMENT OF STATE.—None of the*
15 *funds appropriated by this Act, prior Acts making*
16 *appropriations for the Department of State, foreign*
17 *operations, and related programs, or any other Act*
18 *may be used to downsize, downgrade, consolidate,*
19 *close, move, or relocate the Bureau of Population, Ref-*
20 *ugees, and Migration, Department of State, or any*
21 *activities of such Bureau, to another Federal agency.*

22 *(3) ADMINISTRATION OF FUNDS.—Funds made*
23 *available by this Act—*

24 *(A) under the heading “Migration and Ref-*
25 *ugee Assistance” shall be administered by the As-*

1 *sistant Secretary for Population, Refugees, and*
2 *Migration, Department of State, and this re-*
3 *responsibility shall not be delegated; and*

4 *(B) that are made available for the Office of*
5 *Global Women’s Issues shall be administered by*
6 *the United States Ambassador-at-Large for Glob-*
7 *al Women’s Issues, Department of State, and*
8 *this responsibility shall not be delegated.*

9 *DEPARTMENT OF STATE MANAGEMENT*

10 *SEC. 7063. (a) FINANCIAL SYSTEMS IMPROVEMENT.—*
11 *Funds appropriated by this Act for the operations of the*
12 *Department of State under the headings “Diplomatic Pro-*
13 *grams” and “Capital Investment Fund” shall be made*
14 *available to implement the recommendations contained in*
15 *the Foreign Assistance Data Review Findings Report*
16 *(FADR) and the Office of Inspector General (OIG) report*
17 *entitled “Department Financial Systems Are Insufficient to*
18 *Track and Report on Foreign Assistance Funds”: Provided,*
19 *That not later than 45 days after enactment of this Act,*
20 *the Secretary of State shall submit to the Committees on*
21 *Appropriations an update to the plan required under sec-*
22 *tion 7006 of the Department of State, Foreign Operations,*
23 *and Related Programs Appropriations Act, 2017 (division*
24 *J of Public Law 115–31) for implementing the FADR and*
25 *OIG recommendations: Provided further, That such funds*

1 *may not be obligated for enhancements to, or expansions*
2 *of, the Budget System Modernization Financial System,*
3 *Central Resource Management System, Joint Financial*
4 *Management System, or Foreign Assistance Coordination*
5 *and Tracking System until such updated plan is submitted*
6 *to the Committees on Appropriations: Provided further,*
7 *That such funds may not be obligated for new, or expansion*
8 *of existing, ad hoc electronic systems to track commitments,*
9 *obligations, or expenditures of funds unless the Secretary*
10 *of State, following consultation with the Chief Information*
11 *Officer of the Department of State, has reviewed and cer-*
12 *tified that such new system or expansion is consistent with*
13 *the FADR and OIG recommendations.*

14 (b) *WORKING CAPITAL FUND.—Funds appropriated*
15 *by this Act or otherwise made available to the Department*
16 *of State for payments to the Working Capital Fund may*
17 *only be used for the service centers included in the Congres-*
18 *sional Budget Justification, Department of State, Foreign*
19 *Operations, and Related Programs, Fiscal Year 2020: Pro-*
20 *vided, That the amounts for such service centers shall be*
21 *the amounts included in such budget justification, except*
22 *as provided in section 7015(b) of this Act: Provided further,*
23 *That Federal agency components shall be charged only for*
24 *their direct usage of each Working Capital Fund service:*
25 *Provided further, That prior to increasing the percentage*

1 *charged to Department of State bureaus and offices for pro-*
2 *curement-related activities, the Secretary of State shall in-*
3 *clude the proposed increase in the Department of State*
4 *budget justification or, at least 60 days prior to the in-*
5 *crease, provide the Committees on Appropriations a jus-*
6 *tification for such increase, including a detailed assessment*
7 *of the cost and benefit of the services provided by the pro-*
8 *curement fee: Provided further, That Federal agency compo-*
9 *nents may only pay for Working Capital Fund services that*
10 *are consistent with the purpose and authorities of such com-*
11 *ponents: Provided further, That the Working Capital Fund*
12 *shall be paid in advance or reimbursed at rates which will*
13 *return the full cost of each service.*

14 *(c) CERTIFICATION.—*

15 *(1) COMPLIANCE.—Not later than 45 days after*
16 *the initial obligation of funds appropriated under ti-*
17 *ties III and IV of this Act that are made available*
18 *to a Department of State bureau or office with re-*
19 *sponsibility for the management and oversight of such*
20 *funds, the Secretary of State shall certify and report*
21 *to the Committees on Appropriations, on an indi-*
22 *vidual bureau or office basis, that such bureau or of-*
23 *fice is in compliance with Department and Federal*
24 *financial and grants management policies, proce-*
25 *dures, and regulations, as applicable.*

1 (2) *CONSIDERATIONS.*—When making a certifi-
2 cation required by paragraph (1), the Secretary of
3 State shall consider the capacity of a bureau or office
4 to—

5 (A) account for the obligated funds at the
6 country and program level, as appropriate;

7 (B) identify risks and develop mitigation
8 and monitoring plans;

9 (C) establish performance measures and in-
10 dicators;

11 (D) review activities and performance; and

12 (E) assess final results and reconcile fi-
13 nances.

14 (3) *PLAN.*—If the Secretary of State is unable to
15 make a certification required by paragraph (1), the
16 Secretary shall submit a plan and timeline detailing
17 the steps to be taken to bring such bureau or office
18 into compliance.

19 (d) *PERSONNEL LEVELS.*—

20 (1) Funds made available by this Act are made
21 available to support the permanent Foreign Service
22 and Civil Service staff levels of the Department of
23 State at not less than the hiring targets established in
24 the fiscal year 2019 operating plan.

1 (2) *Not later than 60 days after enactment of*
2 *this Act, and every 60 days thereafter until September*
3 *30, 2021, the Secretary of State shall report to the ap-*
4 *propriate congressional committees on the on-board*
5 *personnel levels, hiring, and attrition of the Civil*
6 *Service, Foreign Service, eligible family member, and*
7 *locally employed staff workforce of the Department of*
8 *State, on an operating unit-by-operating unit basis:*
9 *Provided, That such report shall also include a hiring*
10 *plan, including timelines, for maintaining the agen-*
11 *cy-wide, on-board Foreign Service and Civil Service*
12 *at not less than the levels specified in paragraph (1).*

13 *(e) INFORMATION TECHNOLOGY PLATFORM.—*

14 (1) *None of the funds appropriated in title I of*
15 *this Act under the heading “Administration of For-*
16 *ign Affairs” may be made available for a new major*
17 *information technology (IT) investment without the*
18 *concurrence of the Chief Information Officer, Depart-*
19 *ment of State.*

20 (2) *None of the funds made available by this Act*
21 *and prior Acts making appropriations for the De-*
22 *partment of State, foreign operations, and related*
23 *programs may be used by an agency to submit a*
24 *project proposal to the Technology Modernization*
25 *Board for funding from the Technology Modernization*

1 *Fund unless, not later than 15 days in advance of*
2 *submitting the project proposal to the Board, the head*
3 *of the agency—*

4 *(A) notifies the Committees on Appropria-*
5 *tions of the proposed submission of the project*
6 *proposal; and*

7 *(B) submits to the Committees on Appro-*
8 *priations a copy of the project proposal.*

9 *(3) None of the funds made available by this Act*
10 *and prior Acts making appropriations for the De-*
11 *partment of State, foreign operations, and related*
12 *programs may be used by an agency to carry out a*
13 *project that is approved by the Board unless the head*
14 *of the agency—*

15 *(A) submits to the Committees on Appro-*
16 *priations a copy of the approved project pro-*
17 *posal, including the terms of reimbursement of*
18 *funding received for the project; and*

19 *(B) agrees to submit to the Committees on*
20 *Appropriations a copy of each report relating to*
21 *the project that the head of the agency submits*
22 *to the Board.*

1 *UNITED STATES AGENCY FOR INTERNATIONAL*
2 *DEVELOPMENT MANAGEMENT*

3 *SEC. 7064. (a) AUTHORITY.—Up to \$100,000,000 of*
4 *the funds made available in title III of this Act pursuant*
5 *to or to carry out the provisions of part I of the Foreign*
6 *Assistance Act of 1961, including funds appropriated under*
7 *the heading “Assistance for Europe, Eurasia and Central*
8 *Asia”, may be used by the United States Agency for Inter-*
9 *national Development to hire and employ individuals in*
10 *the United States and overseas on a limited appointment*
11 *basis pursuant to the authority of sections 308 and 309 of*
12 *the Foreign Service Act of 1980 (22 U.S.C. 3948 and 3949).*

13 *(b) RESTRICTION.—The authority to hire individuals*
14 *contained in subsection (a) shall expire on September 30,*
15 *2021.*

16 *(c) PROGRAM ACCOUNT CHARGED.—The account*
17 *charged for the cost of an individual hired and employed*
18 *under the authority of this section shall be the account to*
19 *which the responsibilities of such individual primarily re-*
20 *late: Provided, That funds made available to carry out this*
21 *section may be transferred to, and merged with, funds ap-*
22 *propriated by this Act in title II under the heading “Oper-*
23 *ating Expenses”.*

24 *(d) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-*
25 *viduals hired and employed by USAID, with funds made*

1 *available in this Act or prior Acts making appropriations*
2 *for the Department of State, foreign operations, and related*
3 *programs, pursuant to the authority of section 309 of the*
4 *Foreign Service Act of 1980 (22 U.S.C. 3949), may be ex-*
5 *tended for a period of up to 4 years notwithstanding the*
6 *limitation set forth in such section.*

7 (e) *DISASTER SURGE CAPACITY.—Funds appropriated*
8 *under title III of this Act to carry out part I of the Foreign*
9 *Assistance Act of 1961, including funds appropriated under*
10 *the heading “Assistance for Europe, Eurasia and Central*
11 *Asia”, may be used, in addition to funds otherwise avail-*
12 *able for such purposes, for the cost (including the support*
13 *costs) of individuals detailed to or employed by USAID*
14 *whose primary responsibility is to carry out programs in*
15 *response to natural disasters, or man-made disasters subject*
16 *to the regular notification procedures of the Committees on*
17 *Appropriations.*

18 (f) *PERSONAL SERVICES CONTRACTORS.—Funds ap-*
19 *propriated by this Act to carry out chapter 1 of part I,*
20 *chapter 4 of part II, and section 667 of the Foreign Assist-*
21 *ance Act of 1961, and title II of the Food for Peace Act*
22 *(Public Law 83–480; 7 U.S.C. 1721 et seq.), may be used*
23 *by USAID to employ up to 40 personal services contractors*
24 *in the United States, notwithstanding any other provision*
25 *of law, for the purpose of providing direct, interim support*

1 *for new or expanded overseas programs and activities man-*
2 *aged by the agency until permanent direct hire personnel*
3 *are hired and trained: Provided, That not more than 15*
4 *of such contractors shall be assigned to any bureau or office:*
5 *Provided further, That such funds appropriated to carry*
6 *out title II of the Food for Peace Act (Public Law 83–480;*
7 *7 U.S.C. 1721 et seq.), may be made available only for per-*
8 *sonal services contractors assigned to the Office of Food for*
9 *Peace.*

10 (g) *SMALL BUSINESS.—In entering into multiple*
11 *award indefinite-quantity contracts with funds appro-*
12 *priated by this Act, USAID may provide an exception to*
13 *the fair opportunity process for placing task orders under*
14 *such contracts when the order is placed with any category*
15 *of small or small disadvantaged business.*

16 (h) *SENIOR FOREIGN SERVICE LIMITED APPOINT-*
17 *MENTS.—Individuals hired pursuant to the authority pro-*
18 *vided by section 7059(o) of the Department of State, For-*
19 *ign Operations, and Related Programs Appropriations*
20 *Act, 2010 (division F of Public Law 111–117) may be as-*
21 *signed to or support programs in Afghanistan or Pakistan*
22 *with funds made available in this Act and prior Acts mak-*
23 *ing appropriations for the Department of State, foreign op-*
24 *erations, and related programs.*

25 (i) *PERSONNEL LEVELS.—*

1 (1) *Funds made available by this Act under the*
2 *heading “Operating Expenses” are made available to*
3 *support 1,850 permanent Foreign Service Officers*
4 *and 1,600 permanent Civil Service staff.*

5 (2) *Not later than 60 days after enactment of*
6 *this Act, and every 60 days thereafter until September*
7 *30, 2021, the USAID Administrator shall report to*
8 *the appropriate congressional committees on the on-*
9 *board personnel levels, hiring, and attrition of the*
10 *Civil Service, Foreign Service, and foreign service na-*
11 *tional workforce of USAID, on an operating unit-by-*
12 *operating unit basis: Provided, That such report shall*
13 *also include a hiring plan, including timelines, for*
14 *maintaining the agency-wide, on-board Foreign Serv-*
15 *ice Officers and Civil Service staff at not less than the*
16 *levels specified in paragraph (1).*

17 *STABILIZATION AND DEVELOPMENT IN REGIONS IMPACTED*
18 *BY EXTREMISM AND CONFLICT*

19 *SEC. 7065. (a) RELIEF AND RECOVERY FUND.—*

20 (1) *FUNDS AND TRANSFER AUTHORITY.—Of the*
21 *funds appropriated by this Act under the headings*
22 *“Economic Support Fund”, “International Narcotics*
23 *Control and Law Enforcement”, “Nonproliferation,*
24 *Anti-terrorism, Demining and Related Programs”,*
25 *“Peacekeeping Operations”, and “Foreign Military*

1 *Financing Program*”, not less than \$200,000,000
2 *shall be made available for the Relief and Recovery*
3 *Fund for assistance for areas liberated or at risk*
4 *from, or under the control of, the Islamic State of*
5 *Iraq and Syria, other terrorist organizations, or vio-*
6 *lent extremist organizations, including for stabiliza-*
7 *tion assistance for vulnerable ethnic and religious mi-*
8 *nority communities affected by conflict: Provided,*
9 *That unless specifically designated in this Act or in*
10 *the explanatory statement described in section 4 (in*
11 *the matter preceding division A of this consolidated*
12 *Act) for assistance for countries, such funds are in*
13 *addition to amounts otherwise made available for*
14 *such purposes: Provided further, That such funds ap-*
15 *propriated under such headings may be transferred*
16 *to, and merged with, funds appropriated under such*
17 *headings: Provided further, That such transfer au-*
18 *thority is in addition to any other transfer authority*
19 *provided by this Act or any other Act, and is subject*
20 *to the regular notification procedures of the Commit-*
21 *tees on Appropriations.*

22 (2) *TRANSITIONAL JUSTICE.*—*Of the funds ap-*
23 *propriated by this Act under the headings “Economic*
24 *Support Fund” and “International Narcotics Control*
25 *and Law Enforcement” that are made available for*

1 *the Relief and Recovery Fund, not less than*
2 *\$10,000,000 shall be made available for programs to*
3 *promote accountability for genocide, crimes against*
4 *humanity, and war crimes, including in Iraq and*
5 *Syria, which shall be in addition to any other funds*
6 *made available by this Act for such purposes: Pro-*
7 *vided, That such programs shall include components*
8 *to develop local investigative and judicial skills, and*
9 *to collect and preserve evidence and maintain the*
10 *chain of custody of evidence, including for use in*
11 *prosecutions, and may include the establishment of,*
12 *and assistance for, transitional justice mechanisms:*
13 *Provided further, That such funds shall be adminis-*
14 *tered by the Special Coordinator for the Office of*
15 *Global Criminal Justice, Department of State: Pro-*
16 *vided further, That funds made available by this*
17 *paragraph shall be made available on an open and*
18 *competitive basis.*

19 *(b) COUNTERING VIOLENT EXTREMISM IN ASIA.—Of*
20 *the funds appropriated by this Act under the heading “Eco-*
21 *nomie Support Fund”, not less than \$2,500,000 shall be*
22 *made available for programs to counter violent extremism*
23 *in Asia, including within the Buddhist community: Pro-*
24 *vided, That such funds are in addition to funds otherwise*
25 *made available by this Act for such purposes.*

1 (c) *GLOBAL COMMUNITY ENGAGEMENT AND RESIL-*
2 *IENCE FUND.*—Of the funds appropriated by this Act and
3 prior Acts making appropriations for the Department of
4 State, foreign operations, and related programs under the
5 heading “Economic Support Fund”, \$5,000,000 shall be
6 made available to the Global Community Engagement and
7 Resilience Fund (GCERF), including as a contribution:
8 Provided, That any such funds made available for the
9 GCERF shall be made available on a cost-matching basis
10 from sources other than the United States Government, to
11 the maximum extent practicable, and shall be subject to the
12 regular notification procedures of the Committees on Appro-
13 priations.

14 (d) *GLOBAL CONCESSIONAL FINANCING FACILITY.*—Of
15 the funds appropriated by this Act under the heading “Eco-
16 nomic Support Fund”, \$25,000,000 shall be made available
17 for the Global Concessional Financing Facility of the World
18 Bank to provide financing to support refugees and host
19 communities: Provided, That such funds shall be in addi-
20 tion to funds allocated for bilateral assistance in the report
21 required by section 653(a) of the Foreign Assistance Act of
22 1961, and may only be made available subject to prior to
23 consultation with the Committees on Appropriations.

DISABILITY PROGRAMS

1
2 *SEC. 7066. (a) ASSISTANCE.—Funds appropriated by*
3 *this Act under the heading “Development Assistance” shall*
4 *be made available for programs and activities administered*
5 *by the United States Agency for International Development*
6 *to address the needs and protect and promote the rights of*
7 *people with disabilities in developing countries, including*
8 *initiatives that focus on independent living, economic self-*
9 *sufficiency, advocacy, education, employment, transpor-*
10 *tation, sports, and integration of individuals with disabil-*
11 *ities, including for the cost of translation.*

12 *(b) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUP-*
13 *PORT.—Of the funds made available pursuant to this sec-*
14 *tion, 5 percent may be used by USAID for management,*
15 *oversight, and technical support.*

DEBT-FOR-DEVELOPMENT

16
17 *SEC. 7067. In order to enhance the continued partici-*
18 *pation of nongovernmental organizations in debt-for-devel-*
19 *opment and debt-for-nature exchanges, a nongovernmental*
20 *organization which is a grantee or contractor of the United*
21 *States Agency for International Development may place in*
22 *interest bearing accounts local currencies which accrue to*
23 *that organization as a result of economic assistance pro-*
24 *vided under title III of this Act and, subject to the regular*
25 *notification procedures of the Committees on Appropria-*

1 tions, any interest earned on such investment shall be used
2 for the purpose for which the assistance was provided to
3 that organization.

4 *ENTERPRISE FUNDS*

5 *SEC. 7068. (a) NOTIFICATION.*—None of the funds
6 made available under titles III through VI of this Act may
7 be made available for Enterprise Funds unless the appro-
8 priate congressional committees are notified at least 15
9 days in advance.

10 *(b) DISTRIBUTION OF ASSETS PLAN.*—Prior to the dis-
11 tribution of any assets resulting from any liquidation, dis-
12 solution, or winding up of an Enterprise Fund, in whole
13 or in part, the President shall submit to the appropriate
14 congressional committees a plan for the distribution of the
15 assets of the Enterprise Fund.

16 *(c) TRANSITION OR OPERATING PLAN.*—Prior to a
17 transition to and operation of any private equity fund or
18 other parallel investment fund under an existing Enterprise
19 Fund, the President shall submit such transition or oper-
20 ating plan to the appropriate congressional committees.

21 *RESCISSIONS*

22 *(INCLUDING RESCISSIONS OF FUNDS)*

23 *SEC. 7069. (a) ECONOMIC SUPPORT FUND.*—

24 *(1) Of the unobligated balances available under*
25 *the Economic Support Fund, identified by Treasury*

1 *Appropriation Fund Symbol 72 X 1037, \$32,000,000*
2 *are rescinded.*

3 *(2) Of the unobligated and unexpended balances*
4 *available to the President for bilateral economic as-*
5 *sistance under the heading “Economic Support*
6 *Fund” from prior Acts making appropriations for the*
7 *Department of State, foreign operations, and related*
8 *programs, \$200,000,000 shall be deobligated, as ap-*
9 *propriate, and shall be rescinded.*

10 *(3) For the purposes of this subsection, no*
11 *amounts may be rescinded from amounts that were*
12 *designated by Congress as an emergency requirement*
13 *or for Overseas Contingency Operations/Global War*
14 *on Terrorism pursuant to a concurrent resolution on*
15 *the budget or the Balanced Budget and Emergency*
16 *Deficit Control Act of 1985.*

17 ***(b) EMBASSY SECURITY, CONSTRUCTION, AND MAIN-***
18 ***TENANCE.—Of the unobligated balances from amounts***
19 ***available under the heading “Embassy Security, Construc-***
20 ***tion, and Maintenance” in title II of the Security Assist-***
21 ***ance Appropriations Act, 2017 (division B of Public Law***
22 ***114–254), \$242,462,000 are rescinded: Provided, That such***
23 ***funds that were previously designated by the Congress for***
24 ***Overseas Contingency Operations/Global War on Terrorism***
25 ***pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget***

1 *and Emergency Deficit Control Act of 1985 are designated*
2 *by the Congress for Overseas Contingency Operations/Glob-*
3 *al War on Terrorism pursuant to section 251(b)(2)(A)(ii)*
4 *of such Act.*

5 (c) *COMPLEX CRISES FUND.—Of the unobligated bal-*
6 *ances from amounts made available under title VIII in*
7 *prior Acts making appropriations for the Department of*
8 *State, foreign operations, and related programs under the*
9 *heading “Complex Crises Fund”, \$40,000,000 are re-*
10 *scinded: Provided, That such funds that were previously*
11 *designated 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 are designated by the Congress*
15 *for Overseas Contingency Operations/Global War on Ter-*
16 *rorism pursuant to section 251(b)(2)(A)(ii) of such Act.*

17 (d) *EXPORT-IMPORT BANK OF THE UNITED*
18 *STATES.—Of the unobligated balances available under the*
19 *heading “Export and Investment Assistance, Export-Im-*
20 *port Bank of the United States, Subsidy Appropriation”*
21 *for tied-aid grants from prior Acts making appropriations*
22 *for the Department of State, foreign operations, and related*
23 *programs, \$64,282,000 are rescinded.*

1 *be available for the Office of Public Affairs; not to exceed*
2 *\$1,859,000 shall be available for the Office of the Executive*
3 *Secretariat; not to exceed \$12,181,000 shall be available for*
4 *the Office of Intelligence, Security, and Emergency Re-*
5 *sponse; and not to exceed \$16,814,000 shall be available for*
6 *the Office of the Chief Information Officer: Provided, That*
7 *the Secretary of Transportation is authorized to transfer*
8 *funds appropriated for any office of the Office of the Sec-*
9 *retary to any other office of the Office of the Secretary: Pro-*
10 *vided further, That no appropriation for any office shall*
11 *be increased or decreased by more than 7 percent by all*
12 *such transfers: Provided further, That notice of any change*
13 *in funding greater than 7 percent shall be submitted for*
14 *approval to the House and Senate Committees on Appro-*
15 *priations: Provided further, That not to exceed \$60,000*
16 *shall be for allocation within the Department for official*
17 *reception and representation expenses as the Secretary may*
18 *determine: Provided further, That notwithstanding any*
19 *other provision of law, excluding fees authorized in Public*
20 *Law 107–71, there may be credited to this appropriation*
21 *up to \$2,500,000 in funds received in user fees: Provided*
22 *further, That none of the funds provided in this Act shall*
23 *be available for the position of Assistant Secretary for Pub-*
24 *lic Affairs.*

RESEARCH AND TECHNOLOGY

1
2 *For necessary expenses related to the Office of the As-*
3 *sistant Secretary for Research and Technology,*
4 *\$21,000,000, of which \$14,218,000 shall remain available*
5 *until expended for (1) \$5,000,000 for new competitive*
6 *grants under section 5505 of title 49, United States Code,*
7 *for Tier I University Transportation Centers, (2)*
8 *\$1,000,000 for the establishment of an emergency planning*
9 *transportation data initiative to conduct research and de-*
10 *velop models for data integration of geo-located weather and*
11 *roadways information for emergency and other severe*
12 *weather conditions to improve public safety and emergency*
13 *evacuation and response capabilities, (3) \$1,000,000 for the*
14 *Secretary of Transportation to enter into an agreement*
15 *with the National Academies of Sciences, Engineering, and*
16 *Medicine to conduct a study through the Transportation*
17 *Research Board on effective ways to measure the resilience*
18 *of transportation systems and services to natural disasters,*
19 *natural hazards, and other potential disruptions, and (4)*
20 *\$5,000,000 for the establishment of a Highly Automated*
21 *Systems Safety Center of Excellence as required in section*
22 *105 of this Act: Provided, That such amounts are in addi-*
23 *tion to amounts previously provided for Tier I University*
24 *Transportation Centers: Provided further, That such*
25 *amounts for additional Tier I University Transportation*

1 *Centers under this heading are provided notwithstanding*
2 *section 5505(c)(4)(A) of title 49, United States Code: Pro-*
3 *vided further, That there may be credited to this appropria-*
4 *tion, to be available until expended, funds received from*
5 *States, counties, municipalities, other public authorities,*
6 *and private sources for expenses incurred for training: Pro-*
7 *vided further, That any reference in law, regulation, judi-*
8 *cial proceedings, or elsewhere to the Research and Innova-*
9 *tive Technology Administration shall continue to be deemed*
10 *to be a reference to the Office of the Assistant Secretary*
11 *for Research and Technology of the Department of Trans-*
12 *portation.*

13 *NATIONAL INFRASTRUCTURE INVESTMENTS*

14 *For capital investments in surface transportation in-*
15 *frastructure, \$1,000,000,000, to remain available through*
16 *September 30, 2022: Provided, That the Secretary of Trans-*
17 *portation shall distribute funds provided under this heading*
18 *as discretionary grants to be awarded to a State, local gov-*
19 *ernment, transit agency, port authority, or a collaboration*
20 *among such entities on a competitive basis for projects that*
21 *will have a significant local or regional impact: Provided*
22 *further, That projects eligible for funding provided under*
23 *this heading shall include, but not be limited to, highway*
24 *or bridge projects eligible under title 23, United States*
25 *Code; public transportation projects eligible under chapter*

1 53 of title 49, United States Code; passenger and freight
2 rail transportation projects; port infrastructure investments
3 (including inland port infrastructure and land ports of
4 entry); and projects investing in surface transportation fa-
5 cilities that are located on tribal land and for which title
6 or maintenance responsibility is vested in the Federal Gov-
7 ernment: Provided further, That of the amount made avail-
8 able under this heading, the Secretary shall use an amount
9 not less than \$15,000,000 for the planning, preparation or
10 design of projects eligible for funding under this heading:
11 Provided further, That grants awarded under the previous
12 proviso shall not be subject to a minimum grant size: Pro-
13 vided further, That the Secretary may use up to 20 percent
14 of the funds made available under this heading for the pur-
15 pose of paying the subsidy and administrative costs of
16 projects eligible for Federal credit assistance under chapter
17 6 of title 23, United States Code, or sections 501 through
18 504 of the Railroad Revitalization and Regulatory Reform
19 Act of 1976 (Public Law 94–210), as amended, if the Sec-
20 retary finds that such use of the funds would advance the
21 purposes of this paragraph: Provided further, That in dis-
22 tributing funds provided under this heading, the Secretary
23 shall take such measures so as to ensure an equitable geo-
24 graphic distribution of funds, an appropriate balance in
25 addressing the needs of urban and rural areas, and the in-

1 *vestment in a variety of transportation modes: Provided*
2 *further, That a grant funded under this heading shall be*
3 *not less than \$5,000,000 and not greater than \$25,000,000:*
4 *Provided further, That not more than 10 percent of the*
5 *funds made available under this heading may be awarded*
6 *to projects in a single State: Provided further, That the Fed-*
7 *eral share of the costs for which an expenditure is made*
8 *under this heading shall be, at the option of the recipient,*
9 *up to 80 percent: Provided further, That the Secretary shall*
10 *give priority to projects that require a contribution of Fed-*
11 *eral funds in order to complete an overall financing pack-*
12 *age: Provided further, That an award under this heading*
13 *is an urban award if it is to a project located within or*
14 *on the boundary of an Urbanized Area (UA), as designated*
15 *by the U.S. Census Bureau, that had a population greater*
16 *than 200,000 in the 2010 Census: Provided further, That*
17 *for the purpose of determining if an award for planning,*
18 *preparation or design is an urban award, the project loca-*
19 *tion is the location of the project being planned, prepared*
20 *or designed: Provided further, That each award under this*
21 *heading that is not an urban award is a rural award: Pro-*
22 *vided further, That of the funds awarded under this head-*
23 *ing, not more than 50 percent shall be awarded as urban*
24 *awards and rural awards, respectively: Provided further,*
25 *That for rural awards, the minimum grant size shall be*

1 \$1,000,000 and the Secretary may increase the Federal
2 share of costs above 80 percent: Provided further, That
3 projects conducted using funds provided under this heading
4 must comply with the requirements of subchapter IV of
5 chapter 31 of title 40, United States Code: Provided further,
6 That the Secretary shall conduct a new competition to select
7 the grants and credit assistance awarded under this head-
8 ing: Provided further, That the Secretary may retain up
9 to \$25,000,000 of the funds provided under this heading,
10 and may transfer portions of those funds to the Administra-
11 tors of the Federal Highway Administration, the Federal
12 Transit Administration, the Federal Railroad Administra-
13 tion, and the Maritime Administration to fund the award
14 and oversight of grants and credit assistance made under
15 the National Infrastructure Investments program: Provided
16 further, That none of the funds provided in the previous
17 proviso may be used to hire additional personnel: Provided
18 further, That the Secretary shall consider and award
19 projects based solely on the selection criteria from the fiscal
20 year 2017 Notice of Funding Opportunity: Provided fur-
21 ther, That, notwithstanding the previous proviso, the Sec-
22 retary shall not use the Federal share or an applicant's
23 ability to generate non-Federal revenue as a selection cri-
24 teria in awarding projects: Provided further, That the Sec-
25 retary shall issue the Notice of Funding Opportunity no

1 *later than 60 days after enactment of this Act: Provided*
2 *further, That such Notice of Funding Opportunity shall re-*
3 *quire application submissions 90 days after the publishing*
4 *of such Notice: Provided further, That of the applications*
5 *submitted under the previous two provisos, the Secretary*
6 *shall make grants no later than 270 days after enactment*
7 *of this Act in such amounts that the Secretary determines:*
8 *Provided further, That such sums provided for national in-*
9 *frastructure investments for multimodal safety projects*
10 *under title VIII of division F of the Consolidated and Fur-*
11 *ther Continuing Appropriations Act, 2013 (Public Law*
12 *113–6; 127 Stat. 423) shall remain available through fiscal*
13 *year 2024 for the liquidation of valid obligations of active*
14 *grants awarded with this funding: Provided further, That*
15 *the preceding proviso shall be applied as if it were in effect*
16 *on September 30, 2019.*

17 *NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE*
18 *FINANCE BUREAU*

19 *For necessary expenses of the National Surface Trans-*
20 *portation and Innovative Finance Bureau as authorized by*
21 *49 U.S.C. 116, \$5,000,000, to remain available until ex-*
22 *pended: Provided, That the Secretary shall notify the House*
23 *and Senate Committees on Appropriations no less than 15*
24 *days prior to exercising the transfer authority granted*
25 *under section 116(h) of title 49, United States Code.*

1 \$1,000,000 shall be for necessary expenses of the Interagency
2 Infrastructure Permitting Improvement Center (IIPIC):
3 Provided further, That there may be transferred to this ap-
4 propriation, to remain available until expended, amounts
5 transferred from other Federal agencies for expenses in-
6 curred under this heading for IIPIC activities not related
7 to transportation infrastructure: Provided further, That the
8 tools and analysis developed by the IIPIC shall be available
9 to other Federal agencies for the permitting and review of
10 major infrastructure projects not related to transportation
11 only to the extent that other Federal agencies provide fund-
12 ing to the Department as provided for under the previous
13 proviso.

14 WORKING CAPITAL FUND

15 For necessary expenses for operating costs and capital
16 outlays of the Working Capital Fund, not to exceed
17 \$319,793,000, shall be paid from appropriations made
18 available to the Department of Transportation: Provided,
19 That such services shall be provided on a competitive basis
20 to entities within the Department of Transportation: Pro-
21 vided further, That the above limitation on operating ex-
22 penses shall not apply to non-DOT entities: Provided fur-
23 ther, That no funds appropriated in this Act to an agency
24 of the Department shall be transferred to the Working Cap-
25 ital Fund without majority approval of the Working Cap-

1 *ital Fund Steering Committee and approval of the Sec-*
2 *retary: Provided further, That no assessments may be levied*
3 *against any program, budget activity, subactivity or project*
4 *funded by this Act unless notice of such assessments and*
5 *the basis therefor are presented to the House and Senate*
6 *Committees on Appropriations and are approved by such*
7 *Committees.*

8 *SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND*
9 *OUTREACH*

10 *For necessary expenses for small and disadvantaged*
11 *business utilization and outreach activities, \$4,646,000, to*
12 *remain available until September 30, 2021: Provided, That*
13 *notwithstanding 49 U.S.C. 332, these funds may be used*
14 *for business opportunities related to any mode of transpor-*
15 *tation: Provided further, That appropriations made avail-*
16 *able under this heading shall be available for any purpose*
17 *consistent with prior year appropriations that were made*
18 *available under the heading "Minority Business Resource*
19 *Center Program".*

20 *PAYMENTS TO AIR CARRIERS*

21 *(AIRPORT AND AIRWAY TRUST FUND)*

22 *In addition to funds made available from any other*
23 *source to carry out the essential air service program under*
24 *49 U.S.C. 41731 through 41742, \$162,000,000, to be derived*
25 *from the Airport and Airway Trust Fund, to remain avail-*

1 *able until expended: Provided, That in determining between*
2 *or among carriers competing to provide service to a commu-*
3 *nity, the Secretary may consider the relative subsidy re-*
4 *quirements of the carriers: Provided further, That basic es-*
5 *sential air service minimum requirements shall not include*
6 *the 15-passenger capacity requirement under section*
7 *41732(b)(3) of title 49, United States Code: Provided fur-*
8 *ther, That none of the funds in this Act or any other Act*
9 *shall be used to enter into a new contract with a community*
10 *located less than 40 miles from the nearest small hub air-*
11 *port before the Secretary has negotiated with the commu-*
12 *nity over a local cost share: Provided further, That amounts*
13 *authorized to be distributed for the essential air service pro-*
14 *gram under section 41742(b) of title 49, United States Code,*
15 *shall be made available immediately from amounts other-*
16 *wise provided to the Administrator of the Federal Aviation*
17 *Administration: Provided further, That the Administrator*
18 *may reimburse such amounts from fees credited to the ac-*
19 *count established under section 45303 of title 49, United*
20 *States Code.*

21 *ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY*
22 *OF TRANSPORTATION*

23 *SEC. 101. None of the funds made available in this*
24 *Act to the Department of Transportation may be obligated*
25 *for the Office of the Secretary of Transportation to approve*

1 *assessments or reimbursable agreements pertaining to funds*
2 *appropriated to the modal administrations in this Act, ex-*
3 *cept for activities underway on the date of enactment of*
4 *this Act, unless such assessments or agreements have com-*
5 *pleted the normal reprogramming process for Congressional*
6 *notification.*

7 *SEC. 102. The Secretary shall post on the Web site of*
8 *the Department of Transportation a schedule of all meetings*
9 *of the Council on Credit and Finance, including the agenda*
10 *for each meeting, and require the Council on Credit and*
11 *Finance to record the decisions and actions of each meeting.*

12 *SEC. 103. In addition to authority provided by section*
13 *327 of title 49, United States Code, the Department's Work-*
14 *ing Capital Fund is hereby authorized to provide partial*
15 *or full payments in advance and accept subsequent reim-*
16 *bursements from all Federal agencies from available funds*
17 *for transit benefit distribution services that are necessary*
18 *to carry out the Federal transit pass transportation fringe*
19 *benefit program under Executive Order No. 13150 and sec-*
20 *tion 3049 of Public Law 109-59: Provided, That the De-*
21 *partment shall maintain a reasonable operating reserve in*
22 *the Working Capital Fund, to be expended in advance to*
23 *provide uninterrupted transit benefits to Government em-*
24 *ployees: Provided further, That such reserve will not exceed*
25 *one month of benefits payable and may be used only for*

1 *the purpose of providing for the continuation of transit ben-*
2 *efits: Provided further, That the Working Capital Fund will*
3 *be fully reimbursed by each customer agency from available*
4 *funds for the actual cost of the transit benefit.*

5 *SEC. 104. No later than May 1, 2020, the Secretary*
6 *shall announce the selection of all projects to receive awards*
7 *for all competitive grants provided in Public Law 116–6*
8 *under the headings: “Federal Railroad Administration—*
9 *Federal–State Partnership for State of Good Repair”,*
10 *“Federal Railroad Administration—Consolidated Rail In-*
11 *frastructure and Safety Improvements”, “Federal Railroad*
12 *Administration—Restoration and Enhancement”, “Federal*
13 *Railroad Administration—Magnetic Levitation Technology*
14 *Deployment Program”, and “Maritime Administration—*
15 *Port Infrastructure Development Program”.*

16 *SEC. 105. (a) The Secretary shall establish a Highly*
17 *Automated Systems Safety Center of Excellence within the*
18 *Department of Transportation, in order to have a Depart-*
19 *ment of Transportation workforce capable of reviewing, as-*
20 *sessing, and validating the safety of automated technologies.*

21 *(b) The Highly Automated Systems Safety Center of*
22 *Excellence shall—*

23 *(1) serve as a central location within the Depart-*
24 *ment of Transportation for expertise in automation*
25 *and human factors, computer science, data analytics,*

1 *machine learning, sensors, and other technologies in-*
2 *volving automated systems;*

3 (2) *collaborate with and provide support on*
4 *highly automated systems to all Operating Adminis-*
5 *trations of the Department of Transportation; and*

6 (3) *have a workforce composed of Department of*
7 *Transportation employees, including direct hires or*
8 *detailees from Operating Administrations of the De-*
9 *partment of Transportation and other Federal agen-*
10 *cies.*

11 (c) *Employees of the Highly Automated Systems Safe-*
12 *ty Center of Excellence, in conjunction with the relevant*
13 *Operating Administrations of the Department of Transpor-*
14 *tation, shall review, assess, and validate highly automated*
15 *systems to ensure their safety.*

16 (d) *The Highly Automated Systems Safety Center of*
17 *Excellence shall not supersede laws or regulations granting*
18 *certification authorities to Operating Administrations of*
19 *the Department of Transportation.*

20 (e) *No later than 90 days after the date of enactment*
21 *of this Act, the Secretary shall report to the Committees on*
22 *Appropriations of the House of Representatives and the*
23 *Senate on staffing needs and the staffing plan for the High-*
24 *ly Automated Systems Safety Center of Excellence.*

1 *SEC. 106. None of the funds made available by this*
2 *Act shall be used to terminate the Intelligent Transpor-*
3 *tation System Program Advisory Committee established*
4 *under section 5305(h) of SAFETEA-LU (23 U.S.C. 512*
5 *note; Public Law 109–59).*

6 *FEDERAL AVIATION ADMINISTRATION*

7 *OPERATIONS*

8 *(AIRPORT AND AIRWAY TRUST FUND)*

9 *For necessary expenses of the Federal Aviation Admin-*
10 *istration, not otherwise provided for, including operations*
11 *and research activities related to commercial space trans-*
12 *portation, administrative expenses for research and develop-*
13 *ment, establishment of air navigation facilities, the oper-*
14 *ation (including leasing) and maintenance of aircraft, sub-*
15 *sidizing the cost of aeronautical charts and maps sold to*
16 *the public, the lease or purchase of passenger motor vehicles*
17 *for replacement only, \$10,630,000,000, to remain available*
18 *until September 30, 2021, of which \$10,519,000,000 shall*
19 *be derived from the Airport and Airway Trust Fund: Pro-*
20 *vided, That of the sums appropriated under this heading—*

21 *(1) not less than \$1,404,096,000 shall be avail-*
22 *able for aviation safety activities;*

23 *(2) \$7,970,734,000 shall be available for air traf-*
24 *fic organization activities;*

1 (3) \$26,040,000 shall be available for commercial
2 space transportation activities;

3 (4) \$800,646,000 shall be available for finance
4 and management activities;

5 (5) \$61,538,000 shall be available for NextGen
6 and operations planning activities;

7 (6) \$118,642,000 shall be available for security
8 and hazardous materials safety; and

9 (7) \$248,304,000 shall be available for staff of-
10 fices:

11 *Provided further, That not to exceed 5 percent of any budget*
12 *activity, except for aviation safety budget activity, may be*
13 *transferred to any budget activity under this heading: Pro-*
14 *vided further, That no transfer may increase or decrease*
15 *any appropriation by more than 5 percent: Provided fur-*
16 *ther, That any transfer in excess of 5 percent shall be treat-*
17 *ed as a reprogramming of funds under section 405 of this*
18 *Act and shall not be available for obligation or expenditure*
19 *except in compliance with the procedures set forth in that*
20 *section: Provided further, That not later than 60 days after*
21 *the submission of the budget request, the Administrator of*
22 *the Federal Aviation Administration shall transmit to Con-*
23 *gress an annual update to the report submitted to Congress*
24 *in December 2004 pursuant to section 221 of Public Law*
25 *108–176: Provided further, That the amount herein appro-*

1 *priated shall be reduced by \$100,000 for each day after the*
2 *date that is 60 days after the submission of the budget re-*
3 *quest that such report has not been submitted to the Con-*
4 *gress: Provided further, That not later than 60 days after*
5 *the submission of the budget request, the Administrator*
6 *shall transmit to Congress a companion report that de-*
7 *scribes a comprehensive strategy for staffing, hiring, and*
8 *training flight standards and aircraft certification staff in*
9 *a format similar to the one utilized for the controller staff-*
10 *ing plan, including stated attrition estimates and numer-*
11 *ical hiring goals by fiscal year: Provided further, That the*
12 *amount herein appropriated shall be reduced by \$100,000*
13 *per day for each day after the date that is 60 days after*
14 *the submission of the budget request that such report has*
15 *not been submitted to Congress: Provided further, That*
16 *funds may be used to enter into a grant agreement with*
17 *a nonprofit standard-setting organization to assist in the*
18 *development of aviation safety standards: Provided further,*
19 *That none of the funds in this Act shall be available for*
20 *new applicants for the second career training program:*
21 *Provided further, That none of the funds in this Act shall*
22 *be available for the Federal Aviation Administration to fi-*
23 *nalize or implement any regulation that would promulgate*
24 *new aviation user fees not specifically authorized by law*
25 *after the date of the enactment of this Act: Provided further,*

1 *That there may be credited to this appropriation, as offset-*
2 *ting collections, funds received from States, counties, mu-*
3 *nicipalities, foreign authorities, other public authorities,*
4 *and private sources for expenses incurred in the provision*
5 *of agency services, including receipts for the maintenance*
6 *and operation of air navigation facilities, and for issuance,*
7 *renewal or modification of certificates, including airman,*
8 *aircraft, and repair station certificates, or for tests related*
9 *thereto, or for processing major repair or alteration forms:*
10 *Provided further, That of the funds appropriated under this*
11 *heading, not less than \$170,000,000 shall be used to fund*
12 *direct operations of the current air traffic control towers*
13 *in the contract tower program, including the contract tower*
14 *cost share program, and any airport that is currently*
15 *qualified or that will qualify for the program during the*
16 *fiscal year: Provided further, That none of the funds in this*
17 *Act for aeronautical charting and cartography are available*
18 *for activities conducted by, or coordinated through, the*
19 *Working Capital Fund: Provided further, That none of the*
20 *funds appropriated or otherwise made available by this Act*
21 *or any other Act may be used to eliminate the Contract*
22 *Weather Observers program at any airport.*

1 *FACILITIES AND EQUIPMENT*2 *(AIRPORT AND AIRWAY TRUST FUND)*

3 *For necessary expenses, not otherwise provided for, for*
4 *acquisition, establishment, technical support services, im-*
5 *provement by contract or purchase, and hire of national*
6 *airspace systems and experimental facilities and equip-*
7 *ment, as authorized under part A of subtitle VII of title*
8 *49, United States Code, including initial acquisition of nec-*
9 *essary sites by lease or grant; engineering and service test-*
10 *ing, including construction of test facilities and acquisition*
11 *of necessary sites by lease or grant; construction and fur-*
12 *nishing of quarters and related accommodations for officers*
13 *and employees of the Federal Aviation Administration sta-*
14 *tioned at remote localities where such accommodations are*
15 *not available; and the purchase, lease, or transfer of aircraft*
16 *from funds available under this heading, including aircraft*
17 *for aviation regulation and certification; to be derived from*
18 *the Airport and Airway Trust Fund, \$3,045,000,000, of*
19 *which \$515,000,000 shall remain available until September*
20 *30, 2021, \$2,409,473,000 shall remain available until Sep-*
21 *tember 30, 2022, and \$120,527,000 shall remain available*
22 *until expended: Provided, That there may be credited to this*
23 *appropriation funds received from States, counties, municipi-*
24 *palities, other public authorities, and private sources, for*
25 *expenses incurred in the establishment, improvement, and*

1 *modernization of national airspace systems: Provided fur-*
2 *ther, That not later than 60 days after submission of the*
3 *budget request, the Secretary of Transportation shall trans-*
4 *mit to the Congress an investment plan for the Federal*
5 *Aviation Administration which includes funding for each*
6 *budget line item for fiscal years 2021 through 2025, with*
7 *total funding for each year of the plan constrained to the*
8 *funding targets for those years as estimated and approved*
9 *by the Office of Management and Budget.*

10 *RESEARCH, ENGINEERING, AND DEVELOPMENT*

11 *(AIRPORT AND AIRWAY TRUST FUND)*

12 *For necessary expenses, not otherwise provided for, for*
13 *research, engineering, and development, as authorized*
14 *under part A of subtitle VII of title 49, United States Code,*
15 *including construction of experimental facilities and acqui-*
16 *sition of necessary sites by lease or grant, \$192,665,000, to*
17 *be derived from the Airport and Airway Trust Fund and*
18 *to remain available until September 30, 2022: Provided,*
19 *That there may be credited to this appropriation as offset-*
20 *ting collections, funds received from States, counties, mu-*
21 *nicipalities, other public authorities, and private sources,*
22 *which shall be available for expenses incurred for research,*
23 *engineering, and development: Provided further, That funds*
24 *made available under this heading shall be used in accord-*
25 *ance with the explanatory statement described in section*

1 4 (in the matter preceding division A of this consolidated
 2 Act): Provided further, That not to exceed 10 percent of any
 3 funding level specified under this heading in the explana-
 4 tory statement described in section 4 (in the matter pre-
 5 ceding division A of this consolidated Act) may be trans-
 6 ferred to any other funding level specified under this head-
 7 ing in the explanatory statement described in section 4 (in
 8 the matter preceding division A of this consolidated Act):
 9 Provided further, That no transfer may increase or decrease
 10 any funding level by more than 10 percent: Provided fur-
 11 ther, That any transfer in excess of 10 percent shall be treat-
 12 ed as a reprogramming of funds under section 405 of this
 13 Act and shall not be available for obligation or expenditure
 14 except in compliance with the procedures set forth in that
 15 section.

16 GRANTS-IN-AID FOR AIRPORTS

17 (LIQUIDATION OF CONTRACT AUTHORIZATION)

18 (LIMITATION ON OBLIGATIONS)

19 (AIRPORT AND AIRWAY TRUST FUND)

20 (INCLUDING TRANSFER OF FUNDS)

21 For liquidation of obligations incurred for grants-in-
 22 aid for airport planning and development, and noise com-
 23 patibility planning and programs as authorized under sub-
 24 chapter I of chapter 471 and subchapter I of chapter 475
 25 of title 49, United States Code, and under other law author-

1 izing such obligations; for procurement, installation, and
2 commissioning of runway incursion prevention devices and
3 systems at airports of such title; for grants authorized under
4 section 41743 of title 49, United States Code; and for in-
5 spection activities and administration of airport safety pro-
6 grams, including those related to airport operating certifi-
7 cates under section 44706 of title 49, United States Code,
8 \$3,000,000,000, to be derived from the Airport and Airway
9 Trust Fund and to remain available until expended: Pro-
10 vided, That none of the funds under this heading shall be
11 available for the planning or execution of programs the obli-
12 gations for which are in excess of \$3,350,000,000 in fiscal
13 year 2020, notwithstanding section 47117(g) of title 49,
14 United States Code: Provided further, That none of the
15 funds under this heading shall be available for the replace-
16 ment of baggage conveyor systems, reconfiguration of ter-
17 minal baggage areas, or other airport improvements that
18 are necessary to install bulk explosive detection systems:
19 Provided further, That notwithstanding section 47109(a) of
20 title 49, United States Code, the Government's share of al-
21 lowable project costs under paragraph (2) for subgrants or
22 paragraph (3) of that section shall be 95 percent for a
23 project at other than a large or medium hub airport that
24 is a successive phase of a multi-phased construction project
25 for which the project sponsor received a grant in fiscal year

1 2011 for the construction project: Provided further, That
2 notwithstanding any other provision of law, of funds lim-
3 ited under this heading, not more than \$116,500,000 shall
4 be available for administration, not less than \$15,000,000
5 shall be available for the Airport Cooperative Research Pro-
6 gram, not less than \$39,224,000 shall be available for Air-
7 port Technology Research, and \$10,000,000, to remain
8 available until expended, shall be available and transferred
9 to “Office of the Secretary, Salaries and Expenses” to carry
10 out the Small Community Air Service Development Pro-
11 gram: Provided further, That in addition to airports eligi-
12 ble under section 41743 of title 49, United States Code, such
13 program may include the participation of an airport that
14 serves a community or consortium that is not larger than
15 a small hub airport, according to FAA hub classifications
16 effective at the time the Office of the Secretary issues a re-
17 quest for proposals.

18 *GRANTS-IN-AID FOR AIRPORTS*

19 *For an additional amount for “Grants-In-Aid for Air-*
20 *ports”, to enable the Secretary of Transportation to make*
21 *grants for projects as authorized by subchapter 1 of chapter*
22 *471 and subchapter 1 of chapter 475 of title 49, United*
23 *States Code, \$400,000,000, to remain available through*
24 *September 30, 2022: Provided, That amounts made avail-*
25 *able under this heading shall be derived from the general*

1 *fund, and such funds shall not be subject to apportionment*
2 *formulas, special apportionment categories, or minimum*
3 *percentages under chapter 471: Provided further, That the*
4 *Secretary shall distribute funds provided under this head-*
5 *ing as discretionary grants to airports: Provided further,*
6 *That the amount made available under this heading shall*
7 *not be subject to any limitation on obligations for the*
8 *Grants-in-Aid for Airports program set forth in any Act:*
9 *Provided further, That the Administrator of the Federal*
10 *Aviation Administration may retain up to 0.5 percent of*
11 *the funds provided under this heading to fund the award*
12 *and oversight by the Administrator of grants made under*
13 *this heading.*

14 *ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION*

15 *ADMINISTRATION*

16 *SEC. 110. None of the funds in this Act may be used*
17 *to compensate in excess of 600 technical staff-years under*
18 *the federally funded research and development center con-*
19 *tract between the Federal Aviation Administration and the*
20 *Center for Advanced Aviation Systems Development during*
21 *fiscal year 2020.*

22 *SEC. 111. None of the funds in this Act shall be used*
23 *to pursue or adopt guidelines or regulations requiring air-*
24 *port sponsors to provide to the Federal Aviation Adminis-*
25 *tration without cost building construction, maintenance,*

1 *utilities and expenses, or space in airport sponsor-owned*
2 *buildings for services relating to air traffic control, air*
3 *navigation, or weather reporting: Provided, That the prohi-*
4 *bition of funds in this section does not apply to negotiations*
5 *between the agency and airport sponsors to achieve agree-*
6 *ment on “below-market” rates for these items or to grant*
7 *assurances that require airport sponsors to provide land*
8 *without cost to the Federal Aviation Administration for air*
9 *traffic control facilities.*

10 *SEC. 112. The Administrator of the Federal Aviation*
11 *Administration may reimburse amounts made available to*
12 *satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49*
13 *U.S.C. 45303 and any amount remaining in such account*
14 *at the close of that fiscal year may be made available to*
15 *satisfy section 41742(a)(1) for the subsequent fiscal year.*

16 *SEC. 113. Amounts collected under section 40113(e) of*
17 *title 49, United States Code, shall be credited to the appro-*
18 *priation current at the time of collection, to be merged with*
19 *and available for the same purposes of such appropriation.*

20 *SEC. 114. None of the funds in this Act shall be avail-*
21 *able for paying premium pay under subsection 5546(a) of*
22 *title 5, United States Code, to any Federal Aviation Admin-*
23 *istration employee unless such employee actually performed*
24 *work during the time corresponding to such premium pay.*

1 *SEC. 115. None of the funds in this Act may be obli-*
2 *gated or expended for an employee of the Federal Aviation*
3 *Administration to purchase a store gift card or gift certifi-*
4 *cate through use of a Government-issued credit card.*

5 *SEC. 116. None of the funds in this Act may be obli-*
6 *gated or expended for retention bonuses for an employee of*
7 *the Federal Aviation Administration without the prior*
8 *written approval of the Assistant Secretary for Administra-*
9 *tion of the Department of Transportation.*

10 *SEC. 117. Notwithstanding any other provision of law,*
11 *none of the funds made available under this Act or any*
12 *prior Act may be used to implement or to continue to im-*
13 *plement any limitation on the ability of any owner or oper-*
14 *ator of a private aircraft to obtain, upon a request to the*
15 *Administrator of the Federal Aviation Administration, a*
16 *blocking of that owner's or operator's aircraft registration*
17 *number from any display of the Federal Aviation Adminis-*
18 *tration's Aircraft Situational Display to Industry data*
19 *that is made available to the public, except data made*
20 *available to a Government agency, for the noncommercial*
21 *flights of that owner or operator.*

22 *SEC. 118. None of the funds in this Act shall be avail-*
23 *able for salaries and expenses of more than nine political*
24 *and Presidential appointees in the Federal Aviation Ad-*
25 *ministration.*

1 *SEC. 119. None of the funds made available under this*
2 *Act may be used to increase fees pursuant to section 44721*
3 *of title 49, United States Code, until the Federal Aviation*
4 *Administration provides to the House and Senate Commit-*
5 *tees on Appropriations a report that justifies all fees related*
6 *to aeronautical navigation products and explains how such*
7 *fees are consistent with Executive Order No. 13642.*

8 *SEC. 119A. None of the funds in this Act may be used*
9 *to close a regional operations center of the Federal Aviation*
10 *Administration or reduce its services unless the Adminis-*
11 *trator notifies the House and Senate Committees on Appro-*
12 *priations not less than 90 full business days in advance.*

13 *SEC. 119B. None of the funds appropriated or limited*
14 *by this Act may be used to change weight restrictions or*
15 *prior permission rules at Teterboro airport in Teterboro,*
16 *New Jersey.*

17 *SEC. 119C. None of the funds provided under this Act*
18 *may be used by the Administrator of the Federal Aviation*
19 *Administration to withhold from consideration and ap-*
20 *proval any new application for participation in the Con-*
21 *tract Tower Program, or for reevaluation of Cost-share Pro-*
22 *gram participants as long as the Federal Aviation Admin-*
23 *istration has received an application from the airport, and*
24 *as long as the Administrator determines such tower is eligi-*

1 *ble using the factors set forth in Federal Aviation Adminis-*
 2 *tration published establishment criteria.*

3 *SEC. 119D. None of the funds made available by this*
 4 *Act may be used to open, close, redesignate as a lesser office,*
 5 *or reorganize a regional office, the aeronautical center, or*
 6 *technical center unless the Administrator submits a request*
 7 *for the reprogramming of funds under section 405 of this*
 8 *Act.*

9 *FEDERAL HIGHWAY ADMINISTRATION*

10 *LIMITATION ON ADMINISTRATIVE EXPENSES*

11 *(HIGHWAY TRUST FUND)*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *Not to exceed \$453,549,689, together with advances*
 14 *and reimbursements received by the Federal Highway Ad-*
 15 *ministration, shall be obligated for necessary expenses for*
 16 *administration and operation of the Federal Highway Ad-*
 17 *ministration. In addition, \$3,248,000 shall be transferred*
 18 *to the Appalachian Regional Commission in accordance*
 19 *with section 104(a) of title 23, United States Code.*

20 *FEDERAL-AID HIGHWAYS*

21 *(LIMITATION ON OBLIGATIONS)*

22 *(HIGHWAY TRUST FUND)*

23 *Funds available for the implementation or execution*
 24 *of Federal-aid highway and highway safety construction*
 25 *programs authorized under titles 23 and 49, United States*

1 *Code, and the provisions of the Fixing America's Surface*
2 *Transportation (FAST) Act (Public Law 114-94) shall not*
3 *exceed total obligations of \$46,365,092,000 for fiscal year*
4 *2020: Provided, That the Secretary may collect and spend*
5 *fees, as authorized by title 23, United States Code, to cover*
6 *the costs of services of expert firms, including counsel, in*
7 *the field of municipal and project finance to assist in the*
8 *underwriting and servicing of Federal credit instruments*
9 *and all or a portion of the costs to the Federal Government*
10 *of servicing such credit instruments: Provided further, That*
11 *such fees are available until expended to pay for such costs:*
12 *Provided further, That such amounts are in addition to ad-*
13 *ministrative expenses that are also available for such pur-*
14 *pose, and are not subject to any obligation limitation or*
15 *the limitation on administrative expenses under section 608*
16 *of title 23, United States Code.*

17 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

18 *(HIGHWAY TRUST FUND)*

19 *For the payment of obligations incurred in carrying*
20 *out Federal-aid highway and highway safety construction*
21 *programs authorized under title 23, United States Code,*
22 *\$47,104,092,000 derived from the Highway Trust Fund*
23 *(other than the Mass Transit Account), to remain available*
24 *until expended.*

1 *HIGHWAY INFRASTRUCTURE PROGRAMS*

2 *There is hereby appropriated to the Secretary of*
3 *Transportation \$2,166,140,392: Provided, That the funds*
4 *made available under this heading shall be derived from*
5 *the general fund, shall be in addition to any funds provided*
6 *for fiscal year 2020 in this or any other Act for: (1) “Fed-*
7 *eral-aid Highways” under chapter 1 of title 23, United*
8 *States Code; or (2) the Appalachian Development Highway*
9 *System as authorized under section 1069(y) of Public Law*
10 *102–240, and shall not affect the distribution or amount*
11 *of funds provided in any other Act: Provided further, That*
12 *section 1101(b) of Public Law 114–94 shall apply to funds*
13 *made available under this heading: Provided further, That*
14 *of the funds made available under this heading—*

15 *(1) \$781,140,392 shall be for activities eligible*
16 *under sections 133(b)(1) and 133(b)(4) of title 23,*
17 *United States Code, and to provide necessary charg-*
18 *ing infrastructure along corridor-ready or corridor-*
19 *pending alternative fuel corridors designated pursu-*
20 *ant to section 151 of title 23, United States Code;*

21 *(2) \$1,150,000,000 shall be for a bridge replace-*
22 *ment and rehabilitation program;*

23 *(3) \$100,000,000 shall be for necessary expenses*
24 *for construction of the Appalachian Development*

1 *Highway System as authorized under section 1069(y)*
2 *of Public Law 102-240;*

3 (4) *\$3,500,000 shall be for activities eligible*
4 *under the Puerto Rico Highway Program as described*
5 *in section 165(b)(2)(C) of title 23, United States*
6 *Code;*

7 (5) *\$1,500,000 shall be for activities eligible*
8 *under the Territorial Highway Program, as described*
9 *in section 165(c)(6) of title 23, United States Code;*

10 (6) *\$70,000,000 shall be for the nationally sig-*
11 *nificant Federal lands and tribal projects program*
12 *under section 1123 of the FAST Act;*

13 (7) *\$50,000,000 shall be for competitive grants*
14 *for activities described in section 130(a) of title 23,*
15 *United States Code;*

16 (8) *\$5,000,000 shall be for the Regional Infra-*
17 *structure Accelerator Demonstration Program author-*
18 *ized under section 1441 of the FAST Act; and*

19 (9) *\$5,000,000 shall be for a National Road Net-*
20 *work Pilot Program for the Federal Highway Admin-*
21 *istration to create a national level, geo-spatial dataset*
22 *that uses data already collected under the Highway*
23 *Performance Monitoring System:*

24 *Provided further, That for the purposes of funds made*
25 *available under this heading for activities eligible under*

1 *sections 133(b)(1) and 133(b)(4) of title 23, United States*
2 *Code, and to provide necessary charging infrastructure*
3 *along corridor-ready or corridor-pending alternative fuel*
4 *corridors designated pursuant to section 151 of title 23,*
5 *United States Code, the term “State” means any of the 50*
6 *States or the District of Columbia: Provided further, That*
7 *the funds made available under this heading for activities*
8 *eligible under sections 133(b)(1) and 133(b)(4) of title 23,*
9 *United States Code, and to provide necessary charging in-*
10 *frastructure along corridor-ready or corridor-pending alter-*
11 *native fuel corridors designated pursuant to section 151 of*
12 *title 23, United States Code, shall be suballocated in the*
13 *manner described in section 133(d) of such title, except that*
14 *the set-aside described in section 133(h) of such title shall*
15 *not apply to funds made available under this heading: Pro-*
16 *vided further, That the funds made available under this*
17 *heading for activities eligible under sections 133(b)(1) and*
18 *133(b)(4) of title 23, United States Code, and to provide*
19 *necessary charging infrastructure along corridor-ready or*
20 *corridor-pending alternative fuel corridors designated pur-*
21 *suant to section 151 of title 23, United States Code, shall*
22 *be administered as if apportioned under chapter 1 of such*
23 *title and shall remain available through September 30,*
24 *2023: Provided further, That the funds made available*
25 *under this heading for activities eligible under sections*

1 133(b)(1) and 133(b)(4) of title 23, United States Code, and
2 to provide necessary charging infrastructure along corridor-
3 ready or corridor-pending alternative fuel corridors des-
4 ignated pursuant to section 151 of title 23, United States
5 Code, shall be apportioned to the States in the same ratio
6 as the obligation limitation for fiscal year 2020 is distrib-
7 uted among the States in section 120(a)(5) of this Act: Pro-
8 vided further, That, except as provided in the following pro-
9 viso, the funds made available under this heading for activi-
10 ties eligible under the Puerto Rico Highway Program and
11 activities eligible under the Territorial Highway Program
12 shall be administered as if allocated under sections 165(b)
13 and 165(c), respectively, of title 23, United States Code, and
14 shall remain available through September 30, 2023: Pro-
15 vided further, That the funds made available under this
16 heading for activities eligible under the Puerto Rico High-
17 way Program shall not be subject to the requirements of
18 sections 165(b)(2)(A) or 165(b)(2)(B) of such title: Provided
19 further, That the funds made available under this heading
20 for the nationally significant Federal lands and tribal
21 projects program under section 1123 of the FAST Act shall
22 remain available through September 30, 2023: Provided
23 further, That for the purposes of funds made available
24 under this heading for a bridge replacement and rehabilita-
25 tion program, (1) the term “State” means any of the 50

1 *States or the District of Columbia, and (2) the term “quali-*
2 *fying State” means any State in which the percentage of*
3 *total deck area of bridges classified as in poor condition*
4 *in such State is at least 5 percent: Provided further, That,*
5 *of the funds made available under this heading for a bridge*
6 *replacement and rehabilitation program, the Secretary*
7 *shall reserve \$6,000,000 for each State that does not meet*
8 *the definition of a qualifying State: Provided further, That,*
9 *after making the reservations under the preceding proviso,*
10 *the Secretary shall distribute the remaining funds made*
11 *available under this heading for a bridge replacement and*
12 *rehabilitation program to each qualifying State by the pro-*
13 *portion that the percentage of total deck area of bridges clas-*
14 *sified as in poor condition in such qualifying State bears*
15 *to the sum of the percentages of total deck area of bridges*
16 *classified as in poor condition in all qualifying States: Pro-*
17 *vided further, That for the bridge replacement and rehabili-*
18 *tation program:*

19 (1) *no qualifying State shall receive more than*
20 \$50,000,000;

21 (2) *each State shall receive an amount not less*
22 *than \$6,000,000; and*

23 (3) *after calculating the distribution of funds*
24 *pursuant to the preceding proviso, any amount in ex-*
25 *cess of \$50,000,000 shall be redistributed equally*

1 *among each State that does not meet the definition of*
2 *a qualifying State:*

3 *Provided further, That the funds made available under this*
4 *heading for a bridge replacement and rehabilitation pro-*
5 *gram shall be used for highway bridge replacement or reha-*
6 *bilitation projects on public roads: Provided further, That*
7 *for purposes of this heading for the bridge replacement and*
8 *rehabilitation program, the Secretary shall calculate the*
9 *percentages of total deck area of bridges (including the per-*
10 *centages of total deck area classified as in poor condition)*
11 *based on the National Bridge Inventory as of December 31,*
12 *2018: Provided further, That the funds made available*
13 *under this heading for a bridge replacement and rehabilita-*
14 *tion program shall be administered as if apportioned under*
15 *chapter 1 of title 23, United States Code, and shall remain*
16 *available through September 30, 2023: Provided further,*
17 *That the funds made available under this heading, in para-*
18 *graph (7) in the third proviso, shall be available for projects*
19 *eligible under section 130(a) of title 23, United States Code,*
20 *for commuter authorities, as defined in section 24102(2) of*
21 *title 49, United States Code, that experienced at least one*
22 *accident investigated by the National Transportation Safe-*
23 *ty Board between January 1, 2008 and December 31, 2018*
24 *and for which the National Transportation Safety Board*
25 *issued an accident report: Provided further, That the funds*

1 *made available under this heading, in paragraph (7) of the*
2 *third proviso, shall be administered as if apportioned under*
3 *chapter 1 of title 23, United States Code: Provided further,*
4 *That for the purposes of funds made available under this*
5 *heading for construction of the Appalachian Development*
6 *Highway System, the term “Appalachian State” means a*
7 *State that contains 1 or more counties (including any polit-*
8 *ical subdivision located within the area) in the Appa-*
9 *lachian region as defined in section 14102(a) of title 40,*
10 *United States Code: Provided further, That funds made*
11 *available under this heading for construction of the Appa-*
12 *lachian Development Highway System shall remain avail-*
13 *able until expended: Provided further, That a project car-*
14 *ried out with funds made available under this heading for*
15 *construction of the Appalachian Development Highway*
16 *System shall be carried out in the same manner as a project*
17 *under section 14501 of title 40, United States Code: Pro-*
18 *vided further, That subject to the following proviso, funds*
19 *made available under this heading for construction of the*
20 *Appalachian Development Highway System shall be appor-*
21 *tioned to Appalachian States according to the percentages*
22 *derived from the 2012 Appalachian Development Highway*
23 *System Cost-to-Complete Estimate, adopted in Appalachian*
24 *Regional Commission Resolution Number 736, and con-*
25 *firmed as each Appalachian State’s relative share of the es-*

1 *timated remaining need to complete the Appalachian Devel-*
 2 *opment Highway System, adjusted to exclude those cor-*
 3 *ridors that such States have no current plans to complete,*
 4 *as reported in the 2013 Appalachian Development Highway*
 5 *System Completion Report: Provided further, That the Sec-*
 6 *retary shall adjust apportionments made under the pre-*
 7 *ceding proviso so that no Appalachian State shall be appor-*
 8 *tioned an amount in excess of 30 percent of the amount*
 9 *made available for construction of the Appalachian Devel-*
 10 *opment Highway System under this heading: Provided fur-*
 11 *ther, That the Secretary shall consult with the Appalachian*
 12 *Regional Commission in making adjustments under the*
 13 *preceding two provisos: Provided further, That the Federal*
 14 *share of the costs for which an expenditure is made for con-*
 15 *struction of the Appalachian Development Highway System*
 16 *under this heading shall be up to 100 percent: Provided fur-*
 17 *ther, That amounts provided under this heading in para-*
 18 *graphs (7), (8), and (9) shall remain available until ex-*
 19 *pended.*

20 *ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY*

21 *ADMINISTRATION*

22 *SEC. 120. (a) For fiscal year 2020, the Secretary of*
 23 *Transportation shall—*

24 *(1) not distribute from the obligation limitation*
 25 *for Federal-aid highways—*

1 (A) amounts authorized for administrative
2 expenses and programs by section 104(a) of title
3 23, United States Code; and

4 (B) amounts authorized for the Bureau of
5 Transportation Statistics;

6 (2) not distribute an amount from the obligation
7 limitation for Federal-aid highways that is equal to
8 the unobligated balance of amounts—

9 (A) made available from the Highway Trust
10 Fund (other than the Mass Transit Account) for
11 Federal-aid highway and highway safety con-
12 struction programs for previous fiscal years the
13 funds for which are allocated by the Secretary
14 (or apportioned by the Secretary under sections
15 202 or 204 of title 23, United States Code); and

16 (B) for which obligation limitation was
17 provided in a previous fiscal year;

18 (3) determine the proportion that—

19 (A) the obligation limitation for Federal-aid
20 highways, less the aggregate of amounts not dis-
21 tributed under paragraphs (1) and (2) of this
22 subsection; bears to

23 (B) the total of the sums authorized to be
24 appropriated for the Federal-aid highway and
25 highway safety construction programs (other

1 *than sums authorized to be appropriated for pro-*
2 *visions of law described in paragraphs (1)*
3 *through (11) of subsection (b) and sums author-*
4 *ized to be appropriated for section 119 of title*
5 *23, United States Code, equal to the amount re-*
6 *ferred to in subsection (b)(12) for such fiscal*
7 *year), less the aggregate of the amounts not dis-*
8 *tributed under paragraphs (1) and (2) of this*
9 *subsection;*

10 *(4) distribute the obligation limitation for Fed-*
11 *eral-aid highways, less the aggregate amounts not dis-*
12 *tributed under paragraphs (1) and (2), for each of the*
13 *programs (other than programs to which paragraph*
14 *(1) applies) that are allocated by the Secretary under*
15 *the Fixing America's Surface Transportation Act and*
16 *title 23, United States Code, or apportioned by the*
17 *Secretary under sections 202 or 204 of that title, by*
18 *multiplying—*

19 *(A) the proportion determined under para-*
20 *graph (3); by*

21 *(B) the amounts authorized to be appro-*
22 *priated for each such program for such fiscal*
23 *year; and*

24 *(5) distribute the obligation limitation for Fed-*
25 *eral-aid highways, less the aggregate amounts not dis-*

1 *tributed under paragraphs (1) and (2) and the*
2 *amounts distributed under paragraph (4), for Fed-*
3 *eral-aid highway and highway safety construction*
4 *programs that are apportioned by the Secretary*
5 *under title 23, United States Code (other than the*
6 *amounts apportioned for the National Highway Per-*
7 *formance Program in section 119 of title 23, United*
8 *States Code, that are exempt from the limitation*
9 *under subsection (b)(12) and the amounts appor-*
10 *tioned under sections 202 and 204 of that title) in the*
11 *proportion that—*

12 *(A) amounts authorized to be appropriated*
13 *for the programs that are apportioned under title*
14 *23, United States Code, to each State for such*
15 *fiscal year; bears to*

16 *(B) the total of the amounts authorized to*
17 *be appropriated for the programs that are ap-*
18 *portioned under title 23, United States Code, to*
19 *all States for such fiscal year.*

20 *(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—*
21 *The obligation limitation for Federal-aid highways shall*
22 *not apply to obligations under or for—*

23 *(1) section 125 of title 23, United States Code;*

1 (2) *section 147 of the Surface Transportation As-*
2 *istance Act of 1978 (23 U.S.C. 144 note; 92 Stat.*
3 *2714);*

4 (3) *section 9 of the Federal-Aid Highway Act of*
5 *1981 (95 Stat. 1701);*

6 (4) *subsections (b) and (j) of section 131 of the*
7 *Surface Transportation Assistance Act of 1982 (96*
8 *Stat. 2119);*

9 (5) *subsections (b) and (c) of section 149 of the*
10 *Surface Transportation and Uniform Relocation As-*
11 *istance Act of 1987 (101 Stat. 198);*

12 (6) *sections 1103 through 1108 of the Intermodal*
13 *Surface Transportation Efficiency Act of 1991 (105*
14 *Stat. 2027);*

15 (7) *section 157 of title 23, United States Code*
16 *(as in effect on June 8, 1998);*

17 (8) *section 105 of title 23, United States Code*
18 *(as in effect for fiscal years 1998 through 2004, but*
19 *only in an amount equal to \$639,000,000 for each of*
20 *those fiscal years);*

21 (9) *Federal-aid highway programs for which ob-*
22 *ligation authority was made available under the*
23 *Transportation Equity Act for the 21st Century (112*
24 *Stat. 107) or subsequent Acts for multiple years or to*
25 *remain available until expended, but only to the ex-*

1 *tent that the obligation authority has not lapsed or*
2 *been used;*

3 *(10) section 105 of title 23, United States Code*
4 *(as in effect for fiscal years 2005 through 2012, but*
5 *only in an amount equal to \$639,000,000 for each of*
6 *those fiscal years);*

7 *(11) section 1603 of SAFETEA-LU (23 U.S.C.*
8 *118 note; 119 Stat. 1248), to the extent that funds ob-*
9 *ligated in accordance with that section were not sub-*
10 *ject to a limitation on obligations at the time at*
11 *which the funds were initially made available for ob-*
12 *ligation; and*

13 *(12) section 119 of title 23, United States Code*
14 *(but, for each of fiscal years 2013 through 2020, only*
15 *in an amount equal to \$639,000,000).*

16 *(c) REDISTRIBUTION OF UNUSED OBLIGATION AU-*
17 *THORITY.—Notwithstanding subsection (a), the Secretary*
18 *shall, after August 1 of such fiscal year—*

19 *(1) revise a distribution of the obligation limita-*
20 *tion made available under subsection (a) if an*
21 *amount distributed cannot be obligated during that*
22 *fiscal year; and*

23 *(2) redistribute sufficient amounts to those States*
24 *able to obligate amounts in addition to those pre-*
25 *viously distributed during that fiscal year, giving pri-*

1 *ority to those States having large unobligated bal-*
2 *ances of funds apportioned under sections 144 (as in*
3 *effect on the day before the date of enactment of Pub-*
4 *lic Law 112–141) and 104 of title 23, United States*
5 *Code.*

6 *(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO*
7 *TRANSPORTATION RESEARCH PROGRAMS.—*

8 *(1) IN GENERAL.—Except as provided in para-*
9 *graph (2), the obligation limitation for Federal-aid*
10 *highways shall apply to contract authority for trans-*
11 *portation research programs carried out under—*

12 *(A) chapter 5 of title 23, United States*
13 *Code; and*

14 *(B) title VI of the Fixing America’s Surface*
15 *Transportation Act.*

16 *(2) EXCEPTION.—Obligation authority made*
17 *available under paragraph (1) shall—*

18 *(A) remain available for a period of 4 fiscal*
19 *years; and*

20 *(B) be in addition to the amount of any*
21 *limitation imposed on obligations for Federal-*
22 *aid highway and highway safety construction*
23 *programs for future fiscal years.*

24 *(e) REDISTRIBUTION OF CERTAIN AUTHORIZED*
25 *FUNDS.—*

1 (1) *IN GENERAL.*—Not later than 30 days after
2 the date of distribution of obligation limitation under
3 subsection (a), the Secretary shall distribute to the
4 States any funds (excluding funds authorized for the
5 program under section 202 of title 23, United States
6 Code) that—

7 (A) are authorized to be appropriated for
8 such fiscal year for Federal-aid highway pro-
9 grams; and

10 (B) the Secretary determines will not be al-
11 located to the States (or will not be apportioned
12 to the States under section 204 of title 23,
13 United States Code), and will not be available
14 for obligation, for such fiscal year because of the
15 imposition of any obligation limitation for such
16 fiscal year.

17 (2) *RATIO.*—Funds shall be distributed under
18 paragraph (1) in the same proportion as the distribu-
19 tion of obligation authority under subsection (a)(5).

20 (3) *AVAILABILITY.*—Funds distributed to each
21 State under paragraph (1) shall be available for any
22 purpose described in section 133(b) of title 23, United
23 States Code.

24 *SEC. 121.* Notwithstanding 31 U.S.C. 3302, funds re-
25 ceived by the Bureau of Transportation Statistics from the

1 *sale of data products, for necessary expenses incurred pur-*
2 *suant to chapter 63 of title 49, United States Code, may*
3 *be credited to the Federal-aid highways account for the pur-*
4 *pose of reimbursing the Bureau for such expenses: Provided,*
5 *That such funds shall be subject to the obligation limitation*
6 *for Federal-aid highway and highway safety construction*
7 *programs.*

8 *SEC. 122. Not less than 15 days prior to waiving,*
9 *under his or her statutory authority, any Buy America re-*
10 *quirement for Federal-aid highways projects, the Secretary*
11 *of Transportation shall make an informal public notice and*
12 *comment opportunity on the intent to issue such waiver and*
13 *the reasons therefor: Provided, That the Secretary shall pro-*
14 *vide an annual report to the House and Senate Committees*
15 *on Appropriations on any waivers granted under the Buy*
16 *America requirements.*

17 *SEC. 123. None of the funds provided in this Act to*
18 *the Department of Transportation may be used to provide*
19 *credit assistance unless not less than 3 days before any ap-*
20 *plication approval to provide credit assistance under sec-*
21 *tions 603 and 604 of title 23, United States Code, the Sec-*
22 *retary of Transportation provides notification in writing*
23 *to the following committees: the House and Senate Commit-*
24 *tees on Appropriations; the Committee on Environment and*
25 *Public Works and the Committee on Banking, Housing and*

1 *Urban Affairs of the Senate; and the Committee on Trans-*
2 *portation and Infrastructure of the House of Representa-*
3 *tives: Provided, That such notification shall include, but not*
4 *be limited to, the name of the project sponsor; a description*
5 *of the project; whether credit assistance will be provided as*
6 *a direct loan, loan guarantee, or line of credit; and the*
7 *amount of credit assistance.*

8 *SEC. 124. None of the funds provided in this Act may*
9 *be used to make a grant for a project under section 117*
10 *of title 23, United States Code, unless the Secretary, at least*
11 *60 days before making a grant under that section, provides*
12 *written notification to the House and Senate Committees*
13 *on Appropriations of the proposed grant, including an eval-*
14 *uation and justification for the project and the amount of*
15 *the proposed grant award: Provided, That the written noti-*
16 *fication required in the previous proviso shall be made no*
17 *later than 180 days after enactment of this Act.*

18 *SEC. 125. (a) A State or territory, as defined in section*
19 *165 of title 23, United States Code, may use for any project*
20 *eligible under section 133(b) of title 23 or section 165 of*
21 *title 23 and located within the boundary of the State or*
22 *territory any earmarked amount, and any associated obli-*
23 *gation limitation: Provided, That the Department of Trans-*
24 *portation for the State or territory for which the earmarked*
25 *amount was originally designated or directed notifies the*

1 *Secretary of Transportation of its intent to use its authority*
2 *under this section and submits a quarterly report to the*
3 *Secretary identifying the projects to which the funding*
4 *would be applied. Notwithstanding the original period of*
5 *availability of funds to be obligated under this section, such*
6 *funds and associated obligation limitation shall remain*
7 *available for obligation for a period of 3 fiscal years after*
8 *the fiscal year in which the Secretary of Transportation*
9 *is notified. The Federal share of the cost of a project carried*
10 *out with funds made available under this section shall be*
11 *the same as associated with the earmark.*

12 *(b) In this section, the term “earmarked amount”*
13 *means—*

14 *(1) congressionally directed spending, as defined*
15 *in rule XLIV of the Standing Rules of the Senate,*
16 *identified in a prior law, report, or joint explanatory*
17 *statement, which was authorized to be appropriated*
18 *or appropriated more than 10 fiscal years prior to*
19 *the current fiscal year, and administered by the Fed-*
20 *eral Highway Administration; or*

21 *(2) a congressional earmark, as defined in rule*
22 *XXI of the Rules of the House of Representatives,*
23 *identified in a prior law, report, or joint explanatory*
24 *statement, which was authorized to be appropriated*
25 *or appropriated more than 10 fiscal years prior to*

1 *the current fiscal year, and administered by the Fed-*
2 *eral Highway Administration.*

3 *(c) The authority under subsection (a) may be exer-*
4 *cised only for those projects or activities that have obligated*
5 *less than 10 percent of the amount made available for obli-*
6 *gation as of October 1 of the current fiscal year, and shall*
7 *be applied to projects within the same general geographic*
8 *area within 25 miles for which the funding was designated,*
9 *except that a State or territory may apply such authority*
10 *to unexpended balances of funds from projects or activities*
11 *the State or territory certifies have been closed and for*
12 *which payments have been made under a final voucher.*

13 *(d) The Secretary shall submit consolidated reports of*
14 *the information provided by the States and territories each*
15 *quarter to the House and Senate Committees on Appropria-*
16 *tions.*

17 *SEC. 126. The following are repealed:*

18 *(1) Section 352 of the National Highway System*
19 *Designation Act of 1995 (Public Law 104–59, 109*
20 *Stat. 568).*

21 *(2) Section 324 of the Department of Transpor-*
22 *tation and Related Agencies Appropriations Act,*
23 *1986 (Public Law 99–190; 99 Stat. 1288).*

1 (3) *Section 325 of the Department of Transpor-*
2 *tation and Related Agencies Appropriations Act,*
3 *1996 (Public Law 104–50; 109 Stat. 456).*

4 *Notwithstanding any other provision of law, tolls collected*
5 *for motor vehicles on any bridge connecting the boroughs*
6 *of Brooklyn, New York, and Staten Island, New York, shall*
7 *be collected for any such vehicles exiting from such bridge*
8 *in both Staten Island and Brooklyn.*

9 *SEC. 127. Section 125(d) of title 23, United States*
10 *Code, is amended by striking paragraph (4).*

11 *SEC. 128. Until final guidance is published, the Ad-*
12 *ministrator of the Federal Highway Administration shall*
13 *make determinations on Buy America waivers for those*
14 *waivers that were submitted before April 17, 2018, as if*
15 *the notice of proposed rulemaking of that date was not in*
16 *effect.*

17 *SEC. 129. Section 1948 of SAFETEA–LU (Public*
18 *Law 109–59; 119 Stat. 1514) is repealed.*

19 *SEC. 129A. Section 119(e)(5) of title 23, United States*
20 *Code, is amended to read as follows:*

21 “(5) *REQUIREMENT FOR PLAN.—*

22 “(A) *IN GENERAL.—Notwithstanding sec-*
23 *tion 120, each fiscal year, if the Secretary deter-*
24 *mines that a State has not developed and imple-*
25 *mented a State asset management plan con-*

1 *sistent with this section, the Federal share pay-*
 2 *able on account of any project or activity for*
 3 *which funds are obligated by the State in that*
 4 *fiscal year under this section shall be 65 percent.*

5 “(B) DETERMINATION.—*The Secretary shall*
 6 *make the determination under subparagraph (A)*
 7 *for a fiscal year not later than the day before the*
 8 *beginning of such fiscal year.”.*

9 *FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION*
 10 *MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS*

11 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

12 *(LIMITATION ON OBLIGATIONS)*

13 *(HIGHWAY TRUST FUND)*

14 *For payment of obligations incurred in the implemen-*
 15 *tation, execution and administration of motor carrier safe-*
 16 *ty operations and programs pursuant to section 31110 of*
 17 *title 49, United States Code, as amended by the Fixing*
 18 *America’s Surface Transportation Act, \$288,000,000, to be*
 19 *derived from the Highway Trust Fund (other than the Mass*
 20 *Transit Account), together with advances and reimburse-*
 21 *ments received by the Federal Motor Carrier Safety Admin-*
 22 *istration, the sum of which shall remain available until ex-*
 23 *pende: Provided, That funds available for implementation,*
 24 *execution or administration of motor carrier safety oper-*
 25 *ations and programs authorized under title 49, United*

1 *States Code, shall not exceed total obligations of*
2 *\$288,000,000 for “Motor Carrier Safety Operations and*
3 *Programs” for fiscal year 2020, of which \$9,073,000, to re-*
4 *main available for obligation until September 30, 2022, is*
5 *for the research and technology program, and of which*
6 *\$35,334,000, to remain available for obligation until Sep-*
7 *tember 30, 2022, is for information management.*

8 *MOTOR CARRIER SAFETY GRANTS*
9 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*
10 *(LIMITATION ON OBLIGATIONS)*
11 *(HIGHWAY TRUST FUND)*

12 *For payment of obligations incurred in carrying out*
13 *sections 31102, 31103, 31104, and 31313 of title 49, United*
14 *States Code, as amended by the Fixing America’s Surface*
15 *Transportation Act, \$391,135,561, to be derived from the*
16 *Highway Trust Fund (other than the Mass Transit Ac-*
17 *count) and to remain available until expended: Provided,*
18 *That funds available for the implementation or execution*
19 *of motor carrier safety programs shall not exceed total obli-*
20 *gations of \$391,135,561 in fiscal year 2020 for “Motor Car-*
21 *rier Safety Grants”: Provided further, That of the sums ap-*
22 *propriated under this heading:*

23 *(1) \$308,700,000 shall be available for the motor*
24 *carrier safety assistance program;*

1 of delivery, which records the receipt of the notice by the
2 persons responsible for the violations.

3 *SEC. 131. None of the funds appropriated or otherwise*
4 *made available to the Department of Transportation by this*
5 *Act or any other Act may be obligated or expended to imple-*
6 *ment, administer, or enforce the requirements of section*
7 *31137 of title 49, United States Code, or any regulation*
8 *issued by the Secretary pursuant to such section, with re-*
9 *spect to the use of electronic logging devices by operators*
10 *of commercial motor vehicles, as defined in section 31132(1)*
11 *of such title, transporting livestock as defined in section 602*
12 *of the Emergency Livestock Feed Assistance Act of 1988 (7*
13 *U.S.C. 1471) or insects.*

14 *SEC. 132. The Federal Motor Carrier Safety Adminis-*
15 *tration shall update annual inspection regulations under*
16 *Appendix G to subchapter B of chapter III of title 49, Code*
17 *of Federal Regulations, as recommended by GAO–19–264.*

18 *NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*

19 *OPERATIONS AND RESEARCH*

20 *For expenses necessary to discharge the functions of the*
21 *Secretary, with respect to traffic and highway safety au-*
22 *thorized under chapter 301 and part C of subtitle VI of*
23 *title 49, United States Code, \$194,000,000, of which*
24 *\$40,000,000 shall remain available through September 30,*
25 *2021.*

1 *OPERATIONS AND RESEARCH*
2 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*
3 *(LIMITATION ON OBLIGATIONS)*
4 *(HIGHWAY TRUST FUND)*

5 *For payment of obligations incurred in carrying out*
6 *the provisions of 23 U.S.C. 403, including behavioral re-*
7 *search on Automated Driving Systems and Advanced Driv-*
8 *er Assistance Systems and improving consumer responses*
9 *to safety recalls, section 4011 of the Fixing America’s Sur-*
10 *face Transportation Act (Public Law 114–94), and chapter*
11 *303 of title 49, United States Code, \$155,300,000, to be de-*
12 *rived from the Highway Trust Fund (other than the Mass*
13 *Transit Account) and to remain available until expended:*
14 *Provided, That none of the funds in this Act shall be avail-*
15 *able for the planning or execution of programs the total ob-*
16 *ligations for which, in fiscal year 2020, are in excess of*
17 *\$155,300,000: Provided further, That of the sums appro-*
18 *priated under this heading—*

19 *(1) \$149,800,000 shall be for programs author-*
20 *ized under 23 U.S.C. 403, including behavioral re-*
21 *search on Automated Driving Systems and Advanced*
22 *Driver Assistance Systems and improving consumer*
23 *responses to safety recalls, and section 4011 of the*
24 *Fixing America’s Surface Transportation Act (Public*
25 *Law 114–94); and*

1 (2) \$5,500,000 shall be for the National Driver
2 Register authorized under chapter 303 of title 49,
3 United States Code:

4 *Provided further, That within the \$155,300,000 obligation*
5 *limitation for operations and research, \$20,000,000 shall*
6 *remain available until September 30, 2021, and shall be*
7 *in addition to the amount of any limitation imposed on*
8 *obligations for future years: Provided further, That*
9 *amounts for behavioral research on Automated Driving*
10 *Systems and Advanced Driver Assistance Systems and im-*
11 *proving consumer responses to safety recalls are in addition*
12 *to any other funds provided for those purposes for fiscal*
13 *year 2020 in this Act.*

14 HIGHWAY TRAFFIC SAFETY GRANTS
15 (LIQUIDATION OF CONTRACT AUTHORIZATION)
16 (LIMITATION ON OBLIGATIONS)
17 (HIGHWAY TRUST FUND)

18 *For payment of obligations incurred in carrying out*
19 *provisions of 23 U.S.C. 402, 404, and 405, and section*
20 *4001(a)(6) of the Fixing America's Surface Transportation*
21 *Act, to remain available until expended, \$623,017,000, to*
22 *be derived from the Highway Trust Fund (other than the*
23 *Mass Transit Account): Provided, That none of the funds*
24 *in this Act shall be available for the planning or execution*
25 *of programs for which the total obligations in fiscal year*

1 2020 are in excess of \$623,017,000 for programs authorized
2 under 23 U.S.C. 402, 404, and 405, and section 4001(a)(6)
3 of the *Fixing America's Surface Transportation Act*: Pro-
4 vided further, That of the sums appropriated under this
5 heading—

6 (1) \$279,800,000 shall be for “*Highway Safety*
7 *Programs*” under 23 U.S.C. 402;

8 (2) \$285,900,000 shall be for “*National Priority*
9 *Safety Programs*” under 23 U.S.C. 405;

10 (3) \$30,500,000 shall be for the “*High Visibility*
11 *Enforcement Program*” under 23 U.S.C. 404; and

12 (4) \$26,817,000 shall be for “*Administrative Ex-*
13 *penses*” under section 4001(a)(6) of the *Fixing Amer-*
14 *ica's Surface Transportation Act*:

15 *Provided further, That none of these funds shall be used for*
16 *construction, rehabilitation, or remodeling costs, or for of-*
17 *fice furnishings and fixtures for State, local or private*
18 *buildings or structures: Provided further, That not to exceed*
19 *\$500,000 of the funds made available for “National Priority*
20 *Safety Programs” under 23 U.S.C. 405 for “Impaired*
21 *Driving Countermeasures” (as described in subsection (d)*
22 *of that section) shall be available for technical assistance*
23 *to the States: Provided further, That with respect to the*
24 *“Transfers” provision under 23 U.S.C. 405(a)(8), any*
25 *amounts transferred to increase the amounts made avail-*

1 *able under section 402 shall include the obligation authority*
2 *for such amounts: Provided further, That the Administrator*
3 *shall notify the House and Senate Committees on Appro-*
4 *priations of any exercise of the authority granted under the*
5 *previous proviso or under 23 U.S.C. 405(a)(8) within 5*
6 *days.*

7 *ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY*

8 *TRAFFIC SAFETY ADMINISTRATION*

9 *SEC. 140. An additional \$130,000 shall be made avail-*
10 *able to the National Highway Traffic Safety Administra-*
11 *tion, out of the amount limited for section 402 of title 23,*
12 *United States Code, to pay for travel and related expenses*
13 *for State management reviews and to pay for core com-*
14 *petency development training and related expenses for high-*
15 *way safety staff.*

16 *SEC. 141. The limitations on obligations for the pro-*
17 *grams of the National Highway Traffic Safety Administra-*
18 *tion set in this Act shall not apply to obligations for which*
19 *obligation authority was made available in previous public*
20 *laws but only to the extent that the obligation authority*
21 *has not lapsed or been used.*

22 *SEC. 142. In addition to the amounts made available*
23 *under the heading, “Operations and Research (Liquidation*
24 *of Contract Authorization) (Limitation on Obligations)*
25 *(Highway Trust Fund)” for carrying out the provisions of*

1 *section 403 of title 23, United States Code, \$17,000,000, to*
2 *remain available until September 30, 2021, shall be made*
3 *available to the National Highway Traffic Safety Adminis-*
4 *tration from the general fund: Provided, That of the sums*
5 *provided under this provision—*

6 (1) *not to exceed \$7,000,000 shall be available to pro-*
7 *vide funding for grants, pilot program activities, and inno-*
8 *vative solutions to reduce impaired-driving fatalities in col-*
9 *laboration with eligible entities under section 403 of title*
10 *23, United States Code; and*

11 (2) *not to exceed \$10,000,000 shall be available to con-*
12 *tinue a high visibility enforcement paid-media campaign*
13 *regarding highway-rail grade crossing safety in collabora-*
14 *tion with the Federal Railroad Administration.*

15 *SEC. 143. None of the funds in this Act or any other*
16 *Act shall be used to enforce the requirements of 23 U.S.C.*
17 *405(a)(9).*

18 *FEDERAL RAILROAD ADMINISTRATION*

19 *SAFETY AND OPERATIONS*

20 *For necessary expenses of the Federal Railroad Admin-*
21 *istration, not otherwise provided for, \$224,198,000, of which*
22 *\$20,000,000 shall remain available until expended.*

23 *RAILROAD RESEARCH AND DEVELOPMENT*

24 *For necessary expenses for railroad research and devel-*
25 *opment, \$40,600,000, to remain available until expended.*

1 RAILROAD REHABILITATION AND IMPROVEMENT FINANCING
2 PROGRAM

3 *The Secretary of Transportation is authorized to issue*
4 *direct loans and loan guarantees pursuant to sections 501*
5 *through 504 of the Railroad Revitalization and Regulatory*
6 *Reform Act of 1976 (Public Law 94-210), as amended, such*
7 *authority shall exist as long as any such direct loan or loan*
8 *guarantee is outstanding.*

9 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD
10 REPAIR

11 *For necessary expenses related to Federal-State Part-*
12 *nership for State of Good Repair Grants as authorized by*
13 *section 24911 of title 49, United States Code, \$200,000,000,*
14 *to remain available until expended: Provided, That the Sec-*
15 *retary may withhold up to one percent of the amount pro-*
16 *vided under this heading for the costs of award and project*
17 *management oversight of grants carried out under section*
18 *24911 of title 49, United States Code: Provided further,*
19 *That the Secretary shall issue the Notice of Funding Oppor-*
20 *tunity for funds provided under this heading consistent*
21 *with section 24911 of title 49, United States Code, no later*
22 *than 180 days after enactment of this Act: Provided further,*
23 *That the Secretary shall review all applications received in*
24 *response to the Notice of Funding Opportunity required in*
25 *the previous proviso: Provided further, That the Secretary*

1 *shall announce the selection of projects to receive awards*
2 *for the funds described in the previous two provisos no later*
3 *than 1 year of enactment of this Act.*

4 *CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY*
5 *IMPROVEMENTS*

6 *For necessary expenses related to Consolidated Rail*
7 *Infrastructure and Safety Improvements Grants, as author-*
8 *ized by section 22907 of title 49, United States Code,*
9 *\$325,000,000, to remain available until expended: Pro-*
10 *vided, That section 22905(f) of title 49, United States Code,*
11 *shall not apply to projects for the implementation of posi-*
12 *tive train control systems otherwise eligible under section*
13 *22907(c)(1) of title 49, United States Code: Provided fur-*
14 *ther, That amounts available under this heading for projects*
15 *selected for commuter rail passenger transportation may be*
16 *transferred by the Secretary, after selection, to the appro-*
17 *priate agencies to be administered in accordance with chap-*
18 *ter 53 of title 49, United States Code: Provided further,*
19 *That the Secretary shall not limit eligible projects from con-*
20 *sideration for funding for planning, engineering, environ-*
21 *mental, construction, and design elements of the same*
22 *project in the same application: Provided further, That un-*
23 *obligated balances remaining after 4 years from the date*
24 *of enactment may be used for any eligible project under sec-*
25 *tion 22907(c) of title 49, United States Code: Provided fur-*

1 *ther, That the Secretary may withhold up to one percent*
2 *of the amount provided under this heading for the costs of*
3 *award and project management oversight of grants carried*
4 *out under section 22907 of title 49, United States Code:*
5 *Provided further, That of the sums appropriated under this*
6 *heading, \$45,000,000 shall be available for projects eligible*
7 *under section 22907(c)(2) of title 49, United States Code,*
8 *that require the acquisition of rights-of-way, track, or track*
9 *structure to support the development of new intercity pas-*
10 *senger rail service routes: Provided further, That for*
11 *amounts available under this heading eligible recipients*
12 *under section 22907(b) of title 49, United States Code, shall*
13 *include any holding company of a Class II railroad or*
14 *Class III railroad (as those terms are defined in section*
15 *20102 of title 49, United States Code): Provided further,*
16 *That the Secretary shall issue the Notice of Funding Oppor-*
17 *tunity that encompasses funds provided under this heading*
18 *in this Act no later than 120 days after enactment of this*
19 *Act and announce the selection of projects to receive awards*
20 *for such funds no later than 300 days after the enactment*
21 *of this Act: Provided further, That the Notice of Funding*
22 *Opportunity under the previous proviso shall require appli-*
23 *cation submissions 60 days after the publishing of such No-*
24 *tice.*

1 *percent of the funds provided under both this heading and*
2 *the “National Network Grants to the National Railroad*
3 *Passenger Corporation” heading to fund the costs of project*
4 *management and oversight of activities authorized by sec-*
5 *tion 11101(c) of division A of Public Law 114–94: Provided*
6 *further, That in addition to the project management over-*
7 *sight funds authorized under section 11101(c) of division*
8 *A of Public Law 114–94, the Secretary may retain up to*
9 *an additional \$5,000,000 of the funds provided under this*
10 *heading to fund expenses associated with the Northeast Cor-*
11 *ridor Commission established under section 24905 of title*
12 *49, United States Code: Provided further, That of the*
13 *amounts made available under this heading and the “Na-*
14 *tional Network Grants to the National Railroad Passenger*
15 *Corporation” heading, not less than \$50,000,000 shall be*
16 *made available to bring Amtrak-served facilities and sta-*
17 *tions into compliance with the Americans with Disabilities*
18 *Act: Provided further, That of the amounts made available*
19 *under this heading and the “National Network Grants to*
20 *the National Railroad Passenger Corporation” heading,*
21 *\$100,000,000 shall be made available to fund the replace-*
22 *ment of the single-level passenger cars used on Northeast*
23 *Corridor, State Supported Corridor, and Long Distance*
24 *routes.*

1 NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD
2 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 National Network as author-
6 ized by section 11101(b) of the Fixing America's Surface
7 Transportation Act (division A of Public Law 114-94),
8 \$1,300,000,000, to remain available until expended: Pro-
9 vided, That the Secretary may retain up to an additional
10 \$2,000,000 of the funds provided under this heading to fund
11 expenses associated with the State-Supported Route Com-
12 mittee established under section 24712 of title 49, United
13 States Code: Provided further, That at least \$50,000,000 of
14 the amount provided under this heading shall be available
15 for the development, installation and operation of railroad
16 safety technology, including the implementation of a posi-
17 tive train control system, on State-supported routes as de-
18 fined under section 24102(13) of title 49, United States
19 Code, on which positive train control systems are not re-
20 quired by law or regulation: Provided further, That none
21 of the funds provided under this heading shall be used by
22 Amtrak to give notice under subsection (a) or (b) of section
23 24706 of title 49, United States Code, with respect to long-
24 distance routes (as defined in section 24102 of title 49,
25 United States Code) on which Amtrak is the sole operator

1 *on a host railroad's line and a positive train control system*
2 *is not required by law or regulation, or, except in an emer-*
3 *gency or during maintenance or construction outages im-*
4 *pacting such routes, to otherwise discontinue, reduce the fre-*
5 *quency of, suspend, or substantially alter the route of rail*
6 *service on any portion of such route operated in fiscal year*
7 *2018, including implementation of service permitted by sec-*
8 *tion 24305(a)(3)(A) of title 49, United States Code, in lieu*
9 *of rail service.*

10 *ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD*

11 *ADMINISTRATION*

12 *SEC. 150. None of the funds provided to the National*
13 *Railroad Passenger Corporation may be used to fund any*
14 *overtime costs in excess of \$35,000 for any individual em-*
15 *ployee: Provided, That the President of Amtrak may waive*
16 *the cap set in the previous proviso for specific employees*
17 *when the President of Amtrak determines such a cap poses*
18 *a risk to the safety and operational efficiency of the system:*
19 *Provided further, That the President of Amtrak shall report*
20 *to the House and Senate Committees on Appropriations*
21 *within 60 days of enactment of this Act, a summary of all*
22 *overtime payments incurred by the Corporation for 2019*
23 *and the three prior calendar years: Provided further, That*
24 *such summary shall include the total number of employees*
25 *that received waivers and the total overtime payments the*

1 Corporation paid to those employees receiving waivers for
2 each month for 2019 and for the three prior calendar years.

3 SEC. 151. None of the funds provided to the National
4 Railroad Passenger Corporation under the headings
5 “Northeast Corridor Grants to the National Railroad Pas-
6 senger Corporation” and “National Network Grants to the
7 National Railroad Passenger Corporation” may be used to
8 reduce the total number of Amtrak Police Department uni-
9 formed officers patrolling on board passenger trains or at
10 stations, facilities or rights-of-way below the staffing level
11 on May 1, 2019.

12 SEC. 152. It is the sense of Congress that—

13 (1) long-distance passenger rail routes provide
14 much-needed transportation access for 4,700,000 rid-
15 ers in 325 communities in 40 States and are particu-
16 larly important in rural areas; and

17 (2) long-distance passenger rail routes and serv-
18 ices should be sustained to ensure connectivity
19 throughout the National Network (as defined in sec-
20 tion 24102 of title 49, United States Code).

21 SEC. 153. None of the funds made available by this
22 Act may be used by the National Railroad Passenger Cor-
23 poration in contravention of the Worker Adjustment and
24 Retraining Notification Act (29 U.S.C. 2101 et seq.).

1 *FEDERAL TRANSIT ADMINISTRATION*2 *ADMINISTRATIVE EXPENSES*

3 *For necessary administrative expenses of the Federal*
4 *Transit Administration's programs authorized by chapter*
5 *53 of title 49, United States Code, \$117,000,000, of which*
6 *\$15,000,000 shall remain available until September 30,*
7 *2021, and up to \$1,000,000 shall be available to carry out*
8 *the provisions of section 5326 of such title: Provided, That*
9 *upon submission to the Congress of the fiscal year 2021*
10 *President's budget, the Secretary of Transportation shall*
11 *transmit to Congress the annual report on Capital Invest-*
12 *ment Grants, including proposed allocations for fiscal year*
13 *2021.*

14 *TRANSIT FORMULA GRANTS*15 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*16 *(LIMITATION ON OBLIGATIONS)*17 *(HIGHWAY TRUST FUND)*

18 *For payment of obligations incurred in the Federal*
19 *Public Transportation Assistance Program in this account,*
20 *and for payment of obligations incurred in carrying out*
21 *the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312,*
22 *5314, 5318, 5329(e)(6), 5335, 5337, 5339, and 5340, as*
23 *amended by the Fixing America's Surface Transportation*
24 *Act, section 20005(b) of Public Law 112-141, and section*
25 *3006(b) of the Fixing America's Surface Transportation*

1 *Act, \$10,800,000,000, to be derived from the Mass Transit*
2 *Account of the Highway Trust Fund and to remain avail-*
3 *able until expended: Provided, That funds available for the*
4 *implementation or execution of programs authorized under*
5 *49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318,*
6 *5329(e)(6), 5335, 5337, 5339, and 5340, as amended by the*
7 *Fixing America's Surface Transportation Act, section*
8 *20005(b) of Public Law 112-141, and section 3006(b) of*
9 *the Fixing America's Surface Transportation Act, shall not*
10 *exceed total obligations of \$10,150,348,462 in fiscal year*
11 *2020: Provided further, That the Federal share of the cost*
12 *of activities carried out under 49 U.S.C. section 5312 shall*
13 *not exceed 80 percent, except that if there is substantial*
14 *public interest or benefit, the Secretary may approve a*
15 *greater Federal share: Provided further, That in addition*
16 *to the amounts appropriated for purposes of 49 U.S.C.*
17 *5338(e), not less than 2 percent of the funds appropriated*
18 *or available for the purposes of 49 U.S.C. 5338(f) shall be*
19 *available for the purposes of 49 U.S.C. 5338(e).*

20 *TRANSIT INFRASTRUCTURE GRANTS*

21 *For an additional amount for buses and bus facilities*
22 *grants under section 5339 of title 49, United States Code,*
23 *low or no emission grants under section 5339(e) of such*
24 *title, formula grants to rural areas under section 5311 of*
25 *such title, high density state apportionments under section*

1 5340(d) of such title, the demonstration and deployment of
2 innovative mobility solutions as authorized under section
3 5312 of such title, bus testing facilities under sections 5312
4 and 5318 of such title, and for grants to areas of persistent
5 poverty, \$510,000,000, to remain available until expended:
6 *Provided, That of the sums provided under this heading—*

7 (1) \$338,000,000 shall be available for the buses
8 and bus facilities competitive grants as authorized
9 under section 5339 of such title, of which
10 \$168,000,000 shall be available for the buses and bus
11 facilities formula grants as authorized under section
12 5339(a) of such title, and \$170,000,000 shall be avail-
13 able for buses and bus facilities competitive grants as
14 authorized under section 5339(b) of such title;

15 (2) \$75,000,000 shall be available for the low or
16 no emission grants as authorized under section
17 5339(c) of such title: *Provided, That the minimum*
18 *grant award shall be not less than \$750,000;*

19 (3) \$40,000,000 shall be available for formula
20 grants for rural areas as authorized under section
21 5311 of such title;

22 (4) \$40,000,000 shall be available for the high
23 density state apportionments as authorized under sec-
24 tion 5340(d) of such title;

1 (5) *Notwithstanding section 5318(a) of such title,*
2 *\$3,000,000 shall be available for the operation and*
3 *maintenance of bus testing facilities by institutions of*
4 *higher education selected pursuant to section 5312(h):*
5 *Provided, That the Secretary shall enter into a con-*
6 *tract or cooperative agreement with, or make a grant*
7 *to, each institution of higher education selected pursu-*
8 *ant to section 5312(h) of such title, to operate and*
9 *maintain a facility to conduct the testing of low or*
10 *no emission vehicle new bus models using the stand-*
11 *ards established pursuant to section 5318(e)(2) of*
12 *such title: Provided further, That the term “low or no*
13 *emission vehicle” has the meaning given the term in*
14 *section 5312(e)(6) of such title: Provided further, That*
15 *the Secretary shall pay 80 percent of the cost of test-*
16 *ing a low or no emission vehicle new bus model at*
17 *each selected institution of higher education: Provided*
18 *further, That the entity having the vehicle tested shall*
19 *pay 20 percent of the cost of testing: Provided further,*
20 *That a low or no emission vehicle new bus model test-*
21 *ed that receives a passing aggregate test score in ac-*
22 *cordance with the standards established under section*
23 *5318(e)(2) of such title, shall be deemed to be in com-*
24 *pliance with the requirements of section 5318(e) of*
25 *such title;*

1 (6) \$5,500,000 shall be available for the dem-
2 onstration and deployment of innovative mobility so-
3 lutions as authorized under section 5312 of such title;
4 and

5 (7) \$8,500,000 shall be available for competitive
6 grants to eligible entities to assist areas of persistent
7 poverty: Provided, That areas of persistent poverty
8 means any county that has consistently had 20 per-
9 cent or more of the population living in poverty over
10 the 30 years preceding the date of enactment of this
11 Act, as measured by the 1990 and 2000 decennial
12 census and the most recent Small Area Income and
13 Poverty Estimates, or any census tract with a poverty
14 rate of at least 20 percent as measured by the 2013–
15 2017 5-year data series available from the American
16 Community Survey of the Census Bureau: Provided
17 further, That grants shall be for planning, engineer-
18 ing, or development of technical, or financing plans
19 for projects eligible under chapter 53 of title 49,
20 United States Code: Provided further, That eligible
21 entities are those defined as eligible recipients or sub-
22 recipients under sections 5307, 5310 or 5311 of title
23 49, United States Code, and are in areas of persistent
24 poverty: Provided further, That the Federal Transit
25 Administration should complete outreach to such

1 *agreement through which the Federal Transit Administra-*
2 *tion assists transit recipients with frontline workforce devel-*
3 *opment and standards based training in maintenance and*
4 *operations through an agreement with a national nonprofit*
5 *organization with a demonstrated capacity to develop and*
6 *provide such programs through labor management partner-*
7 *ships and apprenticeships: Provided, That the assistance*
8 *provided under this heading does not duplicate the activi-*
9 *ties of 49 U.S.C. 5311(b) or 49 U.S.C. 5312.*

10 *CAPITAL INVESTMENT GRANTS*

11 *For necessary expenses to carry out fixed guideway*
12 *capital investment grants under section 5309 of title 49,*
13 *United States Code, and section 3005(b) of the Fixing*
14 *America's Surface Transportation Act, \$1,978,000,000, to*
15 *remain available until September 30, 2023: Provided, That*
16 *of the amounts made available under this heading,*
17 *\$1,681,300,000 shall be allocated by December 31, 2021:*
18 *Provided further, That of the amounts made available*
19 *under this heading, \$1,458,000,000 shall be available for*
20 *projects authorized under section 5309(d) of title 49, United*
21 *States Code, \$300,000,000 shall be available for projects au-*
22 *thorized under section 5309(e) of title 49, United States*
23 *Code, \$100,000,000 shall be available for projects authorized*
24 *under section 5309(h) of title 49, United States Code, and*
25 *\$100,000,000 shall be available for projects authorized*

1 *under section 3005(b) of the Fixing America's Surface*
2 *Transportation Act: Provided further, That the Secretary*
3 *shall continue to administer the capital investment grants*
4 *program in accordance with the procedural and substantive*
5 *requirements of section 5309 of title 49, United States Code,*
6 *and of section 3005(b) of the Fixing America's Surface*
7 *Transportation Act: Provided further, That projects that re-*
8 *ceive a grant agreement under the Expedited Project Deliv-*
9 *ery for Capital Investment Grants Pilot Program under*
10 *section 3005(b) of the Fixing America's Surface Transpor-*
11 *tation Act shall be deemed eligible for funding provided for*
12 *projects under section 5309 of title 49, United States Code,*
13 *without further evaluation or rating under such section:*
14 *Provided further, That such funding shall not exceed the*
15 *Federal share under section 3005(b).*

16 *GRANTS TO THE WASHINGTON METROPOLITAN AREA*

17 *TRANSIT AUTHORITY*

18 *For grants to the Washington Metropolitan Area Tran-*
19 *sit Authority as authorized under section 601 of division*
20 *B of Public Law 110-432, \$150,000,000, to remain avail-*
21 *able until expended: Provided, That the Secretary of Trans-*
22 *portation shall approve grants for capital and preventive*
23 *maintenance expenditures for the Washington Metropolitan*
24 *Area Transit Authority only after receiving and reviewing*
25 *a request for each specific project: Provided further, That*

1 *the Secretary shall determine that the Washington Metro-*
2 *politan Area Transit Authority has placed the highest pri-*
3 *ority on those investments that will improve the safety of*
4 *the system before approving such grants: Provided further,*
5 *That the Secretary, in order to ensure safety throughout the*
6 *rail system, may waive the requirements of section*
7 *601(e)(1) of division B of Public Law 110–432.*

8 *ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT*

9 *ADMINISTRATION*

10 *SEC. 160. The limitations on obligations for the pro-*
11 *grams of the Federal Transit Administration shall not*
12 *apply to any authority under 49 U.S.C. 5338, previously*
13 *made available for obligation, or to any other authority pre-*
14 *viously made available for obligation.*

15 *SEC. 161. Notwithstanding any other provision of law,*
16 *funds appropriated or limited by this Act under the heading*
17 *“Fixed Guideway Capital Investment” of the Federal Tran-*
18 *sit Administration for projects specified in this Act or iden-*
19 *tified in reports accompanying this Act not obligated by*
20 *September 30, 2023, and other recoveries, shall be directed*
21 *to projects eligible to use the funds for the purposes for*
22 *which they were originally provided.*

23 *SEC. 162. Notwithstanding any other provision of law,*
24 *any funds appropriated before October 1, 2019, under any*
25 *section of chapter 53 of title 49, United States Code, that*

1 *remain available for expenditure, may be transferred to and*
2 *administered under the most recent appropriation heading*
3 *for any such section.*

4 *SEC. 163. No funds in this or any other Act shall be*
5 *used to adjust apportionments or withhold funds from ap-*
6 *portionments pursuant to 26 U.S.C. 9503(e)(4).*

7 *SEC. 164. An eligible recipient of a grant under section*
8 *5339(c) may submit an application in partnership with*
9 *other entities, including a transit vehicle manufacturer,*
10 *that intend to participate in the implementation of a*
11 *project under section 5339(c) of title 49, United States*
12 *Code, and a project awarded with such partnership shall*
13 *be treated as satisfying the requirement for a competitive*
14 *procurement under section 5325(a) of title 49, United*
15 *States Code, for the named entity.*

16 *SEC. 165. None of the funds made available in this*
17 *or any other Act shall be used to impede or hinder project*
18 *advancement or approval for any project seeking a Federal*
19 *contribution from the capital investment grant program of*
20 *greater than 40 percent of project costs as authorized under*
21 *49 U.S.C. 5309.*

22 *SEC. 166. None of the funds made available under this*
23 *Act may be used for the implementation or furtherance of*
24 *new policies detailed in the “Dear Colleague” letter distrib-*

1 *uted by the Federal Transit Administration to capital in-*
2 *vestment grant program project sponsors on June 29, 2018.*

3 *SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION*

4 *The Saint Lawrence Seaway Development Corpora-*
5 *tion is hereby authorized to make such expenditures, within*
6 *the limits of funds and borrowing authority available to*
7 *the Corporation, and in accord with law, and to make such*
8 *contracts and commitments without regard to fiscal year*
9 *limitations, as provided by section 104 of the Government*
10 *Corporation Control Act, as amended, as may be necessary*
11 *in carrying out the programs set forth in the Corporation's*
12 *budget for the current fiscal year.*

13 *OPERATIONS AND MAINTENANCE*

14 *(HARBOR MAINTENANCE TRUST FUND)*

15 *For necessary expenses to conduct the operations,*
16 *maintenance, and capital asset renewal activities on those*
17 *portions of the Saint Lawrence Seaway owned, operated,*
18 *and maintained by the Saint Lawrence Seaway Develop-*
19 *ment Corporation, \$38,000,000, to be derived from the Har-*
20 *bor Maintenance Trust Fund, pursuant to Public Law 99-*
21 *662: Provided, That of the amounts made available under*
22 *this heading, not less than \$16,000,000 shall be used on cap-*
23 *ital asset renewal activities.*

1 *MARITIME ADMINISTRATION*2 *MARITIME SECURITY PROGRAM*

3 *For necessary expenses to maintain and preserve a*
4 *U.S.-flag merchant fleet to serve the national security needs*
5 *of the United States, \$300,000,000, to remain available*
6 *until expended.*

7 *OPERATIONS AND TRAINING*8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For necessary expenses of operations and training ac-*
10 *tivities authorized by law, \$152,589,000: Provided, That of*
11 *the sums appropriated under this heading—*

12 *(1) \$80,216,000 shall remain available until*
13 *September 30, 2021 for the operations of the United*
14 *States Merchant Marine Academy;*

15 *(2) \$5,225,000 shall remain available until ex-*
16 *pended for the maintenance and repair, and equip-*
17 *ment at the United States Merchant Marine Acad-*
18 *emy;*

19 *(3) \$3,000,000 shall remain available until Sep-*
20 *tember 30, 2021 for the Maritime Environment and*
21 *Technology Assistance program authorized under sec-*
22 *tion 50307 of title 46, United States Code; and*

23 *(4) \$9,775,000, shall remain available until ex-*
24 *pended for the Short Sea Transportation Program*
25 *(America's Marine Highways) to make grants for the*

1 *purposes authorized under sections 55601(b)(1) and*
2 *(3) of title 46, United States Code:*

3 *Provided further, That not later than 120 days after enact-*
4 *ment of this Act, the Administrator of the Maritime Admin-*
5 *istration shall transmit to the House and Senate Commit-*
6 *tees on Appropriations the annual report on sexual assault*
7 *and sexual harassment at the United States Merchant Ma-*
8 *rine Academy as required pursuant to section 3507 of Pub-*
9 *lic Law 110–417: Provided further, That available balances*
10 *under this heading for the Short Sea Transportation Pro-*
11 *gram (America’s Marine Highways) from prior year recov-*
12 *eries shall be available to carry out activities authorized*
13 *under sections 55601(b)(1) and (3) of title 46, United States*
14 *Code: Provided further, That from funds provided under*
15 *paragraphs (3) and (4) of the first proviso, the Secretary*
16 *of Transportation shall make grants no later than 180 days*
17 *after enactment of this Act in such amounts as the Sec-*
18 *retary determines: Provided further, That any unobligated*
19 *balances and obligated balances not yet expended from pre-*
20 *vious appropriations under this heading for programs and*
21 *activities supporting State Maritime Academies shall be*
22 *transferred to and merged with the appropriations for*
23 *“Maritime Administration—State Maritime Academy Op-*
24 *erations” and shall be made available for the same purposes*

1 *as the appropriations for “Maritime Administration—*
2 *State Maritime Academy Operations”.*

3 *STATE MARITIME ACADEMY OPERATIONS*

4 *For necessary expenses of operations, support and*
5 *training activities for State Maritime Academies,*
6 *\$342,280,000: Provided, That of the sums appropriated*
7 *under this heading—*

8 *(1) \$30,080,000, to remain available until ex-*
9 *pended, shall be for maintenance, repair, life exten-*
10 *sion, marine insurance, and capacity improvement of*
11 *National Defense Reserve Fleet training ships in sup-*
12 *port of State Maritime Academies, of which*
13 *\$8,080,000, to remain available until expended, shall*
14 *be for expenses related to training mariners for costs*
15 *associated with training vessel sharing pursuant to*
16 *46 U.S.C. 51504(g)(3) for costs associated with mobi-*
17 *lizing, operating and demobilizing the vessel, includ-*
18 *ing travel costs for students, faculty and crew, the*
19 *costs of the general agent, crew costs, fuel, insurance,*
20 *operational fees, and vessel hire costs, as determined*
21 *by the Secretary;*

22 *(2) \$300,000,000, to remain available until ex-*
23 *pended, shall be for the National Security Multi-Mis-*
24 *sion Vessel Program, including funds for construction,*
25 *planning, administration, and design of school ships;*

1 *PORT INFRASTRUCTURE DEVELOPMENT PROGRAM*

2 *To make grants to improve port facilities as authorized*
3 *under section 50302 of title 46, United States Code,*
4 *\$225,000,000 to remain available until expended: Provided,*
5 *That projects eligible for funding provided under this head-*
6 *ing shall be projects for coastal seaports, inland river ports,*
7 *or Great Lakes ports: Provided further, That of the amounts*
8 *made available under this heading, no less than*
9 *\$200,000,000 shall be for coastal seaports or Great Lakes*
10 *ports: Provided further, That the Maritime Administration*
11 *shall distribute funds provided under this heading as discre-*
12 *tionary grants to port authorities or commissions or their*
13 *subdivisions and agents under existing authority, as well*
14 *as to a State or political subdivision of a State or local*
15 *government, a tribal government, a public agency or pub-*
16 *licly chartered authority established by one or more States,*
17 *a special purpose district with a transportation function,*
18 *a multistate or multijurisdictional group of entities, or a*
19 *lead entity described above jointly with a private entity or*
20 *group of private entities: Provided further, That projects*
21 *eligible for funding provided under this heading shall be*
22 *designed to improve the safety, efficiency, or reliability of*
23 *the movement of goods into, out of, around, or within a*
24 *port and located—*

25 *(1) within the boundary of a port, or*

1 (2) *outside the boundary of a port, and directly*
2 *related to port operations, or to an intermodal con-*
3 *nection to a port:*

4 *Provided further, That project awards eligible under this*
5 *heading shall be only for—*

6 (1) *port gate improvements;*

7 (2) *road improvements both within and con-*
8 *necting to the port;*

9 (3) *rail improvements both within and con-*
10 *necting to the port;*

11 (4) *berth improvements (including docks,*
12 *wharves, piers and dredging incidental to the im-*
13 *provement project);*

14 (5) *fixed landside improvements in support of*
15 *cargo operations (such as silos, elevators, conveyors,*
16 *container terminals, Ro/Ro structures including park-*
17 *ing garages necessary for intermodal freight transfer,*
18 *warehouses including refrigerated facilities, lay-down*
19 *areas, transit sheds, and other such facilities);*

20 (6) *utilities necessary for safe operations (includ-*
21 *ing lighting, stormwater, and other such improve-*
22 *ments that are incidental to a larger infrastructure*
23 *project); or*

24 (7) *a combination of activities described above:*

1 *Provided further, That the Federal share of the costs for*
2 *which an expenditure is made under this heading shall be*
3 *up to 80 percent: Provided further, That for grants awarded*
4 *under this heading, the minimum grant size shall be*
5 *\$1,000,000: Provided further, That for grant awards less*
6 *than \$10,000,000, the Secretary shall prioritize ports that*
7 *handled less than 10,000,000 short tons in 2017, as identi-*
8 *fied by the U.S. Army Corps of Engineers: Provided further,*
9 *That for grant awards less than \$10,000,000, the Secretary*
10 *may increase the Federal share of costs above 80 percent:*
11 *Provided further, That not to exceed 2 percent of the funds*
12 *appropriated under this heading shall be available for nec-*
13 *essary costs of grant administration.*

14 *ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION*

15 *SEC. 170. Notwithstanding any other provision of this*
16 *Act, in addition to any existing authority, the Maritime*
17 *Administration is authorized to furnish utilities and serv-*
18 *ices and make necessary repairs in connection with any*
19 *lease, contract, or occupancy involving Government prop-*
20 *erty under control of the Maritime Administration: Pro-*
21 *vided, That payments received therefor shall be credited to*
22 *the appropriation charged with the cost thereof and shall*
23 *remain available until expended: Provided further, That*
24 *rental payments under any such lease, contract, or occu-*

1 *pancy for items other than such utilities, services, or repairs*
2 *shall be covered into the Treasury as miscellaneous receipts.*

3 *PIPELINE AND HAZARDOUS MATERIALS SAFETY*

4 *ADMINISTRATION*

5 *OPERATIONAL EXPENSES*

6 *For necessary operational expenses of the Pipeline and*
7 *Hazardous Materials Safety Administration, \$24,215,000,*
8 *of which \$1,500,000 shall remain available until September*
9 *30, 2022: Provided, That no later than 90 days after enact-*
10 *ment of this Act, the Secretary of Transportation shall ini-*
11 *tiate a rulemaking on automatic and remote-controlled*
12 *shut-off valves and hazardous liquid pipeline facilities leak*
13 *detection systems as required under section 4 and section*
14 *8 of the Pipeline Safety, Regulatory Certainty, and Job*
15 *Creation Act of 2011 (Public Law 112–90), respectively,*
16 *and shall issue a final rule no later than one year after*
17 *enactment of this Act.*

18 *HAZARDOUS MATERIALS SAFETY*

19 *For expenses necessary to discharge the hazardous ma-*
20 *terials safety functions of the Pipeline and Hazardous Ma-*
21 *terials Safety Administration, \$61,000,000, of which*
22 *\$11,000,000 shall remain available until September 30,*
23 *2022: Provided, That up to \$800,000 in fees collected under*
24 *49 U.S.C. 5108(g) shall be deposited in the general fund*
25 *of the Treasury as offsetting receipts: Provided further, That*

1 *there may be credited to this appropriation, to be available*
2 *until expended, funds received from States, counties, mu-*
3 *nicipalities, other public authorities, and private sources*
4 *for expenses incurred for training, for reports publication*
5 *and dissemination, and for travel expenses incurred in per-*
6 *formance of hazardous materials exemptions and approvals*
7 *functions.*

8 *PIPELINE SAFETY*

9 *(PIPELINE SAFETY FUND)*

10 *(OIL SPILL LIABILITY TRUST FUND)*

11 *For expenses necessary to carry out a pipeline safety*
12 *program, as authorized by 49 U.S.C. 60107, and to dis-*
13 *charge the pipeline program responsibilities of the Oil Pol-*
14 *lution Act of 1990, \$168,000,000, to remain available until*
15 *September 30, 2022, of which \$23,000,000 shall be derived*
16 *from the Oil Spill Liability Trust Fund; of which*
17 *\$137,000,000 shall be derived from the Pipeline Safety*
18 *Fund; and of which \$8,000,000 shall be derived from fees*
19 *collected under 49 U.S.C. 60302 and deposited in the Un-*
20 *derground Natural Gas Storage Facility Safety Account for*
21 *the purpose of carrying out 49 U.S.C. 60141: Provided,*
22 *That not less than \$1,058,000 of the funds provided under*
23 *this heading shall be for the One-Call State grant program.*

1 *EMERGENCY PREPAREDNESS GRANTS*2 *(EMERGENCY PREPAREDNESS FUND)*

3 *For expenses necessary to carry out the Emergency*
4 *Preparedness Grants program, not more than \$28,318,000*
5 *shall remain available until September 30, 2022, from*
6 *amounts made available by 49 U.S.C. 5116(h), and 5128(b)*
7 *and (c): Provided, That notwithstanding 49 U.S.C.*
8 *5116(h)(4), not more than 4 percent of the amounts made*
9 *available from this account shall be available to pay admin-*
10 *istrative costs: Provided further, That notwithstanding 49*
11 *U.S.C. 5128(b) and (c) and the current year obligation lim-*
12 *itation, prior year recoveries recognized in the current year*
13 *shall be available to develop a hazardous materials response*
14 *training curriculum for emergency responders, including*
15 *response activities for the transportation of crude oil, eth-*
16 *anol and other flammable liquids by rail, consistent with*
17 *National Fire Protection Association standards, and to*
18 *make such training available through an electronic format:*
19 *Provided further, That the prior year recoveries made avail-*
20 *able under this heading shall also be available to carry out*
21 *49 U.S.C. 5116(a)(1)(C), 5116(h), 5116(i), and 5107(e).*

22 *OFFICE OF INSPECTOR GENERAL*23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Office of Inspector Gen-*
25 *eral to carry out the provisions of the Inspector General*

1 *Act of 1978, as amended, \$94,600,000: Provided, That the*
2 *Inspector General shall have all necessary authority, in car-*
3 *rying out the duties specified in the Inspector General Act,*
4 *as amended (5 U.S.C. App. 3), to investigate allegations*
5 *of fraud, including false statements to the government (18*
6 *U.S.C. 1001), by any person or entity that is subject to*
7 *regulation by the Department of Transportation.*

8 *GENERAL PROVISIONS—DEPARTMENT OF*
9 *TRANSPORTATION*

10 *SEC. 180. (a) During the current fiscal year, applica-*
11 *ble appropriations to the Department of Transportation*
12 *shall be available for maintenance and operation of air-*
13 *craft; hire of passenger motor vehicles and aircraft; pur-*
14 *chase of liability insurance for motor vehicles operating in*
15 *foreign countries on official department business; and uni-*
16 *forms or allowances therefor, as authorized by law (5 U.S.C.*
17 *5901–5902).*

18 *(b) During the current fiscal year, applicable appro-*
19 *priations to the Department and its operating administra-*
20 *tions shall be available for the purchase, maintenance, oper-*
21 *ation, and deployment of unmanned aircraft systems that*
22 *advance the Department's, or its operating administra-*
23 *tions', missions.*

1 (c) Any unmanned aircraft system purchased or pro-
2 cured by the Department prior to the enactment of this Act
3 shall be deemed authorized.

4 SEC. 181. Appropriations contained in this Act for the
5 Department of Transportation shall be available for services
6 as authorized by 5 U.S.C. 3109, but at rates for individuals
7 not to exceed the per diem rate equivalent to the rate for
8 an Executive Level IV.

9 SEC. 182. (a) No recipient of funds made available in
10 this Act shall disseminate personal information (as defined
11 in 18 U.S.C. 2725(3)) obtained by a State department of
12 motor vehicles in connection with a motor vehicle record
13 as defined in 18 U.S.C. 2725(1), except as provided in 18
14 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

15 (b) Notwithstanding subsection (a), the Secretary shall
16 not withhold funds provided in this Act for any grantee
17 if a State is in noncompliance with this provision.

18 SEC. 183. None of the funds in this Act shall be avail-
19 able for salaries and expenses of more than 125 political
20 and Presidential appointees in the Department of Trans-
21 portation: Provided, That none of the personnel covered by
22 this provision may be assigned on temporary detail outside
23 the Department of Transportation.

24 SEC. 184. Funds received by the Federal Highway Ad-
25 ministration and Federal Railroad Administration from

1 *States, counties, municipalities, other public authorities,*
2 *and private sources for expenses incurred for training may*
3 *be credited respectively to the Federal Highway Adminis-*
4 *tration's "Federal-Aid Highways" account and to the Fed-*
5 *eral Railroad Administration's "Safety and Operations"*
6 *account, except for State rail safety inspectors participating*
7 *in training pursuant to 49 U.S.C. 20105.*

8 *SEC. 185. (a) None of the funds provided in this Act*
9 *to the Department of Transportation may be used to make*
10 *a loan, loan guarantee, line of credit, or discretionary grant*
11 *unless the Secretary of Transportation notifies the House*
12 *and Senate Committees on Appropriations not less than 3*
13 *full business days before any project competitively selected*
14 *to receive any discretionary grant award, letter of intent,*
15 *loan commitment, loan guarantee commitment, line of cred-*
16 *it commitment, or full funding grant agreement is an-*
17 *nounced by the Department or its modal administrations:*
18 *Provided, That the Secretary gives concurrent notification*
19 *to the House and Senate Committees on Appropriations for*
20 *any "quick release" of funds from the emergency relief pro-*
21 *gram: Provided further, That no notification shall involve*
22 *funds that are not available for obligation.*

23 *(b) In addition to the notification required in sub-*
24 *section (a), none of the funds made available in this Act*
25 *to the Department of Transportation may be used to make*

1 a loan, loan guarantee, line of credit, cooperative agreement
2 or discretionary grant unless the Secretary of Transpor-
3 tation provides the House and Senate Committees on Ap-
4 propriations a comprehensive list of all such loans, loan
5 guarantees, lines of credit, cooperative agreement or discre-
6 tionary grants that will be announced not less the 3 full
7 business days before such announcement: Provided, That the
8 Department shall provide the list required in this subsection
9 prior to the notification required in subsection (a): Pro-
10 vided further, That the requirement to provide a list in this
11 subsection does not apply to any “quick release” of funds
12 from the emergency relief program: Provided further, That
13 no list shall involve funds that are not available for obliga-
14 tion.

15 SEC. 186. Rebates, refunds, incentive payments, minor
16 fees and other funds received by the Department of Trans-
17 portation from travel management centers, charge card pro-
18 grams, the subleasing of building space, and miscellaneous
19 sources are to be credited to appropriations of the Depart-
20 ment of Transportation and allocated to elements of the De-
21 partment of Transportation using fair and equitable cri-
22 teria and such funds shall be available until expended.

23 SEC. 187. Amounts made available in this or any
24 prior Act that the Secretary determines represent improper
25 payments by the Department of Transportation to a third-

1 *party contractor under a financial assistance award, which*
2 *are recovered pursuant to law, shall be available—*

3 *(1) to reimburse the actual expenses incurred by*
4 *the Department of Transportation in recovering im-*
5 *proper payments: Provided, That amounts made*
6 *available in this Act shall be available until ex-*
7 *pended; and*

8 *(2) to pay contractors for services provided in re-*
9 *covering improper payments or contractor support in*
10 *the implementation of the Improper Payments Infor-*
11 *mation Act of 2002, as amended by the Improper*
12 *Payments Elimination and Recovery Act of 2010 and*
13 *Improper Payments Elimination and Recovery Im-*
14 *provement Act of 2012, and Fraud Reduction and*
15 *Data Analytics Act of 2015: Provided, That amounts*
16 *in excess of that required for paragraphs (1) and*
17 *(2)—*

18 *(A) shall be credited to and merged with the*
19 *appropriation from which the improper pay-*
20 *ments were made, and shall be available for the*
21 *purposes and period for which such appropria-*
22 *tions are available: Provided further, That where*
23 *specific project or accounting information associ-*
24 *ated with the improper payment or payments is*
25 *not readily available, the Secretary may credit*

1 *an appropriate account, which shall be available*
2 *for the purposes and period associated with the*
3 *account so credited; or*

4 *(B) if no such appropriation remains avail-*
5 *able, shall be deposited in the Treasury as mis-*
6 *cellaneous receipts: Provided further, That prior*
7 *to depositing such recovery in the Treasury, the*
8 *Secretary shall notify the House and Senate*
9 *Committees on Appropriations of the amount*
10 *and reasons for such transfer: Provided further,*
11 *That for purposes of this section, the term “im-*
12 *proper payments” has the same meaning as that*
13 *provided in section 2(e)(2) of Public Law 111-*
14 *204.*

15 *SEC. 188. Notwithstanding any other provision of law,*
16 *if any funds provided in or limited by this Act are subject*
17 *to a reprogramming action that requires notice to be pro-*
18 *vided to the House and Senate Committees on Appropria-*
19 *tions, transmission of said reprogramming notice shall be*
20 *provided solely to the House and Senate Committees on Ap-*
21 *propriations, and said reprogramming action shall be ap-*
22 *proved or denied solely by the House and Senate Commit-*
23 *tees on Appropriations: Provided, That the Secretary of*
24 *Transportation may provide notice to other congressional*
25 *committees of the action of the House and Senate Commit-*

1 *tees on Appropriations on such reprogramming but not*
2 *sooner than 30 days following the date on which the re-*
3 *programming action has been approved or denied by the*
4 *House and Senate Committees on Appropriations.*

5 *SEC. 189. Funds appropriated in this Act to the modal*
6 *administrations may be obligated for the Office of the Sec-*
7 *retary for the costs related to assessments or reimbursable*
8 *agreements only when such amounts are for the costs of*
9 *goods and services that are purchased to provide a direct*
10 *benefit to the applicable modal administration or adminis-*
11 *trations.*

12 *SEC. 190. The Secretary of Transportation is author-*
13 *ized to carry out a program that establishes uniform stand-*
14 *ards for developing and supporting agency transit pass and*
15 *transit benefits authorized under section 7905 of title 5,*
16 *United States Code, including distribution of transit bene-*
17 *fits by various paper and electronic media.*

18 *SEC. 191. The Department of Transportation may use*
19 *funds provided by this Act, or any other Act, to assist a*
20 *contract under title 49 U.S.C. or title 23 U.S.C. utilizing*
21 *geographic, economic, or any other hiring preference not*
22 *otherwise authorized by law, or to amend a rule, regulation,*
23 *policy or other measure that forbids a recipient of a Federal*
24 *Highway Administration or Federal Transit Administra-*
25 *tion grant from imposing such hiring preference on a con-*

1 *tract or construction project with which the Department of*
2 *Transportation is assisting, only if the grant recipient cer-*
3 *tifies the following:*

4 (1) *that except with respect to apprentices or*
5 *trainees, a pool of readily available but unemployed*
6 *individuals possessing the knowledge, skill, and abil-*
7 *ity to perform the work that the contract requires re-*
8 *sides in the jurisdiction;*

9 (2) *that the grant recipient will include appro-*
10 *prate provisions in its bid document ensuring that*
11 *the contractor does not displace any of its existing*
12 *employees in order to satisfy such hiring preference;*
13 *and*

14 (3) *that any increase in the cost of labor, train-*
15 *ing, or delays resulting from the use of such hiring*
16 *preference does not delay or displace any transpor-*
17 *tation project in the applicable Statewide Transpor-*
18 *tation Improvement Program or Transportation Im-*
19 *provement Program.*

20 *SEC. 192. Section 502(b)(3) of the Railroad Revital-*
21 *ization and Regulatory Reform Act of 1976 (45 U.S.C.*
22 *822(b)(3)) is amended by striking “only during the 4-year*
23 *period beginning on the date of enactment of the Passenger*
24 *Rail Reform and Investment Act of 2015” and inserting*
25 *“until September 30, 2020”.*

1 *ADMINISTRATIVE SUPPORT OFFICES*

2 *For necessary salaries and expenses for Administrative*
3 *Support Offices, \$563,378,000, to remain available until*
4 *September 30, 2021: Provided, That of the sums appro-*
5 *priated under this heading—*

6 (1) *\$73,562,000 shall be available for the Office*
7 *of the Chief Financial Officer;*

8 (2) *\$103,916,000 shall be available for the Office*
9 *of the General Counsel, of which not less than*
10 *\$18,700,000 shall be for the Departmental Enforce-*
11 *ment Center;*

12 (3) *\$206,849,000 shall be available for the Office*
13 *of Administration;*

14 (4) *\$39,827,000 shall be available for the Office*
15 *of the Chief Human Capital Officer;*

16 (5) *\$57,861,000 shall be available for the Office*
17 *of Field Policy and Management;*

18 (6) *\$19,445,000 shall be available for the Office*
19 *of the Chief Procurement Officer;*

20 (7) *\$4,242,000 shall be available for the Office of*
21 *Departmental Equal Employment Opportunity; and*

22 (8) *\$57,676,000 shall be available for the Office*
23 *of the Chief Information Officer:*

24 *Provided further, That funds provided under this heading*
25 *may be used for necessary administrative and non-adminis-*

1 *trative expenses of the Department of Housing and Urban*
2 *Development, not otherwise provided for, including pur-*
3 *chase of uniforms, or allowances therefor, as authorized by*
4 *5 U.S.C. 5901–5902; hire of passenger motor vehicles; and*
5 *services as authorized by 5 U.S.C. 3109: Provided further,*
6 *That notwithstanding any other provision of law, funds ap-*
7 *propriated under this heading may be used for advertising*
8 *and promotional activities that directly support program*
9 *activities funded in this title: Provided further, That the*
10 *Secretary shall provide the House and Senate Committees*
11 *on Appropriations quarterly written notification regarding*
12 *the status of pending congressional reports: Provided fur-*
13 *ther, That the Secretary shall provide in electronic form all*
14 *signed reports required by Congress: Provided further, That*
15 *none of the funds made available under this heading for*
16 *the Office of the Chief Financial Officer for the financial*
17 *transformation initiative shall be available for obligation*
18 *until after the Secretary has published all mitigation allo-*
19 *cations made available under the heading “Department of*
20 *Housing and Urban Development—Community Planning*
21 *and Development—Community Development Fund” in*
22 *Public Law 115–123 and the necessary administrative re-*
23 *quirements pursuant to section 1102 of Public Law 116–*
24 *20: Provided further, That only after the terms and condi-*
25 *tions of the previous proviso have been met, not more than*

1 10 percent of the funds made available under this heading
2 for the Office of the Chief Financial Officer for the financial
3 transformation initiative may be obligated until the Sec-
4 retary submits to the House and Senate Committees on Ap-
5 propriations, for approval, a plan for expenditure that in-
6 cludes the financial and internal control capabilities to be
7 delivered and the mission benefits to be realized, key mile-
8 stones to be met, and the relationship between the proposed
9 use of funds made available under this heading and the pro-
10 jected total cost and scope of the initiative.

11 *PROGRAM OFFICES*

12 *For necessary salaries and expenses for Program Of-*
13 *fices, \$847,000,000, to remain available until September 30,*
14 *2021: Provided, That of the sums appropriated under this*
15 *heading—*

16 (1) \$227,000,000 shall be available for the Office
17 of Public and Indian Housing;

18 (2) \$124,000,000 shall be available for the Office
19 of Community Planning and Development;

20 (3) \$384,000,000 shall be available for the Office
21 of Housing, of which not less than \$12,300,000 shall
22 be for the Office of Recapitalization;

23 (4) \$28,000,000 shall be available for the Office
24 of Policy Development and Research;

1 *trative Support Offices*”, “*Program Offices*”, and “*Govern-*
2 *ment National Mortgage Association*”, for such services
3 *shall be transferred to the Fund, to remain available until*
4 *expended: Provided further, That the Secretary shall notify*
5 *the House and Senate Committees on Appropriations of its*
6 *plans for executing such transfers at least fifteen (15) days*
7 *in advance of such transfers: Provided further, That the*
8 *Secretary may transfer not to exceed an additional*
9 *\$5,000,000, in aggregate, from all such appropriations, to*
10 *be merged with the Fund and to remain available until ex-*
11 *pended for any purpose under this heading.*

12 *PUBLIC AND INDIAN HOUSING*

13 *TENANT-BASED RENTAL ASSISTANCE*

14 *For activities and assistance for the provision of ten-*
15 *ant-based rental assistance authorized under the United*
16 *States Housing Act of 1937, as amended (42 U.S.C. 1437*
17 *et seq.) (“the Act” herein), not otherwise provided for,*
18 *\$19,874,050,000, to remain available until expended, shall*
19 *be available on October 1, 2019 (in addition to the*
20 *\$4,000,000,000 previously appropriated under this heading*
21 *that shall be available on October 1, 2019), and*
22 *\$4,000,000,000, to remain available until expended, shall*
23 *be available on October 1, 2020: Provided, That the*
24 *amounts made available under this heading are provided*
25 *as follows:*

1 (1) \$21,502,000,000 shall be available for renew-
2 als of expiring section 8 tenant-based annual con-
3 tributions contracts (including renewals of enhanced
4 vouchers under any provision of law authorizing such
5 assistance under section 8(t) of the Act) and includ-
6 ing renewal of other special purpose incremental
7 vouchers: Provided, That notwithstanding any other
8 provision of law, from amounts provided under this
9 paragraph and any carryover, the Secretary for the
10 calendar year 2020 funding cycle shall provide re-
11 newal funding for each public housing agency based
12 on validated voucher management system (VMS) leas-
13 ing and cost data for the prior calendar year and by
14 applying an inflation factor as established by the Sec-
15 retary, by notice published in the Federal Register,
16 and by making any necessary adjustments for the
17 costs associated with the first-time renewal of vouch-
18 ers under this paragraph including tenant protection
19 and Choice Neighborhoods vouchers: Provided further,
20 That none of the funds provided under this paragraph
21 may be used to fund a total number of unit months
22 under lease which exceeds a public housing agency's
23 authorized level of units under contract, except for
24 public housing agencies participating in the MTW
25 demonstration, which are instead governed by the

1 *terms and conditions of their MTW agreements: Pro-*
2 *vided further, That the Secretary shall, to the extent*
3 *necessary to stay within the amount specified under*
4 *this paragraph (except as otherwise modified under*
5 *this paragraph), prorate each public housing agency's*
6 *allocation otherwise established pursuant to this para-*
7 *graph: Provided further, That except as provided in*
8 *the following provisos, the entire amount specified*
9 *under this paragraph (except as otherwise modified*
10 *under this paragraph) shall be obligated to the public*
11 *housing agencies based on the allocation and pro rata*
12 *method described above, and the Secretary shall notify*
13 *public housing agencies of their annual budget by the*
14 *latter of 60 days after enactment of this Act or March*
15 *1, 2020: Provided further, That the Secretary may ex-*
16 *tend the notification period with the prior written*
17 *approval of the House and Senate Committees on Ap-*
18 *propriations: Provided further, That public housing*
19 *agencies participating in the MTW demonstration*
20 *shall be funded pursuant to their MTW agreements*
21 *and shall be subject to the same pro rata adjustments*
22 *under the previous provisos: Provided further, That*
23 *the Secretary may offset public housing agencies' cal-*
24 *endar year 2020 allocations based on the excess*
25 *amounts of public housing agencies' net restricted as-*

1 *sets accounts, including HUD-held programmatic re-*
2 *serves (in accordance with VMS data in calendar*
3 *year 2019 that is verifiable and complete), as deter-*
4 *mined by the Secretary: Provided further, That public*
5 *housing agencies participating in the MTW dem-*
6 *onstration shall also be subject to the offset, as deter-*
7 *mined by the Secretary, excluding amounts subject to*
8 *the single fund budget authority provisions of their*
9 *MTW agreements, from the agencies' calendar year*
10 *2020 MTW funding allocation: Provided further, That*
11 *the Secretary shall use any offset referred to in the*
12 *previous two provisos throughout the calendar year to*
13 *prevent the termination of rental assistance for fami-*
14 *lies as the result of insufficient funding, as deter-*
15 *mined by the Secretary, and to avoid or reduce the*
16 *proration of renewal funding allocations: Provided*
17 *further, That up to \$100,000,000 shall be available*
18 *only: (1) for adjustments in the allocations for public*
19 *housing agencies, after application for an adjustment*
20 *by a public housing agency that experienced a signifi-*
21 *cant increase, as determined by the Secretary, in re-*
22 *newal costs of vouchers resulting from unforeseen cir-*
23 *cumstances or from portability under section 8(r) of*
24 *the Act; (2) for vouchers that were not in use during*
25 *the previous 12-month period in order to be available*

1 to meet a commitment pursuant to section 8(o)(13) of
2 the Act; (3) for adjustments for costs associated with
3 HUD–Veterans Affairs Supportive Housing (HUD–
4 VASH) vouchers; (4) for public housing agencies that
5 despite taking reasonable cost savings measures, as
6 determined by the Secretary, would otherwise be re-
7 quired to terminate rental assistance for families as
8 a result of insufficient funding; (5) for adjustments in
9 the allocations for public housing agencies that (i) are
10 leasing a lower-than-average percentage of their au-
11 thorized vouchers, (ii) have low amounts of budget au-
12 thority in their net restricted assets accounts and
13 HUD-held programmatic reserves, relative to other
14 agencies, and (iii) are not participating in the Mov-
15 ing to Work demonstration, to enable such agencies to
16 lease more vouchers; and (6) for public housing agen-
17 cies that have experienced increased costs or loss of
18 units in an area for which the President declared a
19 disaster under title IV of the Robert T. Stafford Dis-
20 aster Relief and Emergency Assistance Act (42 U.S.C.
21 5170 et seq.): Provided further, That the Secretary
22 shall allocate amounts under the previous proviso
23 based on need, as determined by the Secretary;

24 (2) \$75,000,000 shall be for section 8 rental as-
25 sistance for relocation and replacement of housing

1 *units that are demolished or disposed of pursuant to*
2 *section 18 of the Act, conversion of section 23 projects*
3 *to assistance under section 8, the family unification*
4 *program under section 8(x) of the Act, relocation of*
5 *witnesses in connection with efforts to combat crime*
6 *in public and assisted housing pursuant to a request*
7 *from a law enforcement or prosecution agency, en-*
8 *hanced vouchers under any provision of law author-*
9 *izing such assistance under section 8(t) of the Act,*
10 *Choice Neighborhood vouchers, mandatory and vol-*
11 *untary conversions, and tenant protection assistance*
12 *including replacement and relocation assistance or for*
13 *project-based assistance to prevent the displacement of*
14 *unassisted elderly tenants currently residing in sec-*
15 *tion 202 properties financed between 1959 and 1974*
16 *that are refinanced pursuant to Public Law 106–569,*
17 *as amended, or under the authority as provided under*
18 *this Act: Provided, That when a public housing devel-*
19 *opment is submitted for demolition or disposition*
20 *under section 18 of the Act, the Secretary may pro-*
21 *vide section 8 rental assistance when the units pose*
22 *an imminent health and safety risk to residents: Pro-*
23 *vided further, That the Secretary may only provide*
24 *replacement vouchers for units that were occupied*
25 *within the previous 24 months that cease to be avail-*

1 *able as assisted housing, subject only to the avail-*
2 *ability of funds: Provided further, That of the*
3 *amounts made available under this paragraph, up to*
4 *\$5,000,000 may be available to provide tenant protec-*
5 *tion assistance, not otherwise provided under this*
6 *paragraph, to residents residing in low vacancy areas*
7 *and who may have to pay rents greater than 30 per-*
8 *cent of household income, as the result of: (A) the ma-*
9 *turity of a HUD-insured, HUD-held or section 202*
10 *loan that requires the permission of the Secretary*
11 *prior to loan prepayment; (B) the expiration of a*
12 *rental assistance contract for which the tenants are*
13 *not eligible for enhanced voucher or tenant protection*
14 *assistance under existing law; or (C) the expiration of*
15 *affordability restrictions accompanying a mortgage or*
16 *preservation program administered by the Secretary:*
17 *Provided further, That such tenant protection assist-*
18 *ance made available under the previous proviso may*
19 *be provided under the authority of section 8(t) or sec-*
20 *tion 8(o)(13) of the United States Housing Act of*
21 *1937 (42 U.S.C. 1437f(t)): Provided further, That the*
22 *Secretary shall issue guidance to implement the pre-*
23 *vious provisos, including, but not limited to, require-*
24 *ments for defining eligible at-risk households within*
25 *60 days of the enactment of this Act: Provided fur-*

1 *ther, That any tenant protection voucher made avail-*
2 *able from amounts under this paragraph shall not be*
3 *reissued by any public housing agency, except the re-*
4 *placement vouchers as defined by the Secretary by no-*
5 *tice, when the initial family that received any such*
6 *voucher no longer receives such voucher, and the au-*
7 *thority for any public housing agency to issue any*
8 *such voucher shall cease to exist: Provided further,*
9 *That the Secretary may provide section 8 rental as-*
10 *sistance from amounts made available under this*
11 *paragraph for units assisted under a project-based*
12 *subsidy contract funded under the “Project-Based*
13 *Rental Assistance” heading under this title where the*
14 *owner has received a Notice of Default and the units*
15 *pose an imminent health and safety risk to residents:*
16 *Provided further, That to the extent that the Secretary*
17 *determines that such units are not feasible for contin-*
18 *ued rental assistance payments or transfer of the sub-*
19 *sidy contract associated with such units to another*
20 *project or projects and owner or owners, any remain-*
21 *ing amounts associated with such units under such*
22 *contract shall be recaptured and used to reimburse*
23 *amounts used under this paragraph for rental assist-*
24 *ance under the preceding proviso;*

1 (3) \$1,977,000,000 shall be for administrative
2 and other expenses of public housing agencies in ad-
3 ministering the section 8 tenant-based rental assist-
4 ance program, of which up to \$30,000,000 shall be
5 available to the Secretary to allocate to public hous-
6 ing agencies that need additional funds to administer
7 their section 8 programs, including fees associated
8 with section 8 tenant protection rental assistance, the
9 administration of disaster related vouchers, HUD-
10 VASH vouchers, and other special purpose incre-
11 mental vouchers: Provided, That no less than
12 \$1,947,000,000 of the amount provided in this para-
13 graph shall be allocated to public housing agencies for
14 the calendar year 2020 funding cycle based on section
15 8(q) of the Act (and related Appropriation Act provi-
16 sions) as in effect immediately before the enactment
17 of the Quality Housing and Work Responsibility Act
18 of 1998 (Public Law 105–276): Provided further,
19 That if the amounts made available under this para-
20 graph are insufficient to pay the amounts determined
21 under the previous proviso, the Secretary may de-
22 crease the amounts allocated to agencies by a uniform
23 percentage applicable to all agencies receiving fund-
24 ing under this paragraph or may, to the extent nec-
25 essary to provide full payment of amounts determined

1 *under the previous proviso, utilize unobligated bal-*
2 *ances, including recaptures and carryovers, remain-*
3 *ing from funds appropriated to the Department of*
4 *Housing and Urban Development under this heading*
5 *from prior fiscal years, excluding special purpose*
6 *vouchers, notwithstanding the purposes for which such*
7 *amounts were appropriated: Provided further, That*
8 *all public housing agencies participating in the MTW*
9 *demonstration shall be funded pursuant to their MTW*
10 *agreements, and shall be subject to the same uniform*
11 *percentage decrease as under the previous proviso:*
12 *Provided further, That amounts provided under this*
13 *paragraph shall be only for activities related to the*
14 *provision of tenant-based rental assistance authorized*
15 *under section 8, including related development activi-*
16 *ties;*

17 *(4) \$229,050,000 for the renewal of tenant-based*
18 *assistance contracts under section 811 of the Cran-*
19 *ston-Gonzalez National Affordable Housing Act (42*
20 *U.S.C. 8013), including necessary administrative ex-*
21 *penditures: Provided, That administrative and other ex-*
22 *penditures of public housing agencies in administering*
23 *the special purpose vouchers in this paragraph shall*
24 *be funded under the same terms and be subject to the*
25 *same pro rata reduction as the percent decrease for*

1 *administrative and other expenses to public housing*
2 *agencies under paragraph (3) of this heading: Pro-*
3 *vided further, That upon turnover, section 811 special*
4 *purpose vouchers funded under this heading in this or*
5 *prior Acts, or under any other heading in prior Acts,*
6 *shall be provided to non-elderly persons with disabili-*
7 *ties;*

8 *(5) \$1,000,000 shall be for rental assistance and*
9 *associated administrative fees for Tribal HUD-VASH*
10 *to serve Native American veterans that are homeless*
11 *or at-risk of homelessness living on or near a reserva-*
12 *tion or other Indian areas: Provided, That such*
13 *amount shall be made available for renewal grants to*
14 *recipients that received assistance under prior Acts*
15 *under the Tribal HUD-VASH program: Provided*
16 *further, That the Secretary shall be authorized to*
17 *specify criteria for renewal grants, including data on*
18 *the utilization of assistance reported by grant recipi-*
19 *ents: Provided further, That such assistance shall be*
20 *administered in accordance with program require-*
21 *ments under the Native American Housing Assistance*
22 *and Self-Determination Act of 1996 and modeled*
23 *after the HUD-VASH program: Provided further,*
24 *That the Secretary shall be authorized to waive, or*
25 *specify alternative requirements for any provision of*

1 *any statute or regulation that the Secretary admin-*
2 *isters in connection with the use of funds made avail-*
3 *able under this paragraph (except for requirements*
4 *related to fair housing, nondiscrimination, labor*
5 *standards, and the environment), upon a finding by*
6 *the Secretary that any such waivers or alternative re-*
7 *quirements are necessary for the effective delivery and*
8 *administration of such assistance: Provided further,*
9 *That grant recipients shall report to the Secretary on*
10 *utilization of such rental assistance and other pro-*
11 *gram data, as prescribed by the Secretary: Provided*
12 *further, That the Secretary may reallocate, as deter-*
13 *mined by the Secretary, amounts returned or recap-*
14 *tured from awards under prior Acts;*

15 (6) \$40,000,000 for incremental rental voucher
16 *assistance for use through a supported housing pro-*
17 *gram administered in conjunction with the Depart-*
18 *ment of Veterans Affairs as authorized under section*
19 *8(o)(19) of the United States Housing Act of 1937:*
20 *Provided, That the Secretary of Housing and Urban*
21 *Development shall make such funding available, not-*
22 *withstanding section 203 (competition provision) of*
23 *this title, to public housing agencies that partner with*
24 *eligible VA Medical Centers or other entities as des-*
25 *ignated by the Secretary of the Department of Vet-*

1 *erans Affairs, based on geographical need for such as-*
2 *sistance as identified by the Secretary of the Depart-*
3 *ment of Veterans Affairs, public housing agency ad-*
4 *ministrative performance, and other factors as speci-*
5 *fied by the Secretary of Housing and Urban Develop-*
6 *ment in consultation with the Secretary of the De-*
7 *partment of Veterans Affairs: Provided further, That*
8 *the Secretary of Housing and Urban Development*
9 *may waive, or specify alternative requirements for (in*
10 *consultation with the Secretary of the Department of*
11 *Veterans Affairs), any provision of any statute or reg-*
12 *ulation that the Secretary of Housing and Urban De-*
13 *velopment administers in connection with the use of*
14 *funds made available under this paragraph (except*
15 *for requirements related to fair housing, non-*
16 *discrimination, labor standards, and the environ-*
17 *ment), upon a finding by the Secretary that any such*
18 *waivers or alternative requirements are necessary for*
19 *the effective delivery and administration of such*
20 *voucher assistance: Provided further, That assistance*
21 *made available under this paragraph shall continue*
22 *to remain available for homeless veterans upon turn-*
23 *over;*

24 *(7) \$25,000,000 shall be made available for the*
25 *family unification program as authorized under sec-*

1 *tion 8(x) of the Act: Provided, That the amounts*
2 *made available under this paragraph are provided as*
3 *follows:*

4 *(A) \$5,000,000 shall be for new incremental*
5 *voucher assistance: Provided, That the assistance*
6 *made available under this subparagraph shall*
7 *continue to remain available for family unifica-*
8 *tion upon turnover; and*

9 *(B) \$20,000,000 shall be for new incre-*
10 *mental voucher assistance to assist eligible youth*
11 *as defined by such section 8(x)(2)(B): Provided,*
12 *That assistance made available under this sub-*
13 *paragraph shall continue to remain available for*
14 *such eligible youth upon turnover: Provided fur-*
15 *ther, That of the total amount made available*
16 *under this subparagraph, up to \$10,000,000*
17 *shall be available on a noncompetitive basis to*
18 *public housing agencies that partner with public*
19 *child welfare agencies to identify such eligible*
20 *youth, that request such assistance to timely as-*
21 *assist such eligible youth, and that meet any other*
22 *criteria as specified by the Secretary: Provided*
23 *further, That the Secretary shall review utiliza-*
24 *tion of the assistance made available under the*
25 *previous proviso, at an interval to be determined*

1 *by the Secretary, and unutilized voucher assist-*
2 *ance that is no longer needed shall be recaptured*
3 *by the Secretary and reallocated pursuant to the*
4 *previous proviso:*

5 *Provided further, That for any public housing agency*
6 *administering voucher assistance appropriated in a*
7 *prior Act under the family unification program, or*
8 *made available and competitively selected under this*
9 *paragraph, that determines that it no longer has an*
10 *identified need for such assistance upon turnover,*
11 *such agency shall notify the Secretary, and the Sec-*
12 *retary shall recapture such assistance from the agency*
13 *and reallocate it to any other public housing agency*
14 *or agencies based on need for voucher assistance in*
15 *connection with such specified program or eligible*
16 *youth, as applicable;*

17 (8) *\$25,000,000 shall be made available for the*
18 *mobility demonstration authorized under section 235*
19 *of division G of the Consolidated Appropriations Act,*
20 *2019 (42 U.S.C. 1437f note; Public Law 116–6; 133*
21 *Stat. 465), of which up to \$5,000,000 shall be for new*
22 *incremental voucher assistance and the remainder of*
23 *which shall be available to provide mobility-related*
24 *services to families with children, including pre- and*
25 *post-move counseling and rent deposits, and to offset*

1 *the administrative costs of operating the mobility*
2 *demonstration: Provided, That incremental voucher*
3 *assistance made available under this paragraph shall*
4 *be for families with children participating in the mo-*
5 *bility demonstration and shall continue to remain*
6 *available for families with children upon turnover:*
7 *Provided further, That for any public housing agency*
8 *administering voucher assistance under the mobility*
9 *demonstration that determines that it no longer has*
10 *an identified need for such assistance upon turnover,*
11 *such agency shall notify the Secretary, and the Sec-*
12 *retary shall recapture such assistance from the agency*
13 *and reallocate it to any other public housing agency*
14 *or agencies based on need for voucher assistance in*
15 *connection with such demonstration; and*

16 *(9) the Secretary shall separately track all spe-*
17 *cial purpose vouchers funded under this heading.*

18 *HOUSING CERTIFICATE FUND*

19 *(INCLUDING RESCISSIONS)*

20 *Unobligated balances, including recaptures and carry-*
21 *over, remaining from funds appropriated to the Depart-*
22 *ment of Housing and Urban Development under this head-*
23 *ing, the heading “Annual Contributions for Assisted Hous-*
24 *ing” and the heading “Project-Based Rental Assistance”,*
25 *for fiscal year 2020 and prior years may be used for re-*

1 *newal of or amendments to section 8 project-based contracts*
2 *and for performance-based contract administrators, not-*
3 *withstanding the purposes for which such funds were appro-*
4 *priated: Provided, That any obligated balances of contract*
5 *authority from fiscal year 1974 and prior that have been*
6 *terminated shall be rescinded: Provided further, That*
7 *amounts heretofore recaptured, or recaptured during the*
8 *current fiscal year, from section 8 project-based contracts*
9 *from source years fiscal year 1975 through fiscal year 1987*
10 *are hereby rescinded, and an amount of additional new*
11 *budget authority, equivalent to the amount rescinded is*
12 *hereby appropriated, to remain available until expended,*
13 *for the purposes set forth under this heading, in addition*
14 *to amounts otherwise available.*

15 *PUBLIC HOUSING CAPITAL FUND*

16 *For the Public Housing Capital Fund Program to*
17 *carry out capital and management activities for public*
18 *housing agencies, as authorized under section 9 of the*
19 *United States Housing Act of 1937 (42 U.S.C. 1437g) (the*
20 *“Act”) \$2,869,893,812, to remain available until September*
21 *30, 2023: Provided, That notwithstanding any other provi-*
22 *sion of law or regulation, during fiscal year 2020, the Sec-*
23 *retary of Housing and Urban Development may not dele-*
24 *gate to any Department official other than the Deputy Sec-*
25 *retary and the Assistant Secretary for Public and Indian*

1 *Housing any authority under paragraph (2) of section 9(j)*
2 *regarding the extension of the time periods under such sec-*
3 *tion: Provided further, That for purposes of such section*
4 *9(j), the term “obligate” means, with respect to amounts,*
5 *that the amounts are subject to a binding agreement that*
6 *will result in outlays, immediately or in the future: Pro-*
7 *vided further, That of the total amount made available*
8 *under this heading, up to \$14,000,000 shall be to support*
9 *ongoing public housing financial and physical assessment*
10 *activities: Provided further, That of the total amount made*
11 *available under this heading, up to \$1,000,000 shall be to*
12 *support the costs of administrative and judicial receiver-*
13 *ships: Provided further, That of the total amount provided*
14 *under this heading, not to exceed \$64,650,000 shall be avail-*
15 *able for the Secretary to make grants, notwithstanding sec-*
16 *tion 203 of this Act, to public housing agencies for emer-*
17 *gency capital needs including safety and security measures*
18 *necessary to address crime and drug-related activity as well*
19 *as needs resulting from unforeseen or unpreventable emer-*
20 *gencies and natural disasters excluding Presidentially de-*
21 *clared emergencies and natural disasters under the Robert*
22 *T. Stafford Disaster Relief and Emergency Act (42 U.S.C.*
23 *5121 et seq.) occurring in fiscal year 2020, of which*
24 *\$34,650,000 shall be available for public housing agencies*
25 *under administrative and judicial receiverships or under*

1 *the control of a Federal monitor: Provided further, That*
2 *of the amount made available under the previous proviso,*
3 *not less than \$10,000,000 shall be for safety and security*
4 *measures: Provided further, That in addition to the amount*
5 *in the previous proviso for such safety and security meas-*
6 *ures, any amounts that remain available, after all applica-*
7 *tions received on or before September 30, 2021, for emer-*
8 *gency capital needs have been processed, shall be allocated*
9 *to public housing agencies for such safety and security*
10 *measures: Provided further, That for funds provided under*
11 *this heading, the limitation in section 9(g)(1) of the Act*
12 *shall be 25 percent: Provided further, That the Secretary*
13 *may waive the limitation in the previous proviso to allow*
14 *public housing agencies to fund activities authorized under*
15 *section 9(e)(1)(C) of the Act: Provided further, That the Sec-*
16 *retary shall notify public housing agencies requesting waiv-*
17 *ers under the previous proviso if the request is approved*
18 *or denied within 14 days of submitting the request: Pro-*
19 *vided further, That from the funds made available under*
20 *this heading, the Secretary shall provide bonus awards in*
21 *fiscal year 2020 to public housing agencies that are des-*
22 *ignated high performers: Provided further, That the Depart-*
23 *ment shall notify public housing agencies of their formula*
24 *allocation within 60 days of enactment of this Act: Provided*
25 *further, That of the total amount provided under this head-*

1 *ing, \$45,000,000 shall be available for competitive grants*
2 *to public housing agencies to evaluate and reduce lead-based*
3 *paint hazards and other housing-related hazards including*
4 *carbon monoxide and mold in public housing: Provided fur-*
5 *ther, That of the amounts available under the previous pro-*
6 *viso, no less than \$25,000,000 shall be for competitive*
7 *grants to public housing agencies to evaluate and reduce*
8 *lead-based paint hazards in public housing by carrying out*
9 *the activities of risk assessments, abatement, and interim*
10 *controls (as those terms are defined in section 1004 of the*
11 *Residential Lead-Based Paint Hazard Reduction Act of*
12 *1992 (42 U.S.C. 4851b)): Provided further, That for pur-*
13 *poses of environmental review, a grant under the previous*
14 *two provisos shall be considered funds for projects or activi-*
15 *ties under title I of the United States Housing Act of 1937*
16 *(42 U.S.C. 1437 et seq.) for purposes of section 26 of such*
17 *Act (42 U.S.C. 1437x) and shall be subject to the regulations*
18 *implementing such section: Provided further, That for funds*
19 *made available under the previous three provisos, the Sec-*
20 *retary shall allow a PHA to apply for up to 20 percent*
21 *of the funds made available under the first two provisos*
22 *and prioritize need when awarding grants.*

23 *PUBLIC HOUSING OPERATING FUND*

24 *For 2020 payments to public housing agencies for the*
25 *operation and management of public housing, as authorized*

1 *by section 9(e) of the United States Housing Act of 1937*
2 *(42 U.S.C. 1437g(e)), \$4,549,000,000, to remain available*
3 *until September 30, 2021: Provided, That of the total*
4 *amount available under this heading, \$25,000,000 shall be*
5 *available to the Secretary to allocate pursuant to a need-*
6 *based application process notwithstanding section 203 of*
7 *this title and not subject to the Operating Fund formula*
8 *at part 990 of title 24, Code of Federal Regulations to pub-*
9 *lic housing agencies that experience financial insolvency,*
10 *as determined by the Secretary: Provided further, That after*
11 *all such insolvency needs are met, the Secretary may dis-*
12 *tribute any remaining funds to all public housing agencies*
13 *on a pro-rata basis pursuant to the Operating Fund for-*
14 *mula at part 990 of title 24, Code of Federal Regulations.*

15 *CHOICE NEIGHBORHOODS INITIATIVE*

16 *For competitive grants under the Choice Neighborhoods*
17 *Initiative (subject to section 24 of the United States Hous-*
18 *ing Act of 1937 (42 U.S.C. 1437v), unless otherwise speci-*
19 *fied under this heading), for transformation, rehabilitation,*
20 *and replacement housing needs of both public and HUD-*
21 *assisted housing and to transform neighborhoods of poverty*
22 *into functioning, sustainable mixed income neighborhoods*
23 *with appropriate services, schools, public assets, transpor-*
24 *tation and access to jobs, \$175,000,000, to remain available*
25 *until September 30, 2022: Provided, That grant funds may*

1 *be used for resident and community services, community*
2 *development, and affordable housing needs in the commu-*
3 *nity, and for conversion of vacant or foreclosed properties*
4 *to affordable housing: Provided further, That the use of*
5 *funds made available under this heading shall not be*
6 *deemed to be public housing notwithstanding section 3(b)(1)*
7 *of such Act: Provided further, That grantees shall commit*
8 *to an additional period of affordability determined by the*
9 *Secretary of not fewer than 20 years: Provided further, That*
10 *grantees shall provide a match in State, local, other Federal*
11 *or private funds: Provided further, That grantees may in-*
12 *clude local governments, tribal entities, public housing au-*
13 *thorities, and nonprofits: Provided further, That for-profit*
14 *developers may apply jointly with a public entity: Provided*
15 *further, That for purposes of environmental review, a grant-*
16 *ee shall be treated as a public housing agency under section*
17 *26 of the United States Housing Act of 1937 (42 U.S.C.*
18 *1437x), and grants under this heading shall be subject to*
19 *the regulations issued by the Secretary to implement such*
20 *section: Provided further, That of the amount provided, not*
21 *less than \$87,500,000 shall be awarded to public housing*
22 *agencies: Provided further, That such grantees shall create*
23 *partnerships with other local organizations including as-*
24 *sisted housing owners, service agencies, and resident organi-*
25 *zations: Provided further, That the Secretary shall consult*

1 *with the Secretaries of Education, Labor, Transportation,*
2 *Health and Human Services, Agriculture, and Commerce,*
3 *the Attorney General, and the Administrator of the Envi-*
4 *ronmental Protection Agency to coordinate and leverage*
5 *other appropriate Federal resources: Provided further, That*
6 *no more than \$5,000,000 of funds made available under this*
7 *heading may be provided as grants to undertake com-*
8 *prehensive local planning with input from residents and*
9 *the community: Provided further, That unobligated bal-*
10 *ances, including recaptures, remaining from funds appro-*
11 *priated under the heading “Revitalization of Severely Dis-*
12 *tressed Public Housing (HOPE VI)” in fiscal year 2011*
13 *and prior fiscal years may be used for purposes under this*
14 *heading, notwithstanding the purposes for which such*
15 *amounts were appropriated: Provided further, That the Sec-*
16 *retary shall issue the Notice of Funding Availability for*
17 *funds made available under this heading no later than 90*
18 *days after enactment of this Act: Provided further, That the*
19 *Secretary shall make grant awards no later than one year*
20 *from the date of enactment of this Act in such amounts that*
21 *the Secretary determines: Provided further, That notwith-*
22 *standing section 24(o) of the United States Housing Act*
23 *of 1937 (42 U.S.C. 1437v(o)), the Secretary may, until Sep-*
24 *tember 30, 2023, obligate any available unobligated bal-*

1 *ances made available under this heading in this, or any*
2 *prior Act.*

3 *SELF-SUFFICIENCY PROGRAMS*

4 *For activities and assistance related to Self-Sufficiency*
5 *Programs, to remain available until September 30, 2023,*
6 *\$130,000,000: Provided, That the amounts made available*
7 *under this heading are provided as follows:*

8 *(1) \$80,000,000 shall be for the Family Self-Suf-*
9 *ficiency program to support family self-sufficiency co-*
10 *ordinators under section 23 of the United States*
11 *Housing Act of 1937 (42 U.S.C. 1437u), to promote*
12 *the development of local strategies to coordinate the*
13 *use of assistance under sections 8 and 9 of such Act*
14 *with public and private resources, and enable eligible*
15 *families to achieve economic independence and self-*
16 *sufficiency: Provided, That the Secretary may, by*
17 *Federal Register notice, waive or specify alternative*
18 *requirements under subsections (b)(3), (b)(4), (b)(5),*
19 *or (c)(1) of section 23 of such Act in order to facili-*
20 *tate the operation of a unified self-sufficiency pro-*
21 *gram for individuals receiving assistance under dif-*
22 *ferent provisions of the Act, as determined by the Sec-*
23 *retary: Provided further, That owners of a privately*
24 *owned multifamily property with a section 8 contract*
25 *may voluntarily make a Family Self-Sufficiency pro-*

1 *gram available to the assisted tenants of such prop-*
2 *erty in accordance with procedures established by the*
3 *Secretary: Provided further, That such procedures es-*
4 *tablished pursuant to the previous proviso shall per-*
5 *mit participating tenants to accrue escrow funds in*
6 *accordance with section 23(d)(2) and shall allow own-*
7 *ers to use funding from residual receipt accounts to*
8 *hire coordinators for their own Family Self-Suffi-*
9 *ciency program;*

10 *(2) \$35,000,000 shall be for the Resident Oppor-*
11 *tunity and Self-Sufficiency program to provide for*
12 *supportive services, service coordinators, and con-*
13 *gregate services as authorized by section 34 of the*
14 *United States Housing Act of 1937 (42 U.S.C. 1437z-*
15 *6) and the Native American Housing Assistance and*
16 *Self-Determination Act of 1996 (25 U.S.C. 4101 et*
17 *seq.); and*

18 *(3) \$15,000,000 shall be for a Jobs-Plus initia-*
19 *tive, modeled after the Jobs-Plus demonstration: Pro-*
20 *vided, That funding provided under this paragraph*
21 *shall be available for competitive grants to partner-*
22 *ships between public housing authorities, local work-*
23 *force investment boards established under section 107*
24 *of the Workforce Innovation and Opportunity Act of*
25 *2014 (29 U.S.C. 3122), and other agencies and orga-*

1 nizations that provide support to help public housing
2 residents obtain employment and increase earnings:
3 *Provided further, That applicants must demonstrate*
4 *the ability to provide services to residents, partner*
5 *with workforce investment boards, and leverage serv-*
6 *ice dollars: Provided further, That the Secretary may*
7 *allow public housing agencies to request exemptions*
8 *from rent and income limitation requirements under*
9 *sections 3 and 6 of the United States Housing Act of*
10 *1937 (42 U.S.C. 1437a, 1437d), as necessary to im-*
11 *plement the Jobs-Plus program, on such terms and*
12 *conditions as the Secretary may approve upon a find-*
13 *ing by the Secretary that any such waivers or alter-*
14 *native requirements are necessary for the effective im-*
15 *plementation of the Jobs-Plus initiative as a vol-*
16 *untary program for residents: Provided further, That*
17 *the Secretary shall publish by notice in the Federal*
18 *Register any waivers or alternative requirements pur-*
19 *suant to the preceding proviso no later than 10 days*
20 *before the effective date of such notice.*

21 NATIVE AMERICAN PROGRAMS

22 (INCLUDING TRANSFER OF FUNDS)

23 *For activities and assistance authorized under title I*
24 *of the Native American Housing Assistance and Self-Deter-*
25 *mination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et*

1 *seq.), title I of the Housing and Community Development*
2 *Act of 1974 with respect to Indian tribes (42 U.S.C.*
3 *5306(a)(1)), and related training and technical assistance,*
4 *\$825,000,000, to remain available until September 30,*
5 *2024, unless otherwise specified: Provided, That the*
6 *amounts made available under this heading are provided*
7 *as follows:*

8 (1) *\$646,000,000 shall be available for the Native*
9 *American Housing Block Grants program, as author-*
10 *ized under title I of NAHASDA: Provided, That, not-*
11 *withstanding NAHASDA, to determine the amount of*
12 *the allocation under title I of such Act for each In-*
13 *dian tribe, the Secretary shall apply the formula*
14 *under section 302 of such Act with the need compo-*
15 *nent based on single-race census data and with the*
16 *need component based on multi-race census data, and*
17 *the amount of the allocation for each Indian tribe*
18 *shall be the greater of the two resulting allocation*
19 *amounts: Provided further, That the Department will*
20 *notify grantees of their formula allocation within 60*
21 *days of the date of enactment of this Act;*

22 (2) *\$2,000,000 shall be available for the cost of*
23 *guaranteed notes and other obligations, as authorized*
24 *by title VI of NAHASDA: Provided, That such costs,*
25 *including the costs of modifying such notes and other*

1 *obligations, shall be as defined in section 502 of the*
2 *Congressional Budget Act of 1974, as amended: Pro-*
3 *vided further, That these funds are available to sub-*
4 *sidize the total principal amount of any notes and*
5 *other obligations, any part of which is to be guaran-*
6 *teed, not to exceed \$32,000,000;*

7 *(3) \$100,000,000 shall be available for competi-*
8 *tive grants under the Native American Housing Block*
9 *Grants program, as authorized under title I of*
10 *NAHASDA: Provided, That the Secretary shall obli-*
11 *gate this additional amount for competitive grants to*
12 *eligible recipients authorized under NAHASDA that*
13 *apply for funds: Provided further, That in awarding*
14 *this additional amount, the Secretary shall consider*
15 *need and administrative capacity, and shall give pri-*
16 *ority to projects that will spur construction and reha-*
17 *bilitation: Provided further, That a grant funded pur-*
18 *suant to this paragraph shall be not greater than*
19 *\$10,000,000: Provided further, That up to 1 percent*
20 *of this additional amount may be transferred, in ag-*
21 *gregate, to “Program Offices—Public and Indian*
22 *Housing” for necessary costs of administering and*
23 *overseeing the obligation and expenditure of this addi-*
24 *tional amount and of additional amounts provided in*
25 *prior years, to remain available until September 30,*

1 *2025: Provided further, That any funds transferred*
2 *pursuant to the previous proviso in prior Acts may*
3 *also be used for the purposes described in the previous*
4 *proviso;*

5 *(4) \$70,000,000 shall be available for grants to*
6 *Indian tribes for carrying out the Indian Community*
7 *Development Block Grant program under title I of the*
8 *Housing and Community Development Act of 1974,*
9 *notwithstanding section 106(a)(1) of such Act, of*
10 *which, notwithstanding any other provision of law*
11 *(including section 203 of this Act), up to \$4,000,000*
12 *may be used for emergencies that constitute imminent*
13 *threats to health and safety: Provided, That not to ex-*
14 *ceed 20 percent of any grant made with funds appro-*
15 *priated under this paragraph shall be expended for*
16 *planning and management development and adminis-*
17 *tration: Provided further, That funds provided under*
18 *this paragraph shall remain available until Sep-*
19 *tember 30, 2022; and*

20 *(5) \$7,000,000 shall be available for providing*
21 *training and technical assistance to Indian tribes, In-*
22 *dian housing authorities and tribally designated*
23 *housing entities, to support the inspection of Indian*
24 *housing units, contract expertise, and for training*
25 *and technical assistance related to funding provided*

1 *under this heading and other headings under this Act*
2 *for the needs of Native American families and Indian*
3 *country: Provided, That of the funds made available*
4 *under this paragraph, not less than \$2,000,000 shall*
5 *be available for a national organization as authorized*
6 *under section 703 of NAHASDA (25 U.S.C. 4212):*
7 *Provided further, That amounts made available under*
8 *this paragraph may be used, contracted, or competed*
9 *as determined by the Secretary: Provided further,*
10 *That notwithstanding the provisions of the Federal*
11 *Grant and Cooperative Agreements Act of 1977 (31*
12 *U.S.C. 6301–6308), the amounts made available*
13 *under this paragraph may be used by the Secretary*
14 *to enter into cooperative agreements with public and*
15 *private organizations, agencies, institutions, and*
16 *other technical assistance providers to support the ad-*
17 *ministration of negotiated rulemaking under section*
18 *106 of NAHASDA (25 U.S.C. 4116), the administra-*
19 *tion of the allocation formula under section 302 of*
20 *NAHASDA (25 U.S.C. 4152), and the administration*
21 *of performance tracking and reporting under section*
22 *407 of NAHASDA (25 U.S.C. 4167): Provided fur-*
23 *ther, That of the funds made available under this*
24 *paragraph, not more than \$1,000,000 shall be avail-*
25 *able to support utilization, outreach, and capacity*

1 *plied as if “these funds are available to” was struck and*
 2 *“the Secretary may” was inserted in its place.*

3 *NATIVE HAWAIIAN HOUSING BLOCK GRANT*

4 *For the Native Hawaiian Housing Block Grant pro-*
 5 *gram, as authorized under title VIII of the Native American*
 6 *Housing Assistance and Self-Determination Act of 1996 (25*
 7 *U.S.C. 4111 et seq.), \$2,000,000, to remain available until*
 8 *September 30, 2024: Provided, That notwithstanding sec-*
 9 *tion 812(b) of such Act, the Department of Hawaiian Home*
 10 *Lands may not invest grant amounts provided under this*
 11 *heading in investment securities and other obligations: Pro-*
 12 *vided further, That amounts made available under this*
 13 *heading in this and prior fiscal years may be used to pro-*
 14 *vide rental assistance to eligible Native Hawaiian families*
 15 *both on and off the Hawaiian Home Lands, notwith-*
 16 *standing any other provision of law.*

17 *COMMUNITY PLANNING AND DEVELOPMENT*

18 *HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS*

19 *For carrying out the Housing Opportunities for Per-*
 20 *sons with AIDS program, as authorized by the AIDS Hous-*
 21 *ing Opportunity Act (42 U.S.C. 12901 et seq.),*
 22 *\$410,000,000, to remain available until September 30,*
 23 *2021, except that amounts allocated pursuant to section*
 24 *854(c)(5) of such Act shall remain available until Sep-*
 25 *tember 30, 2022: Provided, That the Secretary shall renew*

1 *all expiring contracts for permanent supportive housing*
2 *that initially were funded under section 854(c)(5) of such*
3 *Act from funds made available under this heading in fiscal*
4 *year 2010 and prior fiscal years that meet all program re-*
5 *quirements before awarding funds for new contracts under*
6 *such section: Provided further, That the Department shall*
7 *notify grantees of their formula allocation within 60 days*
8 *of enactment of this Act.*

9 *COMMUNITY DEVELOPMENT FUND*

10 *For carrying out the community development block*
11 *grant program under title I of the Housing and Community*
12 *Development Act of 1974, as amended (42 U.S.C. 5301 et*
13 *seq.) (“the Act” herein), \$3,425,000,000, to remain available*
14 *until September 30, 2022, unless otherwise specified: Pro-*
15 *vided, That unless explicitly provided for under this head-*
16 *ing, not to exceed 20 percent of any grant made with funds*
17 *appropriated under this heading shall be expended for plan-*
18 *ning and management development and administration:*
19 *Provided further, That a metropolitan city, urban county,*
20 *unit of general local government, or insular area that di-*
21 *rectly or indirectly receives funds under this heading may*
22 *not sell, trade, or otherwise transfer all or any portion of*
23 *such funds to another such entity in exchange for any other*
24 *funds, credits or non-Federal considerations, but must use*
25 *such funds for activities eligible under title I of the Act:*

1 *Provided further, That notwithstanding section 105(e)(1) of*
2 *the Act, no funds provided under this heading may be pro-*
3 *vided to a for-profit entity for an economic development*
4 *project under section 105(a)(17) unless such project has*
5 *been evaluated and selected in accordance with guidelines*
6 *required under subsection (e)(2): Provided further, That of*
7 *the total amount provided under this heading, \$25,000,000*
8 *shall be for activities authorized under section 8071 of the*
9 *SUPPORT for Patients and Communities Act (Public Law*
10 *115–271): Provided further, That the funds allocated pursu-*
11 *ant to the previous proviso shall not adversely affect the*
12 *amount of any formula assistance received by a State under*
13 *this heading: Provided further, That the Secretary shall al-*
14 *locate the funds for such activities based on the percentages*
15 *shown in Table 1 of the Notice establishing the funding for-*
16 *mula published in 84 FR 16027 (April 17, 2019): Provided*
17 *further, That the Department shall notify grantees of their*
18 *formula allocation within 60 days of enactment of this Act.*

19 *COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM*

20 *ACCOUNT*

21 *Subject to section 502 of the Congressional Budget Act*
22 *of 1974, during fiscal year 2020, commitments to guarantee*
23 *loans under section 108 of the Housing and Community*
24 *Development Act of 1974 (42 U.S.C. 5308), any part of*
25 *which is guaranteed, shall not exceed a total principal*

1 amount of \$300,000,000, notwithstanding any aggregate
2 limitation on outstanding obligations guaranteed in sub-
3 section (k) of such section 108: Provided, That the Secretary
4 shall collect fees from borrowers, notwithstanding subsection
5 (m) of such section 108, to result in a credit subsidy cost
6 of zero for guaranteeing such loans, and any such fees shall
7 be collected in accordance with section 502(7) of the Con-
8 gressional Budget Act of 1974: Provided further, That such
9 commitment authority funded by fees may be used to guar-
10 antee, or make commitments to guarantee, notes or other
11 obligations issued by any State on behalf of non-entitlement
12 communities in the State in accordance with the require-
13 ments of such section 108: Provided further, That any State
14 receiving such a guarantee or commitment under the pre-
15 vious proviso shall distribute all funds subject to such guar-
16 antee to the units of general local government in nonentitle-
17 ment areas that received the commitment.

18 *HOME INVESTMENT PARTNERSHIPS PROGRAM*

19 *For the HOME Investment Partnerships program, as*
20 *authorized under title II of the Cranston-Gonzalez National*
21 *Affordable Housing Act, as amended, \$1,350,000,000, to re-*
22 *main available until September 30, 2023: Provided, That*
23 *notwithstanding the amount made available under this*
24 *heading, the threshold reduction requirements in sections*
25 *216(10) and 217(b)(4) of such Act shall not apply to alloca-*

1 *tions of such amount: Provided further, That the Depart-*
2 *ment shall notify grantees of their formula allocation with-*
3 *in 60 days of enactment of this Act: Provided further, That*
4 *section 218(g) of such Act (42 U.S.C. 12748(g)) shall not*
5 *apply with respect to the right of a jurisdiction to draw*
6 *funds from its HOME Investment Trust Fund that other-*
7 *wise expired or would expire in 2016, 2017, 2018, 2019,*
8 *2020, 2021, or 2022 under that section: Provided further,*
9 *That section 231(b) of such Act (42 U.S.C. 12771(b)) shall*
10 *not apply to any uninvested funds that otherwise were de-*
11 *ducted or would be deducted from the line of credit in the*
12 *participating jurisdiction's HOME Investment Trust Fund*
13 *in 2018, 2019, 2020, 2021, or 2022 under that section.*

14 *SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY*
15 *PROGRAM*

16 *For the Self-Help and Assisted Homeownership Op-*
17 *portunity Program, as authorized under section 11 of the*
18 *Housing Opportunity Program Extension Act of 1996, as*
19 *amended, \$55,000,000, to remain available until September*
20 *30, 2022: Provided, That of the total amount provided*
21 *under this heading, \$10,000,000 shall be made available to*
22 *the Self-Help Homeownership Opportunity Program as au-*
23 *thorized under section 11 of the Housing Opportunity Pro-*
24 *gram Extension Act of 1996, as amended: Provided further,*
25 *That of the total amount provided under this heading,*

1 \$36,000,000 shall be made available for the second, third,
2 and fourth capacity building activities authorized under
3 section 4(a) of the HUD Demonstration Act of 1993 (42
4 U.S.C. 9816 note), of which not less than \$5,000,000 shall
5 be made available for rural capacity building activities:
6 Provided further, That of the total amount provided under
7 this heading, \$5,000,000 shall be made available for capac-
8 ity building by national rural housing organizations with
9 experience assessing national rural conditions and pro-
10 viding financing, training, technical assistance, informa-
11 tion, and research to local nonprofits, local governments,
12 and Indian Tribes serving high need rural communities:
13 Provided further, That of the total amount provided under
14 this heading, \$4,000,000, shall be made available for a pro-
15 gram to rehabilitate and modify the homes of disabled or
16 low-income veterans, as authorized under section 1079 of
17 Public Law 113–291: Provided further, That funds pro-
18 vided under the previous proviso shall be awarded within
19 180 days of enactment of this Act.

20 *HOMELESS ASSISTANCE GRANTS*

21 *For the Emergency Solutions Grants program as au-*
22 *thorized under subtitle B of title IV of the McKinney-Vento*
23 *Homeless Assistance Act, as amended; the Continuum of*
24 *Care program as authorized under subtitle C of title IV of*
25 *such Act; and the Rural Housing Stability Assistance pro-*

1 *gram as authorized under subtitle D of title IV of such Act*
2 *\$2,777,000,000, to remain available until September 30,*
3 *2022: Provided further, That not less than \$290,000,000 of*
4 *the funds appropriated under this heading shall be avail-*
5 *able for such Emergency Solutions Grants program: Pro-*
6 *vided further, That not less than \$2,350,000,000 of the*
7 *funds appropriated under this heading shall be available*
8 *for such Continuum of Care and Rural Housing Stability*
9 *Assistance programs: Provided further, That of the amounts*
10 *made available under this heading, up to \$50,000,000 shall*
11 *be made available for grants for rapid re-housing projects*
12 *and supportive service projects providing coordinated entry,*
13 *and for eligible activities the Secretary determines to be*
14 *critical in order to assist survivors of domestic violence, dat-*
15 *ing violence, sexual assault, or stalking: Provided further,*
16 *That such projects shall be eligible for renewal under the*
17 *continuum of care program subject to the same terms and*
18 *conditions as other renewal applicants: Provided further,*
19 *That up to \$7,000,000 of the funds appropriated under this*
20 *heading shall be available for the national homeless data*
21 *analysis project: Provided further, That for all match re-*
22 *quirements applicable to funds made available under this*
23 *heading for this fiscal year and prior fiscal years, a grantee*
24 *may use (or could have used) as a source of match funds*
25 *other funds administered by the Secretary and other Fed-*

1 eral agencies unless there is (or was) a specific statutory
2 prohibition on any such use of any such funds: Provided
3 further, That none of the funds provided under this heading
4 shall be available to provide funding for new projects, except
5 for projects created through reallocation, unless the Sec-
6 retary determines that the continuum of care has dem-
7 onstrated that projects are evaluated and ranked based on
8 the degree to which they improve the continuum of care's
9 system performance: Provided further, That the Secretary
10 shall prioritize funding under the Continuum of Care pro-
11 gram to continuums of care that have demonstrated a ca-
12 pacity to reallocate funding from lower performing projects
13 to higher performing projects: Provided further, That the
14 Secretary shall provide incentives to create projects that co-
15 ordinate with housing providers and healthcare organiza-
16 tions to provide permanent supportive housing and rapid
17 rehousing services: Provided further, That any unobligated
18 amounts remaining from funds appropriated under this
19 heading in fiscal year 2012 and prior years for project-
20 based rental assistance for rehabilitation projects with 10-
21 year grant terms may be used for purposes under this head-
22 ing, notwithstanding the purposes for which such funds
23 were appropriated: Provided further, That all balances for
24 Shelter Plus Care renewals previously funded from the Shel-
25 ter Plus Care Renewal account and transferred to this ac-

1 count shall be available, if recaptured, for Continuum of
2 Care renewals in fiscal year 2020: Provided further, That
3 the Department shall notify grantees of their formula allo-
4 cation from amounts allocated (which may represent initial
5 or final amounts allocated) for the Emergency Solutions
6 Grant program within 60 days of enactment of this Act:
7 Provided further, That up to \$80,000,000 of the funds ap-
8 propriated under this heading shall be to implement
9 projects to demonstrate how a comprehensive approach to
10 serving homeless youth, age 24 and under, in up to 25 com-
11 munities with a priority for communities with substantial
12 rural populations in up to eight locations, can dramatically
13 reduce youth homelessness: Provided further, That of the
14 amount made available under the previous proviso, up to
15 \$10,000,000 shall be available to provide technical assist-
16 ance on improving system responses to youth homelessness,
17 and collection, analysis, use, and reporting of data and per-
18 formance measures under the comprehensive approaches to
19 serve homeless youth, in addition to and in coordination
20 with other technical assistance funds provided under this
21 title: Provided further, That the Secretary may use up to
22 10 percent of the amount made available under the previous
23 proviso to build the capacity of current technical assistance
24 providers or to train new technical assistance providers
25 with verifiable prior experience with systems and programs

1 *for youth experiencing homelessness: Provided further, That*
2 *amounts made available for the Continuum of Care pro-*
3 *gram under this heading in this and prior Acts may be*
4 *used to competitively or non-competitively renew or replace*
5 *grants for youth homeless demonstration projects under the*
6 *Continuum of Care program, notwithstanding any conflict*
7 *with the requirements of the Continuum of Care program:*
8 *Provided further, That youth aged 24 and under seeking*
9 *assistance under this heading shall not be required to pro-*
10 *vide third party documentation to establish their eligibility*
11 *under 42 U.S.C. 11302(a) or (b) to receive services: Pro-*
12 *vided further, That unaccompanied youth aged 24 and*
13 *under or families headed by youth aged 24 and under who*
14 *are living in unsafe situations may be served by youth-serv-*
15 *ing providers funded under this heading: Provided further,*
16 *That persons eligible under section 103(a)(5) of the McKin-*
17 *ney-Vento Homeless Assistance Act may be served by any*
18 *project funded under this heading to provide both transi-*
19 *tional housing and rapid re-housing: Provided further,*
20 *That when awarding funds under the Continuum of Care*
21 *program, the Secretary shall not deviate from the FY 2018*
22 *Notice of Funding Availability with respect to the tier 2*
23 *funding process, the Continuum of Care application scor-*
24 *ing, and for new projects, the project quality threshold re-*
25 *quirements, except as otherwise provided under this Act or*

1 *as necessary to award all available funds or consider the*
2 *most recent data from each Continuum of Care.*

3 *HOUSING PROGRAMS*

4 *PROJECT-BASED RENTAL ASSISTANCE*

5 *For activities and assistance for the provision of*
6 *project-based subsidy contracts under the United States*
7 *Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”),*
8 *not otherwise provided for, \$12,170,000,000, to remain*
9 *available until expended, shall be available on October 1,*
10 *2019 (in addition to the \$400,000,000 previously appro-*
11 *priated under this heading that became available October*
12 *1, 2019), and \$400,000,000, to remain available until ex-*
13 *pended, shall be available on October 1, 2020: Provided,*
14 *That the amounts made available under this heading shall*
15 *be available for expiring or terminating section 8 project-*
16 *based subsidy contracts (including section 8 moderate reha-*
17 *bilitation contracts), for amendments to section 8 project-*
18 *based subsidy contracts (including section 8 moderate reha-*
19 *bilitation contracts), for contracts entered into pursuant to*
20 *section 441 of the McKinney-Vento Homeless Assistance Act*
21 *(42 U.S.C. 11401), for renewal of section 8 contracts for*
22 *units in projects that are subject to approved plans of action*
23 *under the Emergency Low Income Housing Preservation*
24 *Act of 1987 or the Low-Income Housing Preservation and*
25 *Resident Homeownership Act of 1990, and for administra-*

1 *tive and other expenses associated with project-based activi-*
2 *ties and assistance funded under this paragraph: Provided*
3 *further, That of the total amounts provided under this head-*
4 *ing, not to exceed \$345,000,000 shall be available for per-*
5 *formance-based contract administrators for section 8*
6 *project-based assistance, for carrying out 42 U.S.C. 1437(f):*
7 *Provided further, That the Secretary may also use such*
8 *amounts in the previous proviso for performance-based con-*
9 *tract administrators for the administration of: interest re-*
10 *duction payments pursuant to section 236(a) of the Na-*
11 *tional Housing Act (12 U.S.C. 1715z-1(a)); rent supple-*
12 *ment payments pursuant to section 101 of the Housing and*
13 *Urban Development Act of 1965 (12 U.S.C. 1701s); section*
14 *236(f)(2) rental assistance payments (12 U.S.C. 1715z-*
15 *1(f)(2)); project rental assistance contracts for the elderly*
16 *under section 202(c)(2) of the Housing Act of 1959 (12*
17 *U.S.C. 1701q); project rental assistance contracts for sup-*
18 *portive housing for persons with disabilities under section*
19 *811(d)(2) of the Cranston-Gonzalez National Affordable*
20 *Housing Act (42 U.S.C. 8013(d)(2)); project assistance con-*
21 *tracts pursuant to section 202(h) of the Housing Act of 1959*
22 *(Public Law 86-372; 73 Stat. 667); and loans under section*
23 *202 of the Housing Act of 1959 (Public Law 86-372; 73*
24 *Stat. 667): Provided further, That amounts recaptured*
25 *under this heading, the heading “Annual Contributions for*

1 *Assisted Housing*”, or the heading “*Housing Certificate*
2 *Fund*”, may be used for renewals of or amendments to sec-
3 tion 8 project-based contracts or for performance-based con-
4 tract administrators, notwithstanding the purposes for
5 which such amounts were appropriated: Provided further,
6 That, notwithstanding any other provision of law, upon the
7 request of the Secretary, project funds that are held in resid-
8 ual receipts accounts for any project subject to a section
9 8 project-based *Housing Assistance Payments* contract that
10 authorizes HUD or a *Housing Finance Agency* to require
11 that surplus project funds be deposited in an interest-bear-
12 ing residual receipts account and that are in excess of an
13 amount to be determined by the Secretary, shall be remitted
14 to the Department and deposited in this account, to be
15 available until expended: Provided further, That amounts
16 deposited pursuant to the previous proviso shall be available
17 in addition to the amount otherwise provided by this head-
18 ing for uses authorized under this heading.

19 *HOUSING FOR THE ELDERLY*

20 *For capital advances, including amendments to cap-*
21 *ital advance contracts, for housing for the elderly, as au-*
22 *thorized by section 202 of the Housing Act of 1959, as*
23 *amended, for project rental assistance for the elderly under*
24 *section 202(c)(2) of such Act, including amendments to con-*
25 *tracts for such assistance and renewal of expiring contracts*

1 *for such assistance for up to a 1-year term, for senior pres-*
2 *ervation rental assistance contracts, including renewals, as*
3 *authorized by section 811(e) of the American Housing and*
4 *Economic Opportunity Act of 2000, as amended, and for*
5 *supportive services associated with the housing,*
6 *\$793,000,000, to remain available until September 30,*
7 *2023: Provided, That of the amount provided under this*
8 *heading, up to \$100,000,000 shall be for service coordina-*
9 *tors and the continuation of existing congregate service*
10 *grants for residents of assisted housing projects: Provided*
11 *further, That amounts under this heading shall be available*
12 *for Real Estate Assessment Center inspections and inspec-*
13 *tion-related activities associated with section 202 projects:*
14 *Provided further, That the Secretary may waive the provi-*
15 *sions of section 202 governing the terms and conditions of*
16 *project rental assistance, except that the initial contract*
17 *term for such assistance shall not exceed 5 years in dura-*
18 *tion: Provided further, That upon request of the Secretary,*
19 *project funds that are held in residual receipts accounts for*
20 *any project subject to a section 202 project rental assistance*
21 *contract, and that upon termination of such contract are*
22 *in excess of an amount to be determined by the Secretary,*
23 *shall be remitted to the Department and deposited in this*
24 *account, to remain available until September 30, 2023: Pro-*
25 *vided further, That amounts deposited in this account pur-*

1 *suant to the previous proviso shall be available, in addition*
2 *to the amounts otherwise provided by this heading, for the*
3 *purposes authorized under this heading: Provided further,*
4 *That unobligated balances, including recaptures and carry-*
5 *over, remaining from funds transferred to or appropriated*
6 *under this heading shall be available for the current pur-*
7 *poses authorized under this heading in addition to the pur-*
8 *poses for which such funds originally were appropriated:*
9 *Provided further, That of the total amount provided under*
10 *this heading, \$10,000,000 shall be for a program to be estab-*
11 *lished by the Secretary to make grants to experienced non-*
12 *profit organizations, States, local governments, or public*
13 *housing agencies for safety and functional home modifica-*
14 *tion repairs to meet the needs of low-income elderly home-*
15 *owners to enable them to remain in their primary residence:*
16 *Provided further, That of the total amount made available*
17 *under the previous proviso, no less than \$5,000,000 shall*
18 *be available to meet such needs in communities with sub-*
19 *stantial rural populations: Provided further, That bene-*
20 *ficiaries of the grant assistance provided in the previous*
21 *two provisos under this heading in the Department of Hous-*
22 *ing and Urban Development Appropriations Act, 2019*
23 *(Public Law 116–6) shall be homeowners.*

1 *HOUSING FOR PERSONS WITH DISABILITIES*

2 *For capital advances, including amendments to cap-*
3 *ital advance contracts, for supportive housing for persons*
4 *with disabilities, as authorized by section 811 of the Cran-*
5 *ston-Gonzalez National Affordable Housing Act (42 U.S.C.*
6 *8013), as amended, for project rental assistance for sup-*
7 *portive housing for persons with disabilities under section*
8 *811(d)(2) of such Act, for project assistance contracts pursu-*
9 *ant to section 202(h) of the Housing Act of 1959 (Public*
10 *Law 86–372; 73 Stat. 667), including amendments to con-*
11 *tracts for such assistance and renewal of expiring contracts*
12 *for such assistance for up to a 1-year term, for project rent-*
13 *al assistance to State housing finance agencies and other*
14 *appropriate entities as authorized under section 811(b)(3)*
15 *of the Cranston-Gonzalez National Housing Act, and for*
16 *supportive services associated with the housing for persons*
17 *with disabilities as authorized by section 811(b)(1) of such*
18 *Act, \$202,000,000, to remain available until September 30,*
19 *2023: Provided, That amounts made available under this*
20 *heading shall be available for Real Estate Assessment Cen-*
21 *ter inspections and inspection-related activities associated*
22 *with section 811 projects: Provided further, That, upon the*
23 *request of the Secretary, project funds that are held in resid-*
24 *ual receipts accounts for any project subject to a section*
25 *811 project rental assistance contract, and that upon termi-*

1 *nation of such contract are in excess of an amount to be*
2 *determined by the Secretary, shall be remitted to the De-*
3 *partment and deposited in this account, to remain available*
4 *until September 30, 2023: Provided further, That amounts*
5 *deposited in this account pursuant to the previous proviso*
6 *shall be available in addition to the amounts otherwise pro-*
7 *vided by this heading for the purposes authorized under this*
8 *heading: Provided further, That unobligated balances, in-*
9 *cluding recaptures and carryover, remaining from funds*
10 *transferred to or appropriated under this heading shall be*
11 *used for the current purposes authorized under this heading*
12 *in addition to the purposes for which such funds originally*
13 *were appropriated.*

14 *HOUSING COUNSELING ASSISTANCE*

15 *For contracts, grants, and other assistance excluding*
16 *loans, as authorized under section 106 of the Housing and*
17 *Urban Development Act of 1968, as amended, \$53,000,000,*
18 *to remain available until September 30, 2021, including*
19 *up to \$4,500,000 for administrative contract services and*
20 *up to \$3,000,000 for the certification of housing counselors*
21 *as required under 12 U.S.C. 1701x: Provided, That grants*
22 *made available from amounts provided under this heading*
23 *shall be awarded within 180 days of enactment of this Act:*
24 *Provided further, That funds shall be used for providing*
25 *counseling and advice to tenants and homeowners, both cur-*

1 *rent and prospective, with respect to property maintenance,*
2 *financial management or literacy, and such other matters*
3 *as may be appropriate to assist them in improving their*
4 *housing conditions, meeting their financial needs, and ful-*
5 *filling the responsibilities of tenancy or homeownership; for*
6 *program administration; and for housing counselor train-*
7 *ing: Provided further, That for purposes of providing such*
8 *grants from amounts provided under this heading, the Sec-*
9 *retary may enter into multiyear agreements, as appro-*
10 *priate, subject to the availability of annual appropriations.*

11 *RENTAL HOUSING ASSISTANCE*

12 *For amendments to contracts under section 236(f)(2)*
13 *of the National Housing Act (12 U.S.C. 1715z-1) in State-*
14 *aided, noninsured rental housing projects, \$3,000,000, to re-*
15 *main available until expended: Provided, That such*
16 *amount, together with unobligated balances from recaptured*
17 *amounts appropriated prior to fiscal year 2006 from termi-*
18 *nated contracts under such section of law, and any unobli-*
19 *gated balances, including recaptures and carryover, re-*
20 *maining from funds appropriated under this heading after*
21 *fiscal year 2005, shall also be available for extensions of*
22 *up to one year for expiring contracts under such section*
23 *of law.*

1 *PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND*

2 *For necessary expenses as authorized by the National*
3 *Manufactured Housing Construction and Safety Standards*
4 *Act of 1974 (42 U.S.C. 5401 et seq.), up to \$13,000,000,*
5 *to remain available until expended, of which \$13,000,000*
6 *is to be derived from the Manufactured Housing Fees Trust*
7 *Fund: Provided, That not to exceed the total amount appro-*
8 *priated under this heading shall be available from the gen-*
9 *eral fund of the Treasury to the extent necessary to incur*
10 *obligations and make expenditures pending the receipt of*
11 *collections to the Fund pursuant to section 620 of such Act:*
12 *Provided further, That the amount made available under*
13 *this heading from the general fund shall be reduced as such*
14 *collections are received during fiscal year 2020 so as to re-*
15 *sult in a final fiscal year 2020 appropriation from the gen-*
16 *eral fund estimated at zero, and fees pursuant to such sec-*
17 *tion 620 shall be modified as necessary to ensure such a*
18 *final fiscal year 2020 appropriation: Provided further,*
19 *That the Secretary of Housing and Urban Development*
20 *shall issue a final rule to complete rulemaking initiated by*
21 *the proposed rule entitled “Manufactured Housing Pro-*
22 *gram: Minimum Payments to the States” published in the*
23 *Federal Register on December 16, 2016 (81 Fed. Reg.*
24 *91083): Provided further, That for the dispute resolution*
25 *and installation programs, the Secretary may assess and*

1 *collect fees from any program participant: Provided further,*
2 *That such collections shall be deposited into the Fund, and*
3 *the Secretary, as provided herein, may use such collections,*
4 *as well as fees collected under section 620, for necessary ex-*
5 *penses of such Act: Provided further, That, notwithstanding*
6 *the requirements of section 620 of such Act, the Secretary*
7 *may carry out responsibilities of the Secretary under such*
8 *Act through the use of approved service providers that are*
9 *paid directly by the recipients of their services.*

10 *FEDERAL HOUSING ADMINISTRATION*

11 *MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT*

12 *New commitments to guarantee single family loans in-*
13 *sured under the Mutual Mortgage Insurance Fund shall not*
14 *exceed \$400,000,000,000, to remain available until Sep-*
15 *tember 30, 2021: Provided, That during fiscal year 2020,*
16 *obligations to make direct loans to carry out the purposes*
17 *of section 204(g) of the National Housing Act, as amended,*
18 *shall not exceed \$1,000,000: Provided further, That the fore-*
19 *going amount in the previous proviso shall be for loans to*
20 *nonprofit and governmental entities in connection with*
21 *sales of single family real properties owned by the Secretary*
22 *and formerly insured under the Mutual Mortgage Insurance*
23 *Fund: Provided further, That for administrative contract*
24 *expenses of the Federal Housing Administration,*
25 *\$130,000,000, to remain available until September 30,*

1 *2021: Provided further, That to the extent guaranteed loan*
2 *commitments exceed \$200,000,000,000 on or before April 1,*
3 *2020, an additional \$1,400 for administrative contract ex-*
4 *penses shall be available for each \$1,000,000 in additional*
5 *guaranteed loan commitments (including a pro rata*
6 *amount for any amount below \$1,000,000), but in no case*
7 *shall funds made available by this proviso exceed*
8 *\$30,000,000: Provided further, That notwithstanding the*
9 *limitation in the first sentence of section 255(g) of the Na-*
10 *tional Housing Act (12 U.S.C. 1715z–20(g)), during fiscal*
11 *year 2020 the Secretary may insure and enter into new*
12 *commitments to insure mortgages under section 255 of the*
13 *National Housing Act only to the extent that the net credit*
14 *subsidy cost for such insurance does not exceed zero: Pro-*
15 *vided further, That for fiscal year 2020, the Secretary shall*
16 *not take any action against a lender solely on the basis*
17 *of compare ratios that have been adversely affected by de-*
18 *faults on mortgages secured by properties in areas where*
19 *a major disaster was declared in 2017 or 2018 pursuant*
20 *to the Robert T. Stafford Disaster Relief and Emergency*
21 *Assistance Act (42 U.S.C. 5121 et seq.).*

22 *GENERAL AND SPECIAL RISK PROGRAM ACCOUNT*

23 *New commitments to guarantee loans insured under*
24 *the General and Special Risk Insurance Funds, as author-*
25 *ized by sections 238 and 519 of the National Housing Act*

1 *(12 U.S.C. 1715z-3 and 1735c), shall not exceed*
2 *\$30,000,000,000 in total loan principal, any part of which*
3 *is to be guaranteed, to remain available until September*
4 *30, 2021: Provided, That during fiscal year 2020, gross ob-*
5 *ligations for the principal amount of direct loans, as au-*
6 *thorized by sections 204(g), 207(l), 238, and 519(a) of the*
7 *National Housing Act, shall not exceed \$1,000,000, which*
8 *shall be for loans to nonprofit and governmental entities*
9 *in connection with the sale of single family real properties*
10 *owned by the Secretary and formerly insured under such*
11 *Act.*

12 *GOVERNMENT NATIONAL MORTGAGE ASSOCIATION*
13 *GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN*
14 *GUARANTEE PROGRAM ACCOUNT*

15 *New commitments to issue guarantees to carry out the*
16 *purposes of section 306 of the National Housing Act, as*
17 *amended (12 U.S.C. 1721(g)), shall not exceed*
18 *\$550,000,000,000, to remain available until September 30,*
19 *2021: Provided, That \$30,500,000, to remain available*
20 *until September 30, 2021, shall be for necessary salaries*
21 *and expenses of the Office of Government National Mortgage*
22 *Association: Provided further, That to the extent that guar-*
23 *anteed loan commitments exceed \$155,000,000,000 on or be-*
24 *fore April 1, 2020, an additional \$100 for necessary salaries*
25 *and expenses shall be available until expended for each*

1 \$1,000,000 in additional guaranteed loan commitments
2 (including a pro rata amount for any amount below
3 \$1,000,000), but in no case shall funds made available by
4 this proviso exceed \$3,000,000: Provided further, That re-
5 ceipts from Commitment and Multiclass fees collected pur-
6 suant to title III of the National Housing Act, as amended,
7 shall be credited as offsetting collections to this account.

8 *POLICY DEVELOPMENT AND RESEARCH*

9 *RESEARCH AND TECHNOLOGY*

10 *For contracts, grants, and necessary expenses of pro-*
11 *grams of research and studies relating to housing and*
12 *urban problems, not otherwise provided for, as authorized*
13 *by title V of the Housing and Urban Development Act of*
14 *1970 (12 U.S.C. 1701z-1 et seq.), including carrying out*
15 *the functions of the Secretary of Housing and Urban Devel-*
16 *opment under section 1(a)(1)(i) of Reorganization Plan No.*
17 *2 of 1968, and for technical assistance, \$98,000,000, to re-*
18 *main available until September 30, 2021: Provided, That*
19 *with respect to amounts made available under this heading,*
20 *notwithstanding section 203 of this title, the Secretary may*
21 *enter into cooperative agreements with philanthropic enti-*
22 *ties, other Federal agencies, State or local governments and*
23 *their agencies, Indian tribes, tribally designated housing*
24 *entities, or colleges or universities for research projects: Pro-*
25 *vided further, That with respect to the previous proviso,*

1 *such partners to the cooperative agreements must contribute*
2 *at least a 50 percent match toward the cost of the project:*
3 *Provided further, That for non-competitive agreements en-*
4 *tered into in accordance with the previous two provisos, the*
5 *Secretary of Housing and Urban Development shall comply*
6 *with section 2(b) of the Federal Funding Accountability*
7 *and Transparency Act of 2006 (Public Law 109–282, 31*
8 *U.S.C. note) in lieu of compliance with section 102(a)(4)(C)*
9 *with respect to documentation of award decisions: Provided*
10 *further, That prior to obligation of technical assistance*
11 *funding, the Secretary shall submit a plan to the House*
12 *and Senate Committees on Appropriations on how it will*
13 *allocate funding for this activity at least 30 days prior to*
14 *obligation: Provided further, That none of the funds pro-*
15 *vided under this heading may be available for the doctoral*
16 *dissertation research grant program.*

17 *FAIR HOUSING AND EQUAL OPPORTUNITY*

18 *FAIR HOUSING ACTIVITIES*

19 *For contracts, grants, and other assistance, not other-*
20 *wise provided for, as authorized by title VIII of the Civil*
21 *Rights Act of 1968, as amended by the Fair Housing*
22 *Amendments Act of 1988, and section 561 of the Housing*
23 *and Community Development Act of 1987, as amended,*
24 *\$70,300,000, to remain available until September 30, 2021:*
25 *Provided, That grants made available from amounts pro-*

1 *vided under this heading shall be awarded within 180 days*
2 *of enactment of this Act: Provided further, That notwith-*
3 *standing 31 U.S.C. 3302, the Secretary may assess and col-*
4 *lect fees to cover the costs of the Fair Housing Training*
5 *Academy, and may use such funds to develop on-line*
6 *courses and provide such training: Provided further, That*
7 *no funds made available under this heading shall be used*
8 *to lobby the executive or legislative branches of the Federal*
9 *Government in connection with a specific contract, grant,*
10 *or loan: Provided further, That of the funds made available*
11 *under this heading, \$350,000 shall be available to the Sec-*
12 *retary of Housing and Urban Development for the creation*
13 *and promotion of translated materials and other programs*
14 *that support the assistance of persons with limited English*
15 *proficiency in utilizing the services provided by the Depart-*
16 *ment of Housing and Urban Development.*

17 *OFFICE OF LEAD HAZARD CONTROL AND HEALTHY*

18 *HOMES*

19 *LEAD HAZARD REDUCTION*

20 *For the Lead Hazard Reduction Program, as author-*
21 *ized by section 1011 of the Residential Lead-Based Paint*
22 *Hazard Reduction Act of 1992, \$290,000,000, to remain*
23 *available until September 30, 2022, of which \$50,000,000*
24 *shall be for the Healthy Homes Initiative, pursuant to sec-*
25 *tions 501 and 502 of the Housing and Urban Development*

1 *Act of 1970, which shall include research, studies, testing,*
2 *and demonstration efforts, including education and out-*
3 *reach concerning lead-based paint poisoning and other*
4 *housing-related diseases and hazards: Provided, That for*
5 *purposes of environmental review, pursuant to the National*
6 *Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)*
7 *and other provisions of law that further the purposes of such*
8 *Act, a grant under the Healthy Homes Initiative, or the*
9 *Lead Technical Studies program under this heading or*
10 *under prior appropriations Acts for such purposes under*
11 *this heading, shall be considered to be funds for a special*
12 *project for purposes of section 305(c) of the Multifamily*
13 *Housing Property Disposition Reform Act of 1994: Pro-*
14 *vided further, That not less than \$95,000,000 of the*
15 *amounts made available under this heading for the award*
16 *of grants pursuant to section 1011 of the Residential Lead-*
17 *Based Paint Hazard Reduction Act of 1992 shall be pro-*
18 *vided to areas with the highest lead-based paint abatement*
19 *needs: Provided further, That \$64,000,000 of the funds ap-*
20 *propriated under this heading shall be for the implementa-*
21 *tion of projects in not more than ten communities to dem-*
22 *onstrate how intensive, extended, multi-year interventions*
23 *can dramatically reduce the presence of lead-based paint*
24 *hazards in those communities: Provided further, That each*
25 *project shall serve no more than four contiguous census*

1 tracts in which there are high concentrations of housing
2 stock built before 1940, in which low-income families with
3 children make up a significantly higher proportion of the
4 population as compared to the State average, and that are
5 located in jurisdictions in which instances of elevated blood
6 lead levels reported to the State are significantly higher
7 than the State average: Provided further, That such projects
8 shall be awarded not less than \$6,000,000 and not more
9 than \$9,000,000: Provided further, That funding awarded
10 for such projects shall be made available for draw down con-
11 tingent upon the grantee meeting cost-savings, productivity,
12 and grant compliance benchmarks established by the Sec-
13 retary: Provided further, That each recipient of funds for
14 such projects shall contribute an amount not less than 10
15 percent of the total award, and that the Secretary shall give
16 priority to applicants that secure commitments for addi-
17 tional contributions from public and private sources: Pro-
18 vided further, That grantees currently receiving grants
19 made under this heading shall be eligible to apply for such
20 projects, provided that they are deemed to be in compliance
21 with program requirements established by the Secretary:
22 Provided further, That of the amount made available for
23 the Healthy Homes Initiative, \$5,000,000 shall be for the
24 implementation of projects in up to 5 communities that are
25 served by both the Healthy Homes Initiative and the De-

1 *partment of Energy weatherization programs to dem-*
2 *onstrate whether the coordination of Healthy Homes reme-*
3 *diation activities with weatherization activities achieves*
4 *cost savings and better outcomes in improving the safety*
5 *and quality of homes: Provided further, That each appli-*
6 *cant shall certify adequate capacity that is acceptable to*
7 *the Secretary to carry out the proposed use of funds pursu-*
8 *ant to a notice of funding availability: Provided further,*
9 *That amounts made available under this heading in this*
10 *or prior appropriations Acts, still remaining available,*
11 *may be used for any purpose under this heading notwith-*
12 *standing the purpose for which such amounts were appro-*
13 *priated if a program competition is undersubscribed and*
14 *there are other program competitions under this heading*
15 *that are oversubscribed.*

16 *INFORMATION TECHNOLOGY FUND*

17 *For the development, modernization, and enhancement*
18 *of, modifications to, and infrastructure for Department-*
19 *wide and program-specific information technology systems,*
20 *for the continuing operation and maintenance of both De-*
21 *partment-wide and program-specific information systems,*
22 *and for program-related maintenance activities,*
23 *\$280,000,000, of which \$260,000,000 shall remain available*
24 *until September 30, 2021, and of which \$20,000,000 shall*
25 *remain available until September 30, 2022: Provided, That*

1 *any amounts transferred to this Fund under this Act shall*
2 *remain available until expended: Provided further, That*
3 *any amounts transferred to this Fund from amounts appro-*
4 *priated by previously enacted appropriations Acts may be*
5 *used for the purposes specified under this Fund, in addition*
6 *to any other information technology purposes for which*
7 *such amounts were appropriated: Provided further, That*
8 *not more than 10 percent of the funds made available under*
9 *this heading for development, modernization and enhance-*
10 *ment may be obligated until the Secretary submits to the*
11 *House and Senate Committees on Appropriations, for ap-*
12 *proval, a plan for expenditure that—(A) identifies for each*
13 *modernization project: (i) the functional and performance*
14 *capabilities to be delivered and the mission benefits to be*
15 *realized, (ii) the estimated life-cycle cost, and (iii) key mile-*
16 *stones to be met; and (B) demonstrates that each moderniza-*
17 *tion project is: (i) compliant with the Department’s enter-*
18 *prise architecture, (ii) being managed in accordance with*
19 *applicable life-cycle management policies and guidance,*
20 *(iii) subject to the Department’s capital planning and in-*
21 *vestment control requirements, and (iv) supported by an*
22 *adequately staffed project office.*

23 *OFFICE OF INSPECTOR GENERAL*

24 *For necessary salaries and expenses of the Office of In-*
25 *spector General in carrying out the Inspector General Act*

1 of 1978, as amended, \$128,200,000: *Provided, That the In-*
2 *pector General shall have independent authority over all*
3 *personnel issues within this office: Provided further, That*
4 *the Office of Inspector General shall procure and rely upon*
5 *the services of an independent external auditor(s) to audit*
6 *the fiscal year 2020 and subsequent financial statements of*
7 *the Department of Housing and Urban Development in-*
8 *cluding the financial statements of the Federal Housing Ad-*
9 *ministration and the Government National Mortgage Asso-*
10 *ciation: Provided further, That in addition to amounts*
11 *under this heading otherwise available for the purposes*
12 *specified in the previous proviso, \$10,000,000 to remain*
13 *available until September 30, 2021, shall be available only*
14 *for such specified purposes.*

15 *GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND*
16 *URBAN DEVELOPMENT*
17 *(INCLUDING TRANSFER OF FUNDS)*
18 *(INCLUDING RESCISSIONS)*

19 *SEC. 201. Fifty percent of the amounts of budget au-*
20 *thority, or in lieu thereof 50 percent of the cash amounts*
21 *associated with such budget authority, that are recaptured*
22 *from projects described in section 1012(a) of the Stewart*
23 *B. McKinney Homeless Assistance Amendments Act of 1988*
24 *(42 U.S.C. 1437f note) shall be rescinded or in the case of*
25 *cash, shall be remitted to the Treasury, and such amounts*

1 of budget authority or cash recaptured and not rescinded
2 or remitted to the Treasury shall be used by State housing
3 finance agencies or local governments or local housing agen-
4 cies with projects approved by the Secretary of Housing and
5 Urban Development for which settlement occurred after
6 January 1, 1992, in accordance with such section. Notwith-
7 standing the previous sentence, the Secretary may award
8 up to 15 percent of the budget authority or cash recaptured
9 and not rescinded or remitted to the Treasury to provide
10 project owners with incentives to refinance their project at
11 a lower interest rate.

12 *SEC. 202. None of the amounts made available under*
13 *this Act may be used during fiscal year 2020 to investigate*
14 *or prosecute under the Fair Housing Act any otherwise law-*
15 *ful activity engaged in by one or more persons, including*
16 *the filing or maintaining of a nonfrivolous legal action,*
17 *that is engaged in solely for the purpose of achieving or*
18 *preventing action by a Government official or entity, or a*
19 *court of competent jurisdiction.*

20 *SEC. 203. Except as explicitly provided in law, any*
21 *grant, cooperative agreement or other assistance made pur-*
22 *suant to title II of this Act shall be made on a competitive*
23 *basis and in accordance with section 102 of the Department*
24 *of Housing and Urban Development Reform Act of 1989*
25 *(42 U.S.C. 3545).*

1 *SEC. 204. Funds of the Department of Housing and*
2 *Urban Development subject to the Government Corporation*
3 *Control Act or section 402 of the Housing Act of 1950 shall*
4 *be available, without regard to the limitations on adminis-*
5 *trative expenses, for legal services on a contract or fee basis,*
6 *and for utilizing and making payment for services and fa-*
7 *cilities of the Federal National Mortgage Association, Gov-*
8 *ernment National Mortgage Association, Federal Home*
9 *Loan Mortgage Corporation, Federal Financing Bank, Fed-*
10 *eral Reserve banks or any member thereof, Federal Home*
11 *Loan banks, and any insured bank within the meaning of*
12 *the Federal Deposit Insurance Corporation Act, as amended*
13 *(12 U.S.C. 1811-1).*

14 *SEC. 205. Unless otherwise provided for in this Act*
15 *or through a reprogramming of funds, no part of any ap-*
16 *propriation for the Department of Housing and Urban De-*
17 *velopment shall be available for any program, project or*
18 *activity in excess of amounts set forth in the budget esti-*
19 *mates submitted to Congress.*

20 *SEC. 206. Corporations and agencies of the Depart-*
21 *ment of Housing and Urban Development which are subject*
22 *to the Government Corporation Control Act are hereby au-*
23 *thorized to make such expenditures, within the limits of*
24 *funds and borrowing authority available to each such cor-*
25 *poration or agency and in accordance with law, and to*

1 *make such contracts and commitments without regard to*
2 *fiscal year limitations as provided by section 104 of such*
3 *Act as may be necessary in carrying out the programs set*
4 *forth in the budget for 2020 for such corporation or agency*
5 *except as hereinafter provided: Provided, That collections*
6 *of these corporations and agencies may be used for new loan*
7 *or mortgage purchase commitments only to the extent ex-*
8 *pressly provided for in this Act (unless such loans are in*
9 *support of other forms of assistance provided for in this or*
10 *prior appropriations Acts), except that this proviso shall*
11 *not apply to the mortgage insurance or guaranty operations*
12 *of these corporations, or where loans or mortgage purchases*
13 *are necessary to protect the financial interest of the United*
14 *States Government.*

15 *SEC. 207. The Secretary of Housing and Urban Devel-*
16 *opment shall provide quarterly reports to the House and*
17 *Senate Committees on Appropriations regarding all uncom-*
18 *mited, unobligated, recaptured and excess funds in each*
19 *program and activity within the jurisdiction of the Depart-*
20 *ment and shall submit additional, updated budget informa-*
21 *tion to these Committees upon request.*

22 *SEC. 208. No funds provided under this title may be*
23 *used for an audit of the Government National Mortgage As-*
24 *sociation that makes applicable requirements under the*
25 *Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).*

1 *SEC. 209. (a) Notwithstanding any other provision of*
2 *law, subject to the conditions listed under this section, for*
3 *fiscal years 2020 and 2021, the Secretary of Housing and*
4 *Urban Development may authorize the transfer of some or*
5 *all project-based assistance, debt held or insured by the Sec-*
6 *retary and statutorily required low-income and very low-*
7 *income use restrictions if any, associated with one or more*
8 *multifamily housing project or projects to another multi-*
9 *family housing project or projects.*

10 *(b) PHASED TRANSFERS.—Transfers of project-based*
11 *assistance under this section may be done in phases to ac-*
12 *commodate the financing and other requirements related to*
13 *rehabilitating or constructing the project or projects to*
14 *which the assistance is transferred, to ensure that such*
15 *project or projects meet the standards under subsection (c).*

16 *(c) The transfer authorized in subsection (a) is subject*
17 *to the following conditions:*

18 *(1) NUMBER AND BEDROOM SIZE OF UNITS.—*

19 *(A) For occupied units in the transferring*
20 *project: The number of low-income and very low-*
21 *income units and the configuration (i.e., bed-*
22 *room size) provided by the transferring project*
23 *shall be no less than when transferred to the re-*
24 *ceiving project or projects and the net dollar*
25 *amount of Federal assistance provided to the*

1 *transferring project shall remain the same in the*
2 *receiving project or projects.*

3 *(B) For unoccupied units in the transfer-*
4 *ring project: The Secretary may authorize a re-*
5 *duction in the number of dwelling units in the*
6 *receiving project or projects to allow for a recon-*
7 *figuration of bedroom sizes to meet current mar-*
8 *ket demands, as determined by the Secretary and*
9 *provided there is no increase in the project-based*
10 *assistance budget authority.*

11 *(2) The transferring project shall, as determined*
12 *by the Secretary, be either physically obsolete or eco-*
13 *nomically nonviable.*

14 *(3) The receiving project or projects shall meet or*
15 *exceed applicable physical standards established by*
16 *the Secretary.*

17 *(4) The owner or mortgagor of the transferring*
18 *project shall notify and consult with the tenants re-*
19 *siding in the transferring project and provide a cer-*
20 *tification of approval by all appropriate local govern-*
21 *mental officials.*

22 *(5) The tenants of the transferring project who*
23 *remain eligible for assistance to be provided by the re-*
24 *ceiving project or projects shall not be required to va-*
25 *cate their units in the transferring project or projects*

1 *until new units in the receiving project are available*
2 *for occupancy.*

3 (6) *The Secretary determines that this transfer is*
4 *in the best interest of the tenants.*

5 (7) *If either the transferring project or the re-*
6 *ceiving project or projects meets the condition speci-*
7 *fied in subsection (d)(2)(A), any lien on the receiving*
8 *project resulting from additional financing obtained*
9 *by the owner shall be subordinate to any FHA-in-*
10 *sured mortgage lien transferred to, or placed on, such*
11 *project by the Secretary, except that the Secretary*
12 *may waive this requirement upon determination that*
13 *such a waiver is necessary to facilitate the financing*
14 *of acquisition, construction, and/or rehabilitation of*
15 *the receiving project or projects.*

16 (8) *If the transferring project meets the require-*
17 *ments of subsection (d)(2), the owner or mortgagor of*
18 *the receiving project or projects shall execute and*
19 *record either a continuation of the existing use agree-*
20 *ment or a new use agreement for the project where,*
21 *in either case, any use restrictions in such agreement*
22 *are of no lesser duration than the existing use restric-*
23 *tions.*

24 (9) *The transfer does not increase the cost (as de-*
25 *finied in section 502 of the Congressional Budget Act*

1 of 1974(2 U.S.C. 661a)) of any FHA-insured mort-
2 gage, except to the extent that appropriations are pro-
3 vided in advance for the amount of any such in-
4 creased cost.

5 (d) For purposes of this section—

6 (1) the terms “low-income” and “very low-in-
7 come” shall have the meanings provided by the statute
8 and/or regulations governing the program under
9 which the project is insured or assisted;

10 (2) the term “multifamily housing project”
11 means housing that meets one of the following condi-
12 tions—

13 (A) housing that is subject to a mortgage
14 insured under the National Housing Act;

15 (B) housing that has project-based assist-
16 ance attached to the structure including projects
17 undergoing mark to market debt restructuring
18 under the Multifamily Assisted Housing Reform
19 and Affordability Housing Act;

20 (C) housing that is assisted under section
21 202 of the Housing Act of 1959 (12 U.S.C.
22 1701q);

23 (D) housing that is assisted under section
24 202 of the Housing Act of 1959 (12 U.S.C.
25 1701q), as such section existed before the enact-

1 *ment of the Cranston-Gonzales National Afford-*
2 *able Housing Act;*

3 *(E) housing that is assisted under section*
4 *811 of the Cranston-Gonzales National Afford-*
5 *able Housing Act (42 U.S.C. 8013); or*

6 *(F) housing or vacant land that is subject*
7 *to a use agreement;*

8 *(3) the term “project-based assistance” means—*

9 *(A) assistance provided under section 8(b)*
10 *of the United States Housing Act of 1937 (42*
11 *U.S.C. 1437f(b));*

12 *(B) assistance for housing constructed or*
13 *substantially rehabilitated pursuant to assistance*
14 *provided under section 8(b)(2) of such Act (as*
15 *such section existed immediately before October*
16 *1, 1983);*

17 *(C) rent supplement payments under sec-*
18 *tion 101 of the Housing and Urban Development*
19 *Act of 1965 (12 U.S.C. 1701s);*

20 *(D) interest reduction payments under sec-*
21 *tion 236 and/or additional assistance payments*
22 *under section 236(f)(2) of the National Housing*
23 *Act (12 U.S.C. 1715z-1);*

1 (E) assistance payments made under sec-
2 tion 202(c)(2) of the Housing Act of 1959 (12
3 U.S.C. 1701q(c)(2)); and

4 (F) assistance payments made under section
5 811(d)(2) of the Cranston-Gonzalez National Af-
6 fordable Housing Act (42 U.S.C. 8013(d)(2));

7 (4) the term “receiving project or projects”
8 means the multifamily housing project or projects to
9 which some or all of the project-based assistance, debt,
10 and statutorily required low-income and very low-in-
11 come use restrictions are to be transferred;

12 (5) the term “transferring project” means the
13 multifamily housing project which is transferring
14 some or all of the project-based assistance, debt, and
15 the statutorily required low-income and very low-in-
16 come use restrictions to the receiving project or
17 projects; and

18 (6) the term “Secretary” means the Secretary of
19 Housing and Urban Development.

20 (e) *RESEARCH REPORT*.—The Secretary shall conduct
21 an evaluation of the transfer authority under this section,
22 including the effect of such transfers on the operational effi-
23 ciency, contract rents, physical and financial conditions,
24 and long-term preservation of the affected properties.

1 *SEC. 210. (a) No assistance shall be provided under*
2 *section 8 of the United States Housing Act of 1937 (42*
3 *U.S.C. 1437f) to any individual who—*

4 *(1) is enrolled as a student at an institution of*
5 *higher education (as defined under section 102 of the*
6 *Higher Education Act of 1965 (20 U.S.C. 1002));*

7 *(2) is under 24 years of age;*

8 *(3) is not a veteran;*

9 *(4) is unmarried;*

10 *(5) does not have a dependent child;*

11 *(6) is not a person with disabilities, as such*
12 *term is defined in section 3(b)(3)(E) of the United*
13 *States Housing Act of 1937 (42 U.S.C.*
14 *1437a(b)(3)(E)) and was not receiving assistance*
15 *under such section 8 as of November 30, 2005;*

16 *(7) is not a youth who left foster care at age 14*
17 *or older and is at risk of becoming homeless; and*

18 *(8) is not otherwise individually eligible, or has*
19 *parents who, individually or jointly, are not eligible,*
20 *to receive assistance under section 8 of the United*
21 *States Housing Act of 1937 (42 U.S.C. 1437f).*

22 *(b) For purposes of determining the eligibility of a per-*
23 *son to receive assistance under section 8 of the United States*
24 *Housing Act of 1937 (42 U.S.C. 1437f), any financial as-*
25 *sistance (in excess of amounts received for tuition and any*

1 *other required fees and charges) that an individual receives*
2 *under the Higher Education Act of 1965 (20 U.S.C. 1001*
3 *et seq.), from private sources, or an institution of higher*
4 *education (as defined under section 102 of the Higher Edu-*
5 *cation Act of 1965 (20 U.S.C. 1002)), shall be considered*
6 *income to that individual, except for a person over the age*
7 *of 23 with dependent children.*

8 *SEC. 211. The funds made available for Native Alas-*
9 *kans under paragraph (1) under the heading “Native Amer-*
10 *ican Programs” in title II of this Act shall be allocated to*
11 *the same Native Alaskan housing block grant recipients that*
12 *received funds in fiscal year 2005, and only such recipients*
13 *shall be eligible to apply for funds made available under*
14 *paragraph (3) of such heading.*

15 *SEC. 212. Notwithstanding any other provision of law,*
16 *in fiscal year 2020, in managing and disposing of any mul-*
17 *tifamily property that is owned or has a mortgage held by*
18 *the Secretary of Housing and Urban Development, and dur-*
19 *ing the process of foreclosure on any property with a con-*
20 *tract for rental assistance payments under section 8 of the*
21 *United States Housing Act of 1937 (42 U.S.C. 1437f) or*
22 *other Federal programs, the Secretary shall maintain any*
23 *rental assistance payments under section 8 of the United*
24 *States Housing Act of 1937 and other programs that are*
25 *attached to any dwelling units in the property. To the ex-*

1 tent the Secretary determines, in consultation with the ten-
2 ants and the local government, that such a multifamily
3 property owned or held by the Secretary is not feasible for
4 continued rental assistance payments under such section 8
5 or other programs, based on consideration of (1) the costs
6 of rehabilitating and operating the property and all avail-
7 able Federal, State, and local resources, including rent ad-
8 justments under section 524 of the Multifamily Assisted
9 Housing Reform and Affordability Act of 1997
10 (“MAHRAA”) (42 U.S.C. 1437f note) and (2) environ-
11 mental conditions that cannot be remedied in a cost-effec-
12 tive fashion, the Secretary may, in consultation with the
13 tenants of that property, contract for project-based rental
14 assistance payments with an owner or owners of other exist-
15 ing housing properties, or provide other rental assistance.
16 The Secretary shall also take appropriate steps to ensure
17 that project-based contracts remain in effect prior to fore-
18 closure, subject to the exercise of contractual abatement rem-
19 edies to assist relocation of tenants for imminent major
20 threats to health and safety after written notice to and in-
21 formed consent of the affected tenants and use of other avail-
22 able remedies, such as partial abatements or receivership.
23 After disposition of any multifamily property described
24 under this section, the contract and allowable rent levels

1 *on such properties shall be subject to the requirements under*
2 *section 524 of MAHRAA.*

3 *SEC. 213. Public housing agencies that own and oper-*
4 *ate 400 or fewer public housing units may elect to be exempt*
5 *from any asset management requirement imposed by the*
6 *Secretary of Housing and Urban Development in connec-*
7 *tion with the operating fund rule: Provided, That an agency*
8 *seeking a discontinuance of a reduction of subsidy under*
9 *the operating fund formula shall not be exempt from asset*
10 *management requirements.*

11 *SEC. 214. With respect to the use of amounts provided*
12 *in this Act and in future Acts for the operation, capital*
13 *improvement and management of public housing as author-*
14 *ized by sections 9(d) and 9(e) of the United States Housing*
15 *Act of 1937 (42 U.S.C. 1437g(d) and (e)), the Secretary*
16 *shall not impose any requirement or guideline relating to*
17 *asset management that restricts or limits in any way the*
18 *use of capital funds for central office costs pursuant to sec-*
19 *tion 9(g)(1) or 9(g)(2) of the United States Housing Act*
20 *of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided, That a pub-*
21 *lic housing agency may not use capital funds authorized*
22 *under section 9(d) for activities that are eligible under sec-*
23 *tion 9(e) for assistance with amounts from the operating*
24 *fund in excess of the amounts permitted under section*
25 *9(g)(1) or 9(g)(2).*

1 *SEC. 215. No official or employee of the Department*
2 *of Housing and Urban Development shall be designated as*
3 *an allotment holder unless the Office of the Chief Financial*
4 *Officer has determined that such allotment holder has im-*
5 *plemented an adequate system of funds control and has re-*
6 *ceived training in funds control procedures and directives.*
7 *The Chief Financial Officer shall ensure that there is a*
8 *trained allotment holder for each HUD appropriation*
9 *under the accounts “Executive Offices”, “Administrative*
10 *Support Offices”, “Program Offices”, “Government Na-*
11 *tional Mortgage Association—Guarantees of Mortgage-*
12 *Backed Securities Loan Guarantee Program Account”, and*
13 *“Office of Inspector General” within the Department of*
14 *Housing and Urban Development.*

15 *SEC. 216. The Secretary of the Department of Housing*
16 *and Urban Development shall, for fiscal year 2020, notify*
17 *the public through the Federal Register and other means,*
18 *as determined appropriate, of the issuance of a notice of*
19 *the availability of assistance or notice of funding avail-*
20 *ability (NOFA) for any program or discretionary fund ad-*
21 *ministered by the Secretary that is to be competitively*
22 *awarded. Notwithstanding any other provision of law, for*
23 *fiscal year 2020, the Secretary may make the NOFA avail-*
24 *able only on the Internet at the appropriate Government*

1 *web site or through other electronic media, as determined*
2 *by the Secretary.*

3 *SEC. 217. Payment of attorney fees in program-related*
4 *litigation shall be paid from the individual program office*
5 *and Office of General Counsel salaries and expenses appro-*
6 *priations. The annual budget submission for the program*
7 *offices and the Office of General Counsel shall include any*
8 *such projected litigation costs for attorney fees as a separate*
9 *line item request. No funds provided in this title may be*
10 *used to pay any such litigation costs for attorney fees until*
11 *the Department submits for review a spending plan for such*
12 *costs to the House and Senate Committees on Appropria-*
13 *tions.*

14 *SEC. 218. The Secretary is authorized to transfer up*
15 *to 10 percent or \$5,000,000, whichever is less, of funds ap-*
16 *propriated for any office under the headings “Administra-*
17 *tive Support Offices” or “Program Offices” to any other*
18 *such office or account: Provided, That no appropriation for*
19 *any such office or account shall be increased or decreased*
20 *by more than 10 percent or \$5,000,000, whichever is less,*
21 *without prior written approval of the House and Senate*
22 *Committees on Appropriations: Provided further, That the*
23 *Secretary shall provide notification to such Committees 3*
24 *business days in advance of any such transfers under this*
25 *section up to 10 percent or \$5,000,000, whichever is less.*

1 *SEC. 219. (a) Any entity receiving housing assistance*
2 *payments shall maintain decent, safe, and sanitary condi-*
3 *tions, as determined by the Secretary of Housing and*
4 *Urban Development (in this section referred to as the “Sec-*
5 *retary”), and comply with any standards under applicable*
6 *State or local laws, rules, ordinances, or regulations relat-*
7 *ing to the physical condition of any property covered under*
8 *a housing assistance payment contract.*

9 *(b) The Secretary shall take action under subsection*
10 *(c) when a multifamily housing project with a section 8*
11 *contract or contract for similar project-based assistance—*

12 *(1) receives a Uniform Physical Condition*
13 *Standards (UPCS) score of 60 or less; or*

14 *(2) fails to certify in writing to the Secretary*
15 *within 3 days that all Exigent Health and Safety de-*
16 *ficiencies identified by the inspector at the project*
17 *have been corrected.*

18 *Such requirements shall apply to insured and noninsured*
19 *projects with assistance attached to the units under section*
20 *8 of the United States Housing Act of 1937 (42 U.S.C.*
21 *1437f), but do not apply to such units assisted under section*
22 *8(o)(13) (42 U.S.C. 1437f(o)(13)) or to public housing units*
23 *assisted with capital or operating funds under section 9 of*
24 *the United States Housing Act of 1937 (42 U.S.C. 1437g).*

1 (c)(1) *Within 15 days of the issuance of the REAC in-*
2 *spection, the Secretary must provide the owner with a No-*
3 *tice of Default with a specified timetable, determined by the*
4 *Secretary, for correcting all deficiencies. The Secretary*
5 *must also provide a copy of the Notice of Default to the*
6 *tenants, the local government, any mortgagees, and any*
7 *contract administrator. If the owner's appeal results in a*
8 *UPCS score of 60 or above, the Secretary may withdraw*
9 *the Notice of Default.*

10 (2) *At the end of the time period for correcting*
11 *all deficiencies specified in the Notice of Default, if*
12 *the owner fails to fully correct such deficiencies, the*
13 *Secretary may—*

14 (A) *require immediate replacement of*
15 *project management with a management agent*
16 *approved by the Secretary;*

17 (B) *impose civil money penalties, which*
18 *shall be used solely for the purpose of supporting*
19 *safe and sanitary conditions at applicable prop-*
20 *erties, as designated by the Secretary, with pri-*
21 *ority given to the tenants of the property affected*
22 *by the penalty;*

23 (C) *abate the section 8 contract, including*
24 *partial abatement, as determined by the Sec-*
25 *retary, until all deficiencies have been corrected;*

1 (D) pursue transfer of the project to an
2 owner, approved by the Secretary under estab-
3 lished procedures, which will be obligated to
4 promptly make all required repairs and to ac-
5 cept renewal of the assistance contract as long as
6 such renewal is offered;

7 (E) transfer the existing section 8 contract
8 to another project or projects and owner or own-
9 ers;

10 (F) pursue exclusionary sanctions, includ-
11 ing suspensions or debarments from Federal pro-
12 grams;

13 (G) seek judicial appointment of a receiver
14 to manage the property and cure all project defi-
15 ciencies or seek a judicial order of specific per-
16 formance requiring the owner to cure all project
17 deficiencies;

18 (H) work with the owner, lender, or other
19 related party to stabilize the property in an at-
20 tempt to preserve the property through compli-
21 ance, transfer of ownership, or an infusion of
22 capital provided by a third-party that requires
23 time to effectuate; or

1 (I) take any other regulatory or contractual
2 remedies available as deemed necessary and ap-
3 propriate by the Secretary.

4 (d) The Secretary shall also take appropriate steps to
5 ensure that project-based contracts remain in effect, subject
6 to the exercise of contractual abatement remedies to assist
7 relocation of tenants for major threats to health and safety
8 after written notice to the affected tenants. To the extent
9 the Secretary determines, in consultation with the tenants
10 and the local government, that the property is not feasible
11 for continued rental assistance payments under such section
12 8 or other programs, based on consideration of—

13 (1) the costs of rehabilitating and operating the
14 property and all available Federal, State, and local
15 resources, including rent adjustments under section
16 524 of the Multifamily Assisted Housing Reform and
17 Affordability Act of 1997 (“MAHRAA”); and

18 (2) environmental conditions that cannot be
19 remedied in a cost-effective fashion, the Secretary
20 may contract for project-based rental assistance pay-
21 ments with an owner or owners of other existing hous-
22 ing properties, or provide other rental assistance.

23 (e) The Secretary shall report quarterly on all prop-
24 erties covered by this section that are assessed through the
25 Real Estate Assessment Center and have UPCS physical in-

1 *spection scores of less than 60 or have received an unsatis-*
2 *factory management and occupancy review within the past*
3 *36 months. The report shall include—*

4 (1) *the enforcement actions being taken to ad-*
5 *dress such conditions, including imposition of civil*
6 *money penalties and termination of subsidies, and*
7 *identify properties that have such conditions multiple*
8 *times;*

9 (2) *actions that the Department of Housing and*
10 *Urban Development is taking to protect tenants of*
11 *such identified properties; and*

12 (3) *any administrative or legislative rec-*
13 *ommendations to further improve the living condi-*
14 *tions at properties covered under a housing assistance*
15 *payment contract.*

16 *This report shall be due to the Senate and House Commit-*
17 *tees on Appropriations no later than 30 days after the en-*
18 *actment of this Act, and on the first business day of each*
19 *Federal fiscal year quarter thereafter while this section re-*
20 *mains in effect.*

21 *SEC. 220. None of the funds made available by this*
22 *Act, or any other Act, for purposes authorized under section*
23 *8 (only with respect to the tenant-based rental assistance*
24 *program) and section 9 of the United States Housing Act*
25 *of 1937 (42 U.S.C. 1437 et seq.), may be used by any public*

1 *housing agency for any amount of salary, including bo-*
2 *nuses, for the chief executive officer of which, or any other*
3 *official or employee of which, that exceeds the annual rate*
4 *of basic pay payable for a position at level IV of the Execu-*
5 *tive Schedule at any time during any public housing agen-*
6 *cy fiscal year 2020.*

7 *SEC. 221. 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 notifies*
10 *the House and Senate Committees on Appropriations not*
11 *less than 3 full business days before any project, State, lo-*
12 *cality, housing authority, tribe, nonprofit organization, or*
13 *other entity selected to receive a grant award is announced*
14 *by the Department or its offices.*

15 *SEC. 222. 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. 223. None of the funds made available in this*
19 *Act shall be used by the Federal Housing Administration,*
20 *the Government National Mortgage Administration, or the*
21 *Department of Housing and Urban Development to insure,*
22 *securitize, or establish a Federal guarantee of any mortgage*
23 *or mortgage backed security that refinances or otherwise re-*
24 *places a mortgage that has been subject to eminent domain*

1 *condemnation or seizure, by a State, municipality, or any*
2 *other political subdivision of a State.*

3 *SEC. 224. None of the funds made available by this*
4 *Act may be used to terminate the status of a unit of general*
5 *local government as a metropolitan city (as defined in sec-*
6 *tion 102 of the Housing and Community Development Act*
7 *of 1974 (42 U.S.C. 5302)) with respect to grants under sec-*
8 *tion 106 of such Act (42 U.S.C. 5306).*

9 *SEC. 225. Amounts made available under this Act*
10 *which are either appropriated, allocated, advanced on a re-*
11 *imbursable basis, or transferred to the Office of Policy De-*
12 *velopment and Research in the Department of Housing and*
13 *Urban Development and functions thereof, for research,*
14 *evaluation, or statistical purposes, and which are unex-*
15 *pected at the time of completion of a contract, grant, or*
16 *cooperative agreement, may be deobligated and shall imme-*
17 *diately become available and may be reobligated in that fis-*
18 *cal year or the subsequent fiscal year for the research, eval-*
19 *uation, or statistical purposes for which the amounts are*
20 *made available to that Office subject to reprogramming re-*
21 *quirements in section 405 of this Act.*

22 *SEC. 226. None of the funds provided in this Act or*
23 *any other act may be used for awards, including perform-*
24 *ance, special act, or spot, for any employee of the Depart-*
25 *ment of Housing and Urban Development subject to admin-*

1 *istrative discipline (including suspension from work), in*
2 *this fiscal year, but this prohibition shall not be effective*
3 *prior to the effective date of any such administrative dis-*
4 *cipline or after any final decision over-turning such dis-*
5 *cipline.*

6 *SEC. 227. Funds made available in this title under*
7 *the heading “Homeless Assistance Grants” may be used by*
8 *the Secretary to participate in Performance Partnership*
9 *Pilots authorized under section 526 of division H of Public*
10 *Law 113–76, section 524 of division G of Public Law 113–*
11 *235, section 525 of division H of Public Law 114–113, sec-*
12 *tion 525 of division H of Public Law 115–31, section 525*
13 *of division H of Public Law 115–141, section 524 of divi-*
14 *sion B of Public Law 115–245 and such authorities as are*
15 *enacted for Performance Partnership Pilots in an appro-*
16 *priations Act for fiscal year 2020: Provided, That such par-*
17 *ticipation shall be limited to no more than 10 continuums*
18 *of care and housing activities to improve outcomes for dis-*
19 *connected youth.*

20 *SEC. 228. With respect to grant amounts awarded*
21 *under the heading “Homeless Assistance Grants” for fiscal*
22 *years 2015 through 2020 for the continuum of care (CoC)*
23 *program as authorized under subtitle C of title IV of the*
24 *McKinney-Vento Homeless Assistance Act, costs paid by*
25 *program income of grant recipients may count toward*

1 *meeting the recipient’s matching requirements, provided the*
2 *costs are eligible CoC costs that supplement the recipient’s*
3 *CoC program.*

4 *SEC. 229. (a) From amounts made available under*
5 *this title under the heading “Homeless Assistance Grants”,*
6 *the Secretary may award 1-year transition grants to recipi-*
7 *ents of funds for activities under subtitle C of the McKin-*
8 *ney-Vento Homeless Assistance Act (42 U.S.C. 11381 et*
9 *seq.) to transition from one Continuum of Care program*
10 *component to another.*

11 *(b) In order to be eligible to receive a transition grant,*
12 *the funding recipient must have the consent of the Con-*
13 *tinuum of Care and meet standards determined by the Sec-*
14 *retary.*

15 *SEC. 230. None of the funds made available by this*
16 *Act may be used by the Department of Housing and Urban*
17 *Development to direct a grantee to undertake specific*
18 *changes to existing zoning laws as part of carrying out the*
19 *final rule entitled “Affirmatively Furthering Fair Hous-*
20 *ing” (80 Fed. Reg. 42272 (July 16, 2015)) or the notice*
21 *entitled “Affirmatively Furthering Fair Housing Assess-*
22 *ment Tool” (79 Fed. Reg. 57949 (September 26, 2014)).*

23 *SEC. 231. (a) Amounts recaptured from funds appro-*
24 *priated for this or any succeeding fiscal year under the*
25 *heading “Department of Housing and Urban Develop-*

1 *ment—Community Planning and Development—Homeless*
2 *Assistance Grants” shall become available until expended*
3 *not later than the end of the fifth fiscal year after the last*
4 *fiscal year for which such funds are available and shall be*
5 *available, in addition to rental assistance amounts that*
6 *were recaptured and made available until expended under*
7 *such heading by any prior Act, and in addition to such*
8 *other funds as may be available for such purposes, for the*
9 *following purposes:*

10 (1) *For grants under the Continuum of Care*
11 *program under subtitle C of title IV of the McKinney-*
12 *Vento Homeless Assistance Act (42 U.S.C. 11381 et*
13 *seq.);*

14 (2) *For grants under the Emergency Solutions*
15 *Grant program under subtitle B of title IV of such*
16 *Act (42 U.S.C. 11371 et seq.);*

17 (3) *Not less than 10 percent of the amounts shall*
18 *be used only for grants in rural areas under the Con-*
19 *tinuum of Care program, to include activities eligible*
20 *under the Rural Housing Stability Assistance pro-*
21 *gram under section 491 of such Act (42 U.S.C.*
22 *11408) that are not otherwise eligible under the Con-*
23 *tinuum of Care program; and*

1 (4) Not less than 10 percent of the amounts shall
2 be for emergency solutions grants for disaster areas as
3 authorized by subsection (c).

4 (b) Prior to the use of any recaptured amounts referred
5 to in subsection (a), including competing, awarding, or ob-
6 ligating such amounts, the Secretary shall submit a plan
7 in accordance with subsection (a) that specifies the planned
8 use of any such amounts to the Committees on Appropria-
9 tions of the House of Representatives and the Senate, and
10 receive prior written approval of such plan, except that use
11 of amounts in the plan for the purposes specified in sub-
12 section (a)(4) may begin once such plan is submitted to
13 such Committees.

14 (c)(1) The Secretary may make grants under the
15 Emergency Solutions Grants program under subtitle B of
16 title IV of the McKinney-Vento Homeless Assistance Act (42
17 U.S.C. 11371 et seq.) to States or local governments to ad-
18 dress the needs of homeless individuals or families or indi-
19 viduals or families at risk of homelessness in areas affected
20 by a major disaster declared pursuant to the Robert T. Staf-
21 ford Disaster Relief and Emergency Assistance Act (42
22 U.S.C. 5121 et seq.) on or after the date of enactment of
23 this Act, whose needs are not otherwise served or fully met
24 by existing Federal disaster relief programs, including the

1 *Transitional Sheltering Assistance program under such Act*
2 *(42 U.S.C. 5170b).*

3 *(2) For purposes of grants under paragraph (1), the*
4 *Secretary may suspend all consultation, citizen participa-*
5 *tion, and matching requirements.*

6 *SEC. 232. The Promise Zone designations and Promise*
7 *Zone Designation Agreements entered into pursuant to such*
8 *designations, made by the Secretary of Housing and Urban*
9 *Development in prior fiscal years, shall remain in effect*
10 *in accordance with the terms and conditions of such agree-*
11 *ments.*

12 *SEC. 233. None of the funds made available by this*
13 *Act may be used to establish and apply review criteria, in-*
14 *cluding rating factors or preference points, for participa-*
15 *tion in or coordination with EnVision Centers, in the eval-*
16 *uation, selection, and award of any funds made available*
17 *and requiring competitive selection under this Act, except*
18 *with respect to any such funds otherwise authorized for En-*
19 *Vision Center purposes under this Act.*

20 *SEC. 234. (a) The Secretary of Housing and Urban*
21 *Development shall make available to grantees under pro-*
22 *grams included under the Department's Consolidated Plan-*
23 *ning Process, not later than the expiration of the 90-day*
24 *period beginning on the date of the enactment of this Act,*
25 *the prepopulated up-to-date housing and economic data and*

1 *data for both broadband and resilience assessment require-*
2 *ments, as referred to in the HUD Response to the third com-*
3 *ment under section III.A. of the Supplementary Informa-*
4 *tion included with the final rule entitled “Modernizing*
5 *HUD’s Consolidated Planning Process To Narrow the Dig-*
6 *ital Divide and Increase Resilience to Natural Hazards”,*
7 *published by the Department of Housing and Urban Devel-*
8 *opment in the Federal Register on Friday, December 16,*
9 *2016 (81 Fed. Reg. 91000).*

10 *(b) The Secretary of Housing and Urban Development*
11 *shall require such grantees to incorporate the broadband*
12 *and resilience components into the Consolidated Plan proc-*
13 *ess not later than the expiration of the 270-day period be-*
14 *ginning on the date of the enactment of this Act.*

15 *SEC. 235. None of the funds made available by this*
16 *or any prior Act may be used to require or enforce any*
17 *changes to the terms and conditions of the public housing*
18 *annual contributions contract between the Secretary and*
19 *any public housing agency, as such contract was in effect*
20 *as of December 31, 2017, unless such changes are mutually*
21 *agreed upon by the Secretary and such agency: Provided,*
22 *That such agreement by an agency may be indicated only*
23 *by a written amendment to the terms and conditions con-*
24 *taining the duly authorized signature of its chief executive:*
25 *Provided further, That the Secretary may not withhold*

1 *funds to compel such agreement by an agency which cer-*
2 *tifies to its compliance with its contract.*

3 *SEC. 236. None of the amounts made available in this*
4 *Act or in the Department of Housing and Urban Develop-*
5 *ment Appropriations Act, 2019 (Public Law 116–6) may*
6 *be used to consider Family Self-Sufficiency performance*
7 *measures or performance scores in determining funding*
8 *awards for programs receiving Family Self-Sufficiency pro-*
9 *gram coordinator funding provided in this Act or in the*
10 *Department of Housing and Urban Development Appro-*
11 *priations Act, 2019 (Public Law 116–6).*

12 *SEC. 237. (a) All unobligated balances from funds ap-*
13 *propriated under the heading “Department of Housing and*
14 *Urban Development Public and Indian Housing—Tenant*
15 *Based Rental Assistance” in chapter 10 of title I of division*
16 *B of the Consolidated Security, Disaster Assistance, and*
17 *Continuing Appropriations Act, 2009 (Public Law 110–*
18 *329) are hereby rescinded.*

19 *(b) All unobligated balances from funds appropriated*
20 *under the heading “Department of Housing and Urban De-*
21 *velopment Public and Indian Housing—Project-Based*
22 *Rental Assistance” in chapter 10 of title I of division B*
23 *of the Consolidated Security, Disaster Assistance, and Con-*
24 *tinuing Appropriations Act, 2009 (Public Law 110–329;*

1 122 Stat. 324) (as amended by section 1203 of Public Law
2 111–32; 123 Stat. 1859) are hereby rescinded.

3 SEC. 238. Any public housing agency designated as a
4 Moving to Work agency pursuant to section 239 of (Public
5 Law 114–113) may, upon such designation, use funds (ex-
6 cept for special purpose funding, including special purpose
7 vouchers) previously allocated to any such public housing
8 agency under section 8 or 9 of the United States Housing
9 Act of 1937, including any reserve funds held by the public
10 housing agency or funds held by the Department of Housing
11 and Urban Development, pursuant to the authority for use
12 of section 8 or 9 funding provided under such section and
13 section 204 of title II of the Departments of Veterans Affairs
14 and Housing and Urban Development and Independent
15 Agencies Appropriations Act, 1996 (Public Law 104–134),
16 notwithstanding the purposes for which such funds were ap-
17 propriated.

18 SEC. 239. None of the amounts made available by this
19 Act or by Public Law 116–6 may be used to prohibit any
20 public housing agency under receivership or the direction
21 of a Federal monitor from applying for, receiving, or using
22 funds made available under the heading “Public Housing
23 Capital Fund” for competitive grants to evaluate and re-
24 duce lead-based paint hazards in this Act or that remain
25 available and not awarded from prior Acts, or be used to

1 *prohibit a public housing agency from using such funds to*
2 *carry out any required work pursuant to a settlement agree-*
3 *ment, consent decree, voluntary agreement, or similar docu-*
4 *ment for a violation of the Lead Safe Housing or Lead Dis-*
5 *closure Rules.*

6 *This title may be cited as the “Department of Housing*
7 *and Urban Development Appropriations Act, 2020”.*

8 *TITLE III*

9 *RELATED AGENCIES*

10 *ACCESS BOARD*

11 *SALARIES AND EXPENSES*

12 *For expenses necessary for the Access Board, as author-*
13 *ized by section 502 of the Rehabilitation Act of 1973, as*
14 *amended, \$9,200,000: Provided, That, notwithstanding any*
15 *other provision of law, there may be credited to this appro-*
16 *priation funds received for publications and training ex-*
17 *penses: Provided further, That of this amount, \$800,000*
18 *shall be for activities authorized under section 432 of Public*
19 *Law 115–254.*

20 *FEDERAL MARITIME COMMISSION*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses of the Federal Maritime Com-*
23 *mission as authorized by section 201(d) of the Merchant*
24 *Marine Act, 1936, as amended (46 U.S.C. 307), including*
25 *services as authorized by 5 U.S.C. 3109; hire of passenger*

1 *motor vehicles as authorized by 31 U.S.C. 1343(b); and uni-*
2 *forms or allowances therefore, as authorized by 5 U.S.C.*
3 *5901–5902, \$28,000,000: Provided, That not to exceed*
4 *\$2,000 shall be available for official reception and represen-*
5 *tation expenses.*

6 *NATIONAL RAILROAD PASSENGER CORPORATION*

7 *OFFICE OF INSPECTOR GENERAL*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Office of Inspector Gen-*
10 *eral for the National Railroad Passenger Corporation to*
11 *carry out the provisions of the Inspector General Act of*
12 *1978, as amended, \$24,274,000: Provided, That the Inspec-*
13 *tor General shall have all necessary authority, in carrying*
14 *out the duties specified in the Inspector General Act, as*
15 *amended (5 U.S.C. App. 3), to investigate allegations of*
16 *fraud, including false statements to the government (18*
17 *U.S.C. 1001), by any person or entity that is subject to*
18 *regulation by the National Railroad Passenger Corpora-*
19 *tion: Provided further, That the Inspector General may*
20 *enter into contracts and other arrangements for audits,*
21 *studies, analyses, and other services with public agencies*
22 *and with private persons, subject to the applicable laws and*
23 *regulations that govern the obtaining of such services within*
24 *the National Railroad Passenger Corporation: Provided*
25 *further, That the Inspector General may select, appoint,*

1 *and employ such officers and employees as may be nec-*
2 *essary for carrying out the functions, powers, and duties*
3 *of the Office of Inspector General, subject to the applicable*
4 *laws and regulations that govern such selections, appoint-*
5 *ments, and employment within the Corporation: Provided*
6 *further, That concurrent with the President's budget request*
7 *for fiscal year 2021, the Inspector General shall submit to*
8 *the House and Senate Committees on Appropriations a*
9 *budget request for fiscal year 2021 in similar format and*
10 *substance to those submitted by executive agencies of the*
11 *Federal Government.*

12 *NATIONAL TRANSPORTATION SAFETY BOARD*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the National Transportation*
15 *Safety Board, including hire of passenger motor vehicles*
16 *and aircraft; services as authorized by 5 U.S.C. 3109, but*
17 *at rates for individuals not to exceed the per diem rate*
18 *equivalent to the rate for a GS-15; uniforms, or allowances*
19 *therefor, as authorized by law (5 U.S.C. 5901-5902),*
20 *\$110,400,000, of which not to exceed \$2,000 may be used*
21 *for official reception and representation expenses. The*
22 *amounts made available to the National Transportation*
23 *Safety Board in this Act include amounts necessary to*
24 *make lease payments on an obligation incurred in fiscal*
25 *year 2001 for a capital lease.*

1 *priation from the general fund estimated at no more than*
2 *\$35,850,000.*

3 *UNITED STATES INTERAGENCY COUNCIL ON*
4 *HOMELESSNESS*
5 *OPERATING EXPENSES*

6 *For necessary expenses (including payment of salaries,*
7 *authorized travel, hire of passenger motor vehicles, the rent-*
8 *al of conference rooms, and the employment of experts and*
9 *consultants under section 3109 of title 5, United States*
10 *Code) of the United States Interagency Council on Home-*
11 *lessness in carrying out the functions pursuant to title II*
12 *of the McKinney-Vento Homeless Assistance Act, as amend-*
13 *ed, \$3,800,000, to remain available until September 30,*
14 *2021.*

15 *TITLE IV*
16 *GENERAL PROVISIONS—THIS ACT*

17 *SEC. 401. None of the funds in this Act shall be used*
18 *for the planning or execution of any program to pay the*
19 *expenses of, or otherwise compensate, non-Federal parties*
20 *intervening in regulatory or adjudicatory proceedings fund-*
21 *ed in this Act.*

22 *SEC. 402. None of the funds appropriated in this Act*
23 *shall remain available for obligation beyond the current fis-*
24 *cal year, nor may any be transferred to other appropria-*
25 *tions, unless expressly so provided herein.*

1 *SEC. 403. The expenditure of any appropriation under*
2 *this Act for any consulting service through a procurement*
3 *contract pursuant to section 3109 of title 5, United States*
4 *Code, shall be limited to those contracts where such expendi-*
5 *tures are a matter of public record and available for public*
6 *inspection, except where otherwise provided under existing*
7 *law, or under existing Executive order issued pursuant to*
8 *existing law.*

9 *SEC. 404. (a) None of the funds made available in this*
10 *Act may be obligated or expended for any employee training*
11 *that—*

12 *(1) does not meet identified needs for knowledge,*
13 *skills, and abilities bearing directly upon the perform-*
14 *ance of official duties;*

15 *(2) contains elements likely to induce high levels*
16 *of emotional response or psychological stress in some*
17 *participants;*

18 *(3) does not require prior employee notification*
19 *of the content and methods to be used in the training*
20 *and written end of course evaluation;*

21 *(4) contains any methods or content associated*
22 *with religious or quasi-religious belief systems or*
23 *“new age” belief systems as defined in Equal Employ-*
24 *ment Opportunity Commission Notice N-915.022,*
25 *dated September 2, 1988; or*

1 (5) is offensive to, or designed to change, partici-
2 pants' personal values or lifestyle outside the work-
3 place.

4 (b) Nothing in this section shall prohibit, restrict, or
5 otherwise preclude an agency from conducting training
6 bearing directly upon the performance of official duties.

7 SEC. 405. Except as otherwise provided in this Act,
8 none of the funds provided in this Act, provided by previous
9 appropriations Acts to the agencies or entities funded in
10 this Act that remain available for obligation or expenditure
11 in fiscal year 2020, or provided from any accounts in the
12 Treasury derived by the collection of fees and available to
13 the agencies funded by this Act, shall be available for obliga-
14 tion or expenditure through a reprogramming of funds
15 that—

16 (1) creates a new program;

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

18 (3) increases funds or personnel for any pro-
19 gram, project, or activity for which funds have been
20 denied or restricted by the Congress;

21 (4) proposes to use funds directed for a specific
22 activity by either the House or Senate Committees on
23 Appropriations for a different purpose;

1 (5) *augments existing programs, projects, or ac-*
2 *tivities in excess of \$5,000,000 or 10 percent, which-*
3 *ever is less;*

4 (6) *reduces existing programs, projects, or activi-*
5 *ties by \$5,000,000 or 10 percent, whichever is less; or*

6 (7) *creates, reorganizes, or restructures a branch,*
7 *division, office, bureau, board, commission, agency,*
8 *administration, or department different from the*
9 *budget justifications submitted to the Committees on*
10 *Appropriations or the table accompanying the joint*
11 *explanatory statement accompanying this Act, which-*
12 *ever is more detailed, unless prior approval is re-*
13 *ceived from the House and Senate Committees on Ap-*
14 *propriations: Provided, That not later than 60 days*
15 *after the date of enactment of this Act, each agency*
16 *funded by this Act shall submit a report to the Com-*
17 *mittees on Appropriations of the Senate and of the*
18 *House of Representatives to establish the baseline for*
19 *application of reprogramming and transfer authori-*
20 *ties for the current fiscal year: Provided further, That*
21 *the report shall include—*

22 (A) *a table for each appropriation with a*
23 *separate column to display the prior year en-*
24 *acted level, the President's budget request, adjust-*
25 *ments made by Congress, adjustments due to en-*

1 *acted rescissions, if appropriate, and the fiscal*
2 *year enacted level;*

3 *(B) a delineation in the table for each ap-*
4 *propriation and its respective prior year enacted*
5 *level by object class and program, project, and*
6 *activity as detailed in this Act, the table accom-*
7 *panying the explanatory statement accom-*
8 *panying this Act, accompanying reports of the*
9 *House and Senate Committee on Appropriations,*
10 *or in the budget appendix for the respective ap-*
11 *propriations, whichever is more detailed, and*
12 *shall apply to all items for which a dollar*
13 *amount is specified and to all programs for*
14 *which new budget (obligational) authority is*
15 *provided, as well as to discretionary grants and*
16 *discretionary grant allocations; and*

17 *(C) an identification of items of special con-*
18 *gressional interest.*

19 *SEC. 406. Except as otherwise specifically provided by*
20 *law, not to exceed 50 percent of unobligated balances re-*
21 *maining available at the end of fiscal year 2020 from ap-*
22 *propriations made available for salaries and expenses for*
23 *fiscal year 2020 in this Act, shall remain available through*
24 *September 30, 2021, for each such account for the purposes*
25 *authorized: Provided, That a request shall be submitted to*

1 *the House and Senate Committees on Appropriations for*
2 *approval prior to the expenditure of such funds: Provided*
3 *further, That these requests shall be made in compliance*
4 *with reprogramming guidelines under section 405 of this*
5 *Act.*

6 *SEC. 407. No funds in this Act may be used to support*
7 *any Federal, State, or local projects that seek to use the*
8 *power of eminent domain, unless eminent domain is em-*
9 *ployed only for a public use: Provided, That for purposes*
10 *of this section, public use shall not be construed to include*
11 *economic development that primarily benefits private enti-*
12 *ties: Provided further, That any use of funds for mass tran-*
13 *sit, railroad, airport, seaport or highway projects, as well*
14 *as utility projects which benefit or serve the general public*
15 *(including energy-related, communication-related, water-re-*
16 *lated and wastewater-related infrastructure), other struc-*
17 *tures designated for use by the general public or which have*
18 *other common-carrier or public-utility functions that serve*
19 *the general public and are subject to regulation and over-*
20 *sight by the government, and projects for the removal of an*
21 *immediate threat to public health and safety or brownfields*
22 *as defined in the Small Business Liability Relief and*
23 *Brownfields Revitalization Act (Public Law 107–118) shall*
24 *be considered a public use for purposes of eminent domain.*

1 *SEC. 408. 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 pur-*
4 *suant to a transfer made by, or transfer authority provided*
5 *in, this Act or any other appropriations Act.*

6 *SEC. 409. No part of any appropriation contained in*
7 *this Act shall be available to pay the salary for any person*
8 *filling a position, other than a temporary position, formerly*
9 *held by an employee who has left to enter the Armed Forces*
10 *of the United States and has satisfactorily completed his*
11 *or her period of active military or naval service, and has*
12 *within 90 days after his or her release from such service*
13 *or from hospitalization continuing after discharge for a pe-*
14 *riod of not more than 1 year, made application for restora-*
15 *tion to his or her former position and has been certified*
16 *by the Office of Personnel Management as still qualified to*
17 *perform the duties of his or her former position and has*
18 *not been restored thereto.*

19 *SEC. 410. No funds appropriated pursuant to this Act*
20 *may be expended by an entity unless the entity agrees that*
21 *in expending the assistance the entity will comply with sec-*
22 *tions 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*
23 *8301–8305, popularly known as the “Buy American Act”).*

24 *SEC. 411. No funds appropriated or otherwise made*
25 *available under this Act shall be made available to any per-*

1 *son or entity that has been convicted of violating the Buy*
2 *American Act (41 U.S.C. 8301–8305).*

3 *SEC. 412. None of the funds made available in this*
4 *Act may be used for first-class airline accommodations in*
5 *contravention of sections 301–10.122 and 301–10.123 of*
6 *title 41, Code of Federal Regulations.*

7 *SEC. 413. (a) None of the funds made available by this*
8 *Act may be used to approve a new foreign air carrier per-*
9 *mit under sections 41301 through 41305 of title 49, United*
10 *States Code, or exemption application under section 40109*
11 *of that title of an air carrier already holding an air opera-*
12 *tors certificate issued by a country that is party to the U.S.-*
13 *E.U.-Iceland-Norway Air Transport Agreement where such*
14 *approval would contravene United States law or Article 17*
15 *bis of the U.S.-E.U.-Iceland-Norway Air Transport Agree-*
16 *ment.*

17 *(b) Nothing in this section shall prohibit, restrict or*
18 *otherwise preclude the Secretary of Transportation from*
19 *granting a foreign air carrier permit or an exemption to*
20 *such an air carrier where such authorization is consistent*
21 *with the U.S.-E.U.-Iceland-Norway Air Transport Agree-*
22 *ment and United States law.*

23 *SEC. 414. None of the funds made available in this*
24 *Act may be used to send or otherwise pay for the attendance*
25 *of more than 50 employees of a single agency or department*

1 *of the United States Government, who are stationed in the*
2 *United States, at any single international conference unless*
3 *the relevant Secretary reports to the House and Senate*
4 *Committees on Appropriations at least 5 days in advance*
5 *that such attendance is important to the national interest:*
6 *Provided, That for purposes of this section the term “inter-*
7 *national conference” shall mean a conference occurring out-*
8 *side of the United States attended by representatives of the*
9 *United States Government and of foreign governments,*
10 *international organizations, or nongovernmental organiza-*
11 *tions.*

12 *SEC. 415. None of the funds appropriated or otherwise*
13 *made available under this Act may be used by the Surface*
14 *Transportation Board to charge or collect any filing fee for*
15 *rate or practice complaints filed with the Board in an*
16 *amount in excess of the amount authorized for district court*
17 *civil suit filing fees under section 1914 of title 28, United*
18 *States Code.*

19 *SEC. 416. None of the funds made available by this*
20 *Act may be used by the Department of Transportation, the*
21 *Department of Housing and Urban Development, or any*
22 *other Federal agency to lease or purchase new light duty*
23 *vehicles for any executive fleet, or for an agency’s fleet in-*
24 *ventory, except in accordance with Presidential Memo-*
25 *randum—Federal Fleet Performance, dated May 24, 2011.*

1 *SEC. 417. (a) None of the funds made available in this*
2 *Act may be used to maintain or establish a computer net-*
3 *work unless such network blocks the viewing, downloading,*
4 *and exchanging of pornography.*

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

9 *SEC. 418. (a) None of the funds made available in this*
10 *Act may be used to deny an Inspector General funded under*
11 *this Act timely access to any records, documents, or other*
12 *materials available to the department or agency over which*
13 *that Inspector General has responsibilities under the In-*
14 *spector General Act of 1978 (5 U.S.C. App.), or to prevent*
15 *or impede that Inspector General's access to such records,*
16 *documents, or other materials, under any provision of law,*
17 *except a provision of law that expressly refers to the Inspec-*
18 *tor General and expressly limits the Inspector General's*
19 *right of access.*

20 *(b) A department or agency covered by this section*
21 *shall provide its Inspector General with access to all such*
22 *records, documents, and other materials in a timely man-*
23 *ner.*

24 *(c) Each Inspector General shall ensure compliance*
25 *with statutory limitations on disclosure relevant to the in-*

1 *formation provided by the establishment over which that In-*
2 *pector General has responsibilities under the Inspector*
3 *General Act of 1978 (5 U.S.C. App.).*

4 *(d) Each Inspector General covered by this section*
5 *shall report to the Committees on Appropriations of the*
6 *House of Representatives and the Senate within 5 calendar*
7 *days any failures to comply with this requirement.*

8 *SEC. 419. None of the funds appropriated or otherwise*
9 *made available by this Act may be used to pay award or*
10 *incentive fees for contractors whose performance has been*
11 *judged to be below satisfactory, behind schedule, over budget,*
12 *or has failed to meet the basic requirements of a contract,*
13 *unless the Agency determines that any such deviations are*
14 *due to unforeseeable events, government-driven scope*
15 *changes, or are not significant within the overall scope of*
16 *the project and/or program unless such awards or incentive*
17 *fees are consistent with 16.401(e)(2) of the Federal Acquisi-*
18 *tion Regulations.*

19 *SEC. 420. Except as expressly provided otherwise, any*
20 *reference to “this Act” contained in this division shall be*
21 *treated as referring only to the provisions of this division.*

22 *SEC. 421. None of the funds made available by this*
23 *Act may be used in contravention of section 5309(d)(2) of*
24 *title 49, United States Code.*

1 *SEC. 422. None of the funds made available by this*
2 *division may be used to issue rules or guidance in con-*
3 *travention of section 1210 of Public Law 115–254 (132*
4 *Stat. 3442) or section 312 of the Robert T. Stafford Disaster*
5 *Relief and Emergency Assistance Act (42 U.S.C. 5155).*

6 *SEC. 423. None of the funds made available by this*
7 *division may be used in contravention of section 2635.702*
8 *of title 5, Code of Federal Regulations.*

9 *SEC. 424. Of the unobligated balances of funds remain-*
10 *ing from—*

11 *(1) Public Law 91–605, and any other Act, ap-*
12 *propriated to the “Rail Crossings Demonstration*
13 *Projects” account under Treasury Account Fund*
14 *Symbol 69X0555, a total of \$517,220.20 is hereby*
15 *permanently rescinded;*

16 *(2) Public Law 92–18, and any other Act, ap-*
17 *propriated to the “Darien Gap Highway” account*
18 *under Treasury Account Fund Symbol 69X0553, a*
19 *total of \$2,037,034.50 is hereby permanently re-*
20 *scinded;*

21 *(3) Public Law 93–87, and any other Act, ap-*
22 *propriated to the “Alaska Highway” account under*
23 *Treasury Account Fund Symbol 69X0537, a total of*
24 *\$62,861.61 is hereby permanently rescinded;*

1 (4) *Public Law 94–387, and any other Act, ap-*
2 *propriated to the “Railroad-Highway Crossings Dem-*
3 *onstration Projects” account under Treasury Account*
4 *Fund Symbol 69X0557, a total of \$2,035,137.12 is*
5 *hereby permanently rescinded;*

6 (5) *Public Law 97–257, and any other Act, ap-*
7 *propriated to the “Access Highways to Public Recre-*
8 *ation Areas on Certain Lakes” account under Treas-*
9 *ury Account Fund Symbol 69X0503, a total of*
10 *\$352,333.19 is hereby permanently rescinded;*

11 (6) *Public Law 99–190, and any other Act, ap-*
12 *propriated to the “Highway Beautification” account*
13 *under Treasury Account Fund Symbol 69X0540, a*
14 *total of \$488,909.57 is hereby permanently rescinded;*

15 (7) *Public Law 101–164, and any other Act, ap-*
16 *propriated to the “Highway Demonstration Projects-*
17 *Preliminary Engineering” account under Treasury*
18 *Account Fund Symbol 69X0583, a total of*
19 *\$2,601,431.71 is hereby permanently rescinded;*

20 (8) *Public Law 101–516, and any other Act, ap-*
21 *propriated to the “Highway Demonstration Projects”*
22 *account under Treasury Account Fund Symbol*
23 *69X0598, a total of \$1,341 is hereby permanently re-*
24 *scinded;*

1 (9) *Public Law 102–143, and any other Act, ap-*
2 *propriated to the “Highway Studies Feasibility, De-*
3 *sign, Environmental, Engineering” account under*
4 *Treasury Account Fund Symbol 69X0533, a total of*
5 *\$262,204.01 is hereby permanently rescinded;*

6 (10) *Public Law 103–331, and any other Act,*
7 *appropriated to the “Surface Transportation*
8 *Projects” account under Treasury Account Fund*
9 *Symbol 69X0505, a total of \$573,097.13 is hereby*
10 *permanently rescinded; and*

11 (11) *Public Law 107–87, and any other Act, ap-*
12 *propriated to the “Miscellaneous Highway Project”*
13 *account under Treasury Account Fund Symbol*
14 *69X0641, a total of \$11,003,637 is hereby perma-*
15 *nently rescinded.*

16 *SEC. 425. (a) Section 127(l)(3)(A) of title 23, United*
17 *States Code, is amended—*

18 (1) *in the matter preceding clause (i), in the*
19 *first sentence, by striking “clause (i) or (ii)” and in-*
20 *serting “clauses (i) through (iv)”;* and

21 (2) *by adding at the end the following:*

22 *“(iii) The Wendell H. Ford (Western*
23 *Kentucky) Parkway (to be designated as a*
24 *spur of Interstate Route 69) from the inter-*
25 *change with the William H. Natcher Park-*

1 way in Ohio County, Kentucky, west to the
2 interchange of the Western Kentucky Park-
3 way with the Edward T. Breathitt
4 (Pennyrile) Parkway.

5 “(iv) The Edward T. Breathitt
6 (Pennyrile) Parkway (to be designated as a
7 spur of Interstate Route 69) from Interstate
8 24, north to Interstate 69.”.

9 (b) DESIGNATION AS HIGH PRIORITY CORRIDOR.—
10 Section 1105(c) of the Intermodal Surface Transportation
11 Efficiency Act of 1991 (Public Law 102–240; 105 Stat.
12 2032; 131 Stat. 797) is amended by adding at the end the
13 following:

14 “(91) The Wendell H. Ford (Western Kentucky)
15 Parkway from the interchange with the William H.
16 Natcher Parkway in Ohio County, Kentucky, west to
17 the interchange of the Western Kentucky Parkway
18 with the Edward T. Breathitt (Pennyrile) Parkway.”.

19 (c) DESIGNATION AS FUTURE INTERSTATE.—Section
20 1105(e)(5)(A) of the Intermodal Surface Transportation Ef-
21 ficiency Act of 1991 (Public Law 102–240; 109 Stat. 597;
22 131 Stat. 797) is amended in the first sentence by striking
23 “and subsection (c)(90)” and inserting “subsection (c)(90),
24 and subsection (c)(91)”.

1 (d) *NUMBERING OF PARKWAY.—Section*
 2 *1105(e)(5)(C)(i) of the Intermodal Surface Transportation*
 3 *Efficiency Act of 1991 (Public Law 102–240; 109 Stat. 598;*
 4 *126 Stat. 426; 131 Stat. 797) is amended by adding at the*
 5 *end the following: “The route referred to in subsection*
 6 *(c)(91) is designated as Interstate Route I–569.”.*

7 (e) *EXEMPTION.—Notwithstanding section 111 of title*
 8 *23, United States Code, if the segment of highway described*
 9 *in paragraph (91) of section 1105(c) of the Intermodal Sur-*
 10 *face Transportation Efficiency Act of 1991 (Public Law*
 11 *102–240; 105 Stat. 2032; 131 Stat. 797) is designated as*
 12 *a route on the Interstate System, any commercial establish-*
 13 *ment operating legally in a rest area on that segment before*
 14 *the date of that designation may continue to operate in the*
 15 *Interstate right-of-way, subject to the Interstate access*
 16 *standards established under section 111 of that title.*

17 *This division may be cited as the “Transportation,*
 18 *Housing and Urban Development, and Related Agencies*
 19 *Appropriations Act, 2020”.*

20 ***DIVISION I—EXTENSIONS***

21 ***TITLE I***

22 ***IMMIGRATION EXTENSIONS***

23 *SEC. 101. Section 401(b) of the Illegal Immigration*
 24 *Reform and Immigrant Responsibility Act of 1996 (8*

1 *U.S.C. 1324a note) shall be applied by substituting “Sep-*
2 *tember 30, 2020” for “September 30, 2015”.*

3 *SEC. 102. Subclauses 101(a)(27)(C)(i)(II) and (III)*
4 *of the Immigration and Nationality Act (8 U.S.C.*
5 *1101(a)(27)(C)(i)(II) and (III)) shall be applied by sub-*
6 *stituting “September 30, 2020” for “September 30, 2015”.*

7 *SEC. 103. Section 220(c) of the Immigration and Na-*
8 *tionality Technical Corrections Act of 1994 (8 U.S.C. 1182*
9 *note) shall be applied by substituting “September 30, 2020”*
10 *for “September 30, 2015”.*

11 *SEC. 104. Section 610(b) of the Departments of Com-*
12 *merce, Justice, and State, the Judiciary, and Related Agen-*
13 *cies Appropriations Act, 1993 (8 U.S.C. 1153 note) shall*
14 *be applied by substituting “September 30, 2020” for “Sep-*
15 *tember 30, 2015”.*

16 *SEC. 105. Notwithstanding the numerical limitation*
17 *set forth in section 214(g)(1)(B) of the Immigration and*
18 *Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary of*
19 *Homeland Security, after consultation with the Secretary*
20 *of Labor, and upon the determination that the needs of*
21 *American businesses cannot be satisfied in fiscal year 2020*
22 *with United States workers who are willing, qualified, and*
23 *able to perform temporary nonagricultural labor, may in-*
24 *crease the total number of aliens who may receive a visa*
25 *under section 101(a)(15)(H)(ii)(b) of such Act (8 U.S.C.*

1 *1101(a)(15)(H)(ii)(b)) in such fiscal year above such limi-*
 2 *tation by not more than the highest number of H-2B non-*
 3 *immigrants who participated in the H-2B returning work-*
 4 *er program in any fiscal year in which returning workers*
 5 *were exempt from such numerical limitation.*

6

TITLE II

7

NATIONAL FLOOD INSURANCE PROGRAM

8

EXTENSION

9

SEC. 201. Sections 1309(a) and 1319 of the National
 10 *Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026)*
 11 *shall be applied by substituting “September 30, 2020” for*
 12 *“September 30, 2019”.*

13

TITLE III—SECURE RURAL
 14 ***SCHOOLS AND COMMUNITY***
 15 ***SELF-DETERMINATION EX-***
 16 ***TENSION***

17

SEC. 301. EXTENSION OF THE SECURE RURAL SCHOOLS

18

AND COMMUNITY SELF-DETERMINATION ACT

19

OF 2000.

20

(a) SECURE PAYMENTS FOR STATES AND COUNTIES

21

CONTAINING FEDERAL LAND.—

22

(1) SECURE PAYMENTS.—Section 101 of the Se-

23

cure Rural Schools and Community Self-Determina-

24

tion Act of 2000 (16 U.S.C. 7111) is amended, in

25

subsections (a) and (b), by striking “and 2018” each

1 *place it appears and inserting “2018, 2019, and*
2 *2020”.*

3 *(2) PAYMENTS TO STATES AND COUNTIES.—*

4 *(A) ELECTION TO RECEIVE PAYMENT*
5 *AMOUNT.—Section 102(b) of the Secure Rural*
6 *Schools and Community Self-Determination Act*
7 *of 2000 (16 U.S.C. 7112(b)) is amended—*

8 *(i) in paragraph (1)(D)—*

9 *(I) in the subparagraph heading,*
10 *by striking “FOR FISCAL YEARS 2017*
11 *AND 2018” and inserting “FOR EACH OF*
12 *FISCAL YEARS 2017 THROUGH 2020”;*
13 *and*

14 *(II) by striking “for fiscal years*
15 *2017 or 2018” and inserting “for each*
16 *of fiscal years 2017 through 2020”;*
17 *and*

18 *(ii) in paragraph (2), in subpara-*
19 *graphs (A) and (B), by striking “for fiscal*
20 *years 2017 and 2018” each place it appears*
21 *and inserting “for each of fiscal years 2017*
22 *through 2020”.*

23 *(B) EXPENDITURE RULES FOR ELIGIBLE*
24 *COUNTIES.—Section 102(d) of the Secure Rural*

1 *Schools and Community Self-Determination Act*
2 *of 2000 (16 U.S.C. 7112(d)) is amended—*

3 *(i) in paragraph (1)(F)—*

4 *(I) in the subparagraph heading,*
5 *by striking “FOR FISCAL YEARS 2017*
6 *AND 2018” and inserting “FOR EACH OF*
7 *FISCAL YEARS 2017 THROUGH 2020”;*
8 *and*

9 *(II) by striking “for fiscal years*
10 *2017 and 2018” and inserting “for*
11 *each of fiscal years 2017 through*
12 *2020”; and*

13 *(ii) in paragraph (3)(D)—*

14 *(I) in the subparagraph heading,*
15 *by striking “FOR FISCAL YEARS 2017*
16 *AND 2018” and inserting “FOR EACH OF*
17 *FISCAL YEARS 2017 THROUGH 2020”;*
18 *and*

19 *(II) by striking “for fiscal years*
20 *2017 and 2018” and inserting “for*
21 *each of fiscal years 2017 through*
22 *2020”.*

23 *(C) DISTRIBUTION OF PAYMENTS TO ELIGI-*
24 *BLE COUNTIES.—Section 103(d)(2) of the Secure*
25 *Rural Schools and Community Self-Determina-*

1 *tion Act of 2000 (16 U.S.C. 7113(d)(2)) is*
2 *amended by striking “through and for fiscal*
3 *years 2017 and 2018” and inserting “through*
4 *2015 and for each of fiscal years 2017 through*
5 *2020”.*

6 *(b) EXTENSION OF AUTHORITY TO CONDUCT SPECIAL*
7 *PROJECTS ON FEDERAL LAND.—*

8 *(1) EXISTING ADVISORY COMMITTEES.—Section*
9 *205(a)(4) of the Secure Rural Schools and Commu-*
10 *nity Self-Determination Act of 2000 (16 U.S.C.*
11 *7125(a)(4)) is amended by striking “September 29,*
12 *2018” each place it appears and inserting “December*
13 *20, 2021”.*

14 *(2) TERMINATION OF AUTHORITY.—Section 208*
15 *of the Secure Rural Schools and Community Self-De-*
16 *termination Act of 2000 (16 U.S.C. 7128) is amend-*
17 *ed—*

18 *(A) in subsection (a), by striking “2020”*
19 *and inserting “2022”; and*

20 *(B) in subsection (b), by striking “2021”*
21 *and inserting “2023”.*

22 *(c) EXTENSION OF AUTHORITY TO EXPEND COUNTY*
23 *FUNDS.—Section 304 of the Secure Rural Schools and*
24 *Community Self-Determination Act of 2000 (16 U.S.C.*
25 *7144) is amended—*

1 (1) *in subsection (a), by striking “2020” and in-*
2 *serting “2022”; and*

3 (2) *in subsection (b), by striking “2021” and in-*
4 *serting “2023”.*

5 **TITLE IV—EXPORT-IMPORT**
6 **BANK EXTENSION**

7 **SEC. 401. AUTHORIZATION PERIOD.**

8 (a) *IN GENERAL.*—Section 7 of the *Export-Import*
9 *Bank Act of 1945 (12 U.S.C. 635f) is amended by striking*
10 *“September 30, 2019” and inserting “December 31, 2026”.*

11 (b) *EXPOSURE LIMIT.*—Section 6(a)(2) of such Act (12
12 *U.S.C. 635e(a)(2)) is amended by striking “for each of fis-*
13 *cal years 2015 through 2019” and inserting “for each of*
14 *fiscal years 2020 through 2027”.*

15 **SEC. 402. PROGRAM ON CHINA AND TRANSFORMATIONAL**
16 **EXPORTS.**

17 (a) *IN GENERAL.*—Section 2 of the *Export-Import*
18 *Bank Act of 1945 (12 U.S.C. 635) is amended by adding*
19 *at the end the following:*

20 “*(l) PROGRAM ON CHINA AND TRANSFORMATIONAL*
21 *EXPORTS.*—

22 “*(1) IN GENERAL.*—*The Bank shall establish a*
23 *Program on China and Transformational Exports to*
24 *support the extension of loans, guarantees, and insur-*
25 *ance, at rates and on terms and other conditions, to*

1 *the extent practicable, that are fully competitive with*
2 *rates, terms, and other conditions established by the*
3 *People’s Republic of China or by a covered country,*
4 *that aim to—*

5 *“(A) directly neutralize export subsidies for*
6 *competing goods and services financed by official*
7 *export credit, tied aid, or blended financing pro-*
8 *vided by the People’s Republic of China or by a*
9 *covered country; or*

10 *“(B) advance the comparative leadership of*
11 *the United States with respect to the People’s Re-*
12 *public of China, or support United States inno-*
13 *vation, employment, and technological stand-*
14 *ards, through direct exports in any of the fol-*
15 *lowing areas:*

16 *“(i) Artificial intelligence.*

17 *“(ii) Biotechnology.*

18 *“(iii) Biomedical sciences.*

19 *“(iv) Wireless communications equip-*
20 *ment (including 5G or subsequent wireless*
21 *technologies).*

22 *“(v) Quantum computing.*

23 *“(vi) Renewable energy, energy effi-*
24 *ciency, and energy storage.*

1 “(vii) *Semiconductor and semicon-*
2 *ductor machinery manufacturing.*

3 “(viii) *Emerging financial tech-*
4 *nologies, including technologies that facili-*
5 *tate—*

6 “(I) *financial inclusion through*
7 *increased access to capital and finan-*
8 *cial services;*

9 “(II) *data security and privacy;*

10 “(III) *payments, the transfer of*
11 *funds, and associated messaging serv-*
12 *ices; and*

13 “(IV) *efforts to combat money*
14 *laundering and the financing of ter-*
15 *rorism.*

16 “(ix) *Water treatment and sanitation,*
17 *including technologies and infrastructure to*
18 *reduce contaminants and improve water*
19 *quality.*

20 “(x) *High performance computing.*

21 “(xi) *Associated services necessary for*
22 *use of any of the foregoing exports.*

23 “(2) *COVERED COUNTRIES.—In this subsection,*
24 *the term ‘covered country’ means any country that—*

1 “(A) *the Secretary of the Treasury des-*
2 *ignates as a covered country in a report to the*
3 *Committee on Financial Services of the House of*
4 *Representatives and the Committee on Banking,*
5 *Housing, and Urban Development of the Senate;*

6 “(B) *is not a participant in the Arrange-*
7 *ment on Officially Supported Export Credits of*
8 *the Organization for Economic Cooperation and*
9 *Development (in this subsection referred to as the*
10 *‘Arrangement’); and*

11 “(C) *is not in substantial compliance with*
12 *the financial terms and conditions of the Ar-*
13 *rangement.*

14 “(3) *FINANCING.—*

15 “(A) *IN GENERAL.—It shall be a goal of the*
16 *Bank to reserve not less than 20 percent of the*
17 *applicable amount (as defined in section 6(a)(2))*
18 *for support made pursuant to the Program on*
19 *China and Transformational Exports.*

20 “(B) *EXCEPTION.—The Secretary of the*
21 *Treasury may reduce or eliminate the 20 percent*
22 *goal in subparagraph (A), on reporting to the*
23 *Committee on Financial Services of the House of*
24 *Representatives and the Committee on Banking,*
25 *Housing, and Urban Affairs of the Senate that*

1 *the People’s Republic of China is in substantial*
2 *compliance with—*

3 “(i) *the financial terms and conditions*
4 *of the Arrangement; and*

5 “(ii) *the rules and principles of the*
6 *Paris Club.*

7 “(C) *SUNSET AND REPORT.—The program*
8 *established under paragraph (1) shall expire on*
9 *December 31, 2026. Not later than 4 years after*
10 *enactment of this subsection, the President of the*
11 *Bank shall submit a report to the Committee on*
12 *Financial Services of the House of Representa-*
13 *tives and the Committee on Banking, Housing,*
14 *and Urban Affairs of the Senate assessing the*
15 *following:*

16 “(i) *The capacity and demand of*
17 *United States entities to export goods and*
18 *services in the areas described in paragraph*
19 *(1)(B), as assessed in consultation with the*
20 *Secretary of Commerce.*

21 “(ii) *The availability of private-sector*
22 *financing for exports in the areas.*

23 “(iii) *The feasibility and advisability*
24 *of continuing the goal of subparagraph (A)*

1 of this paragraph with respect to paragraph
2 (1)(B) after December 31, 2026.

3 “(D) NATIONAL ADVISORY COUNCIL ON
4 INTERNATIONAL MONETARY AND FINANCIAL
5 PROBLEMS.—The National Advisory Council on
6 International Monetary and Financial Problems
7 shall ensure that Bank authorizations pursuant
8 to the Program on China and Transformational
9 Exports are considered or reviewed expeditiously,
10 consistent with the other credit standards re-
11 quired by law.”.

12 (b) REQUIRED REPORTING.—Section 8 of such Act (12
13 U.S.C. 635g) is amended by adding at the end the following:

14 “(l) REPORT ON AUTHORIZATIONS UNDER THE PRO-
15 GRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.—The
16 Bank shall include in its annual report to Congress under
17 subsection (a) a narrative and financial summary of the
18 authorizations made under the Program on China and
19 Transformational Exports.”.

20 (c) RULE OF CONSTRUCTION.—Nothing in section
21 2(l)(1)(B) of the Export-Import Bank Act of 1945 shall be
22 construed to weaken any export controls affecting critical
23 technologies (as defined in section 721(a)(6)(A) of the De-
24 fense Production Act of 1950 (50 U.S.C. 4565(a)(6)(A))).

1 **SEC. 403. SMALL BUSINESS POLICY.**

2 *Section 2(b)(1) of the Export-Import Bank Act of 1945*
3 *(12 U.S.C. 635(b)(1)) is amended by striking subparagraph*
4 *(E)(i)(I) and inserting the following:*

5 *“(E)(i)(I) It is further the policy of the United States*
6 *to encourage the participation of small business (including*
7 *women-owned businesses, minority-owned businesses, vet-*
8 *eran-owned businesses, businesses owned by persons with*
9 *disabilities, and businesses in rural areas) and start-up*
10 *businesses in international commerce, and to educate such*
11 *businesses about how to export goods using the Bank.”.*

12 **SEC. 404. INCREASE IN SMALL BUSINESS THRESHOLD.**

13 *(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Ex-*
14 *port-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v))*
15 *is amended by striking “25” and inserting “30”.*

16 *(b) EFFECTIVE DATE.—The amendment made by sub-*
17 *section (a) shall take effect on January 1, 2021.*

18 **SEC. 405. EXCLUSION OF UNUTILIZED INSURANCE AUTHOR-**
19 **ITY IN CALCULATING SMALL BUSINESS**
20 **THRESHOLD.**

21 *Section 2(b)(1)(E)(v) of the Export-Import Bank Act*
22 *of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by adding*
23 *at the end the following: “For the purpose of calculating*
24 *the amounts of authority required under this clause, the*
25 *Bank shall, with respect to insurance, exclude unutilized*
26 *authorizations that terminated during the fiscal year.”.*

1 **SEC. 406. ANTI-FRAUD REFORMS.**

2 *Section 2 of the Export-Import Bank Act of 1945 (12*
3 *U.S.C. 635) is amended—*

4 *(1) in subsection (f), by striking the period and*
5 *inserting: “, and shall deny an application for assist-*
6 *ance if the end user, borrower, lender, or exporter has*
7 *been convicted of an act of fraud or corruption in*
8 *connection with an application for support from the*
9 *Bank made in the preceding 5 years. The Bank may*
10 *proceed with an application described in this sub-*
11 *section only if an end user, borrower, lender, or ex-*
12 *porter can be fully excluded from the transaction.”;*
13 *and*

14 *(2) in subsection (i), by striking “should re-*
15 *quire” and inserting “shall require”.*

16 **SEC. 407. FINANCING FOR RENEWABLE ENERGY, ENERGY**
17 **EFFICIENCY, AND ENERGY STORAGE TECH-**
18 **NOLOGIES.**

19 *Section 2(b)(1)(K) of the Export-Import Bank Act of*
20 *1945 (12 U.S.C. 635(b)(1)(K)) is amended by inserting “,*
21 *energy efficiency (including battery electric vehicles, bat-*
22 *teries for electric vehicles, and electric vehicle charging in-*
23 *frastructure), and energy storage. It shall be a goal of the*
24 *Bank to ensure that not less than 5 percent of the applicable*
25 *amount (as defined in section 6(a)(2)) is made available*
26 *each fiscal year for the financing of renewable energy, en-*

1 *ergy efficiency (including battery electric vehicles, batteries*
2 *for electric vehicles, and electric vehicle charging infrastruc-*
3 *ture), and energy storage technology exports” before the pe-*
4 *riod.*

5 **SEC. 408. REPORTING ON FINANCING RELATED TO CHINA.**

6 (a) *NATIONAL INTEREST REPORT.*—*Before author-*
7 *izing a loan or guarantee for a transaction in an amount*
8 *greater than \$25,000,000 for which the end user, lender, or*
9 *obligor is the government of China, the President of the Ex-*
10 *port-Import Bank of the United States (in this section re-*
11 *ferred to as the “Bank”) shall—*

12 (1) *report to the Committee on Financial Serv-*
13 *ices of the House of Representatives and the Com-*
14 *mittee on Banking, Housing, and Urban Affairs of*
15 *the Senate that the Bank has consulted with the Sec-*
16 *retary of State and any other relevant department or*
17 *agency, as deemed appropriate by the President of the*
18 *United States, to assess any risks posed by the entity*
19 *or the transaction to the national interest of the*
20 *United States; and*

21 (2) *include a summary of the transaction and*
22 *the consultation.*

23 (b) *FORM OF REPORT.*—*The report described in sub-*
24 *section (a) shall be submitted in unclassified form but may*
25 *include a classified annex.*

1 (c) *RELATED POLICIES.*—

2 (1) *The Board of Directors of the Bank shall pre-*
3 *scribe policies for the Bank with respect to—*

4 (A) *procedures required by the consultation*
5 *described in subsection (a)(1);*

6 (B) *establishment of a period of not less*
7 *than 25 days to complete the consultations de-*
8 *scribed in subsection (a) during which time con-*
9 *sulted parties may submit any appropriate in-*
10 *formation to the Bank; and*

11 (C) *efforts by the Bank to assess and deter-*
12 *mine ownership or control by the government of*
13 *China pursuant to the requirements of subsection*
14 *(a).*

15 (2) *In prescribing the policies described under*
16 *paragraph (1) of this subsection, the Board of Direc-*
17 *tors of the Bank shall—*

18 (A) *consult with the Secretary of State with*
19 *respect to the procedures referred to in subpara-*
20 *graphs (A) and (B) of paragraph (1) of this sub-*
21 *section, and seek to ensure that the procedures—*

22 (i) *are consistent, wherever appro-*
23 *priate, with national interest determina-*
24 *tions made under section 2(b)(1)(B) of the*
25 *Export-Import Bank Act of 1945; and*

1 (ii) include coordination between the
2 Secretary of State and the Director of Na-
3 tional Intelligence, wherever appropriate;
4 and

5 (B) consult with the Secretary of the Treas-
6 ury with respect to the efforts described in para-
7 graph (1)(C) of this subsection.

8 (d) DEFINITION.—For the purposes of this section, the
9 term “government of China” means any person that the
10 Bank has reason to believe is—

11 (1) the state and the government of China, as
12 well as any political subdivision, agency, or instru-
13 mentality thereof;

14 (2) any entity controlled, directly or indirectly,
15 by any of the foregoing, including any partnership,
16 association, or other entity in which any of the fore-
17 going owns a 50 percent or greater interest or a con-
18 trolling interest, and any entity which is otherwise
19 controlled by any of the foregoing;

20 (3) any person that is or has been acting or pur-
21 porting to act, directly or indirectly, for or on behalf
22 of any of the foregoing; and

23 (4) any other person which the Secretary of the
24 Treasury has notified the Bank is included in any of
25 the foregoing.

1 (e) *SUNSET.*—*This section shall have no force or effect*
 2 *on the earlier of—*

3 (1) *December 31, 2026; or*

4 (2) *the date that is 30 days after the date that*
 5 *the President of the United States reports to the Com-*
 6 *mittee on Financial Services of the House of Rep-*
 7 *resentatives and the Committee on Banking, Housing,*
 8 *and Urban Affairs of the Senate that China is in sub-*
 9 *stantial compliance with—*

10 (A) *the financial terms and conditions of*
 11 *the Arrangement on Officially Supported Export*
 12 *Credits of the Organization for Economic Co-*
 13 *operation and Development; and*

14 (B) *the rules and principles of the Paris*
 15 *Club.*

16 **SEC. 409. ALTERNATIVE PROCEDURES DURING QUORUM**
 17 **LAPSE.**

18 (a) *IN GENERAL.*—*Section 3(c)(6) of the Export-Im-*
 19 *port Bank Act of 1945 (12 U.S.C. 635a(c)(6)) is amended—*

20 (1) *by inserting “(A)” after “(6)”;* and

21 (2) *by adding at the end the following:*

22 “(B)(i) *If there is an insufficient number of directors*
 23 *to constitute a quorum under subparagraph (A) for 120*
 24 *consecutive days during the term of a President of the*
 25 *United States, a temporary Board, consisting of the fol-*

1 *lowing members, shall act in the stead of the Board of Di-*
2 *rectors:*

3 “(I) *The United States Trade Representa-*
4 *tive.*

5 “(II) *The Secretary of the Treasury.*

6 “(III) *The Secretary of Commerce.*

7 “(IV) *The members of the Board of Direc-*
8 *tors.*

9 “(ii) *If, at a meeting of the temporary Board—*

10 “(I) *a member referred to in clause (i)(IV) is*
11 *present, the meeting shall be chaired by such a mem-*
12 *ber, consistent with Bank bylaws; or*

13 “(II) *no such member is present, the meeting*
14 *shall be chaired by the United States Trade Rep-*
15 *resentative.*

16 “(iii) *A member described in subclause (I), (II), or*
17 *(III) of clause (i) may delegate the authority of the member*
18 *to vote on whether to authorize a transaction, whose value*
19 *does not exceed \$100,000,000, to—*

20 “(I) *if the member is the United States Trade*
21 *Representative, the Deputy United States Trade Rep-*
22 *resentative; or*

23 “(II) *if the member is referred to in such sub-*
24 *clause (II) or (III), the Deputy Secretary of the de-*
25 *partment referred to in the subclause.*

1 “(iv) If the temporary Board consists of members of
2 only one political party, the President of the United States
3 shall, to the extent practicable, appoint to the temporary
4 Board a qualified member of a different political party who
5 occupies a position requiring nomination by the President,
6 by and with the consent of the Senate.

7 “(v) The temporary board may not change or amend
8 Bank policies, procedures, bylaws, or guidelines.

9 “(vi) The temporary Board shall expire at the end of
10 the term of the President of the United States in office at
11 the time the temporary Board was constituted or upon res-
12 toration of a quorum of the Board of Directors as defined
13 in subparagraph (A).

14 “(vii) With respect to a transaction that equals or ex-
15 ceeds \$100,000,000, the Chairperson of the temporary
16 Board shall ensure that the Bank complies with section
17 2(b)(3).”.

18 (b) *TERMINATION.*—The amendments made by sub-
19 section (a) shall have no force or effect after December 31,
20 2026.

1 **TITLE V—TERRORISM RISK IN-**
2 **SURANCE PROGRAM EXTEN-**
3 **SION**

4 **SEC. 501. SHORT TITLE.**

5 *This title may be cited as the “Terrorism Risk Insur-*
6 *ance Program Reauthorization Act of 2019”.*

7 **SEC. 502. 7-YEAR EXTENSION OF TERRORISM RISK INSUR-**
8 **ANCE PROGRAM.**

9 (a) *TERMINATION DATE.*—Section 108(a) of the Ter-
10 *rorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note)*
11 *is amended by striking “2020” and inserting “2027”.*

12 (b) *TIMING OF MANDATORY RECOUPMENT.*—Section
13 *103(e)(7)(E)(i) of the Terrorism Risk Insurance Act of 2002*
14 *(15 U.S.C. 6701 note) is amended—*

15 (1) *in subclause (I)—*

16 (A) *by striking “2017” and inserting*
17 *“2022”; and*

18 (B) *by striking “2019” and inserting*
19 *“2024”;*

20 (2) *in subclause (II)—*

21 (A) *by striking “2018” and inserting*
22 *“2023”;*

23 (B) *by striking “2024” and inserting*
24 *“2029”; and*

1 (C) by striking “2019” and inserting
2 “2024”; and

3 (3) in subclause (III)—

4 (A) by striking “2024” and inserting
5 “2029”; and

6 (B) by striking “2019” and inserting
7 “2024”.

8 (c) *ONGOING REPORTS REGARDING MARKET CONDI-*
9 *TIONS FOR TERRORISM RISK INSURANCE.*—Paragraph (2)
10 *of section 104(h) of the Terrorism Risk Insurance Act of*
11 *2002 (15 U.S.C. 6701 note) is amended—*

12 (1) by redesignating subparagraphs (B) through
13 (E) as subparagraphs (C) through (F), respectively;
14 and

15 (2) by inserting after subparagraph (A) the fol-
16 lowing new subparagraph:

17 “(B) an evaluation of the availability and
18 affordability of terrorism risk insurance, which
19 shall include an analysis of such availability
20 and affordability specifically for places of wor-
21 ship;”.

22 (d) *STUDY AND REPORT ON CYBER TERRORISM.*—Not
23 *later than the expiration of the 180-day period beginning*
24 *on the date of the enactment of this Act, the Comptroller*
25 *General of the United States shall conduct a study and re-*

1 *port to the Committee on Financial Services of the House*
2 *of Representatives and the Committee on Banking, Hous-*
3 *ing, and Urban Affairs of the Senate, which shall—*

4 *(1) analyze and address—*

5 *(A) overall vulnerabilities and potential*
6 *costs of cyber attacks to the United States public*
7 *and private infrastructure that could result in*
8 *physical or digital damage;*

9 *(B) whether State-defined cyber liability*
10 *under a property and casualty line of insurance*
11 *is adequate coverage for an act of cyber ter-*
12 *rorism;*

13 *(C) whether such risks can be adequately*
14 *priced by the private market; and*

15 *(D) whether the current risk-share system*
16 *under the Terrorism Risk Insurance Act of 2002*
17 *(15 U.S.C. 6701 note) is appropriate for a cyber*
18 *terrorism event; and*

19 *(2) set forth recommendations on how Congress*
20 *could amend the Terrorism Risk Insurance Act of*
21 *2002 (15 U.S.C. 6701 note) to meet the next genera-*
22 *tion of cyber threats.*

1 **TITLE VI—NASA ENHANCED USE**
2 **LEASING EXTENSION**

3 **SEC. 601. SHORT TITLE.**

4 *This title may be cited as the “NASA Enhanced Use*
5 *Leasing Extension Act of 2019”.*

6 **SEC. 602. EXTENSION OF AUTHORITY TO ENTER INTO**
7 **LEASES OF NON-EXCESS PROPERTY OF THE**
8 **NATIONAL AERONAUTICS AND SPACE ADMIN-**
9 **ISTRATION.**

10 *Section 20145(g) of title 51, United States Code, is*
11 *amended, in the first sentence, by striking “December 31,*
12 *2019” and inserting “December 31, 2021”.*

13 **TITLE VII—INKSNA EXTENSION**

14 **SEC. 701. EXEMPTION FROM THE IRAN, NORTH KOREA, AND**
15 **SYRIA NONPROLIFERATION ACT.**

16 *Section 7(1) of the Iran, North Korea, and Syria Non-*
17 *proliferation Act (Public Law 106–178; 50 U.S.C. 1701*
18 *note) is amended, in the undesignated matter following sub-*
19 *paragraph (B), by striking “December 31, 2020” and in-*
20 *serting “December 31, 2025”.*

21 **TITLE VIII—BRAND USA**
22 **EXTENSION**

23 **SEC. 801. SHORT TITLE.**

24 *This title may be cited as the “Brand USA Extension*
25 *Act”.*

1 **SEC. 802. THE CORPORATION FOR TRAVEL PROMOTION.**

2 *Subsection (b) of the Travel Promotion Act of 2009 (22*
3 *U.S.C. 2131(b)) is amended—*

4 *(1) in paragraph (2)(A)—*

5 *(A) in clause (ii), by inserting “or*
6 *foodservice” after “restaurant”;*

7 *(B) in clause (v), by inserting “, such as*
8 *outdoor recreation” before the semicolon at the*
9 *end; and*

10 *(C) in clause (viii), by inserting “commer-*
11 *cial or private” before “passenger air sector”;*

12 *(2) in paragraph (5)(A)—*

13 *(A) in clause (iii), by inserting “speaking*
14 *conventions, sales missions,” after “trade*
15 *shows,”;*

16 *(B) in clause (iv), by striking “and” at the*
17 *end;*

18 *(C) in clause (v), by striking the period at*
19 *the end and inserting “; and”;* and

20 *(D) by adding at the end the following:*

21 *“(vi) to promote tourism to the United*
22 *States through digital media, online plat-*
23 *forms, and other appropriate medium.”;*
24 *and*

25 *(3) in paragraph (7)(C), by striking “3 days”*
26 *and inserting “5 days”.*

1 **SEC. 803. ACCOUNTABILITY MEASURES.**

2 *Subsection (c) of the Travel Promotion Act of 2009 (22*
3 *U.S.C. 2131(c)) is amended—*

4 *(1) in paragraph (2), by striking “\$500,000”*
5 *and inserting “\$450,000”; and*

6 *(2) in paragraph (3)—*

7 *(A) by redesignating subparagraph (I) as*
8 *subparagraph (K);*

9 *(B) in subparagraph (H)(iii), by striking*
10 *“and” at the end; and*

11 *(C) by inserting after subparagraph*
12 *(H)(iii) the following:*

13 *“(I) a list of countries the Corporation*
14 *identifies as emerging markets for tourism to the*
15 *United States;*

16 *“(J) a description of the efforts the Corpora-*
17 *tion has made to promote tourism to rural areas*
18 *of the United States; and”.*

19 **SEC. 804. EXTENSION OF FUNDING FOR BRAND USA.**

20 *Subsection (d) of the Travel Promotion Act of 2009*
21 *(22 U.S.C. 2131(d)) is amended—*

22 *(1) in paragraph (2)(B), by striking “2020” and*
23 *inserting “2027”;*

24 *(2) in paragraph (3)(B)(ii), by striking “70 per-*
25 *cent” and inserting “50 percent”; and*

1 (3) in paragraph (4)(B), by striking “2020” and
2 inserting “2027”.

3 **SEC. 805. PERFORMANCE PLAN.**

4 Not later than 90 days after the date of the enactment
5 of this Act, the Corporation for Travel Promotion shall
6 make the performance metrics established pursuant to sub-
7 section (f)(1)(A) of the Travel Promotion Act of 2009 (22
8 U.S.C. 2131(f)(1)(A)) publicly available on the website of
9 the Corporation.

10 **SEC. 806. ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZA-**
11 **TION FEE INCREASE.**

12 Section 217(h)(3)(B)(i)(I) of the Immigration and Na-
13 tionality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)) is amended by
14 striking “\$10” and inserting “\$17”.

15 **TITLE IX—DC OPPORTUNITY**
16 **SCHOLARSHIP EXTENSIONS**

17 **SEC. 901. SCHOLARSHIPS FOR OPPORTUNITY AND RE-**
18 **SULTS.**

19 (a) Section 3014(a) of the Scholarships for Oppor-
20 tunity and Results Act (sec. 38–1853.14, D.C. Official
21 Code) is amended by striking “through fiscal year 2019”
22 and inserting “through fiscal year 2023”.

23 (b) The amendment made by subsection (a) shall take
24 effect on September 30, 2019.

1 **TITLE X—BUDGETARY EFFECTS**

2 **SEC. 1001. BUDGETARY EFFECTS.**

3 (a) *STATUTORY PAYGO SCORECARDS.*—*The budg-*
4 *etary effects of this division and each succeeding division*
5 *shall not be entered on either PAYGO scorecard maintained*
6 *pursuant to section 4(d) of the Statutory Pay-As-You-Go*
7 *Act of 2010.*

8 (b) *SENATE PAYGO SCORECARDS.*—*The budgetary ef-*
9 *fects of this division and each succeeding division shall not*
10 *be entered on any PAYGO scorecard maintained for pur-*
11 *poses of section 4106 of H. Con. Res. 71 (115th Congress).*

12 (c) *CLASSIFICATION OF BUDGETARY EFFECTS.*—*Not-*
13 *withstanding Rule 3 of the Budget Scorekeeping Guidelines*
14 *set forth in the joint explanatory statement of the committee*
15 *of conference accompanying Conference Report 105–217*
16 *and section 250(c)(8) of the Balanced Budget and Emer-*
17 *gency Deficit Control Act of 1985, the budgetary effects of*
18 *this division and each succeeding division shall not be esti-*
19 *mated—*

20 (1) *for purposes of section 251 of such Act; and*

21 (2) *for purposes of paragraph (4)(C) of section*
22 3 *of the Statutory Pay-As-You-Go Act of 2010 as*
23 *being included in an appropriation Act.*

1 ***DIVISION J—FOREIGN POLICY***
2 ***TITLE I—VENEZUELA***
3 ***ASSISTANCE***

4 ***SEC. 101. SHORT TITLES.***

5 *This title may be cited as the “Venezuela Emergency*
6 *Relief, Democracy Assistance, and Development Act of*
7 *2019” or the “VERDAD Act of 2019”.*

8 ***Subtitle A—Support for the Interim***
9 ***President of Venezuela and Rec-***
10 ***ognition of the Venezuelan Na-***
11 ***tional Assembly***

12 ***SEC. 111. FINDINGS; SENSE OF CONGRESS IN SUPPORT OF***
13 ***THE INTERIM PRESIDENT OF VENEZUELA.***

14 *(a) FINDINGS.—Congress makes the following findings:*

15 *(1) Venezuela’s electoral event on May 20, 2018*
16 *was characterized by widespread fraud and did not*
17 *comply with international standards for a free, fair,*
18 *and transparent electoral process.*

19 *(2) Given the fraudulent nature of Venezuela’s*
20 *May 20, 2018 electoral event, Nicolás Maduro’s tenure*
21 *as President of Venezuela ended on January 10, 2019.*

22 *(3) The National Assembly of Venezuela ap-*
23 *proved a resolution on January 15, 2019 that termi-*
24 *nated Nicolás Maduro’s authority as the President of*
25 *Venezuela.*

1 (4) *On January 23, 2019, the President of the*
2 *National Assembly of Venezuela was sworn in as the*
3 *Interim President of Venezuela.*

4 (b) *SENSE OF CONGRESS.—It is the sense of Con-*
5 *gress—*

6 (1) *to support the decisions by the United States*
7 *Government, more than 50 governments around the*
8 *world, the Organization of American States, the*
9 *Inter-American Development Bank, and the Euro-*
10 *pean Parliament to recognize National Assembly*
11 *President Juan Guaidó as the Interim President of*
12 *Venezuela;*

13 (2) *to encourage the Interim President of Ven-*
14 *ezuela to advance efforts to hold democratic presi-*
15 *dential elections in the shortest possible period; and*

16 (3) *that the Organization of American States,*
17 *with support from the United States Government and*
18 *partner governments, should provide diplomatic, tech-*
19 *nical, and financial support for a new presidential*
20 *election in Venezuela that complies with international*
21 *standards for a free, fair, and transparent electoral*
22 *process.*

1 **SEC. 112. RECOGNITION OF VENEZUELA'S DEMOCRAT-**
2 **ICALLY ELECTED NATIONAL ASSEMBLY.**

3 (a) *FINDINGS.*—Congress finds that Venezuela's uni-
4 cameral National Assembly convened on January 6, 2016,
5 following democratic elections that were held on December
6 6, 2015.

7 (b) *SENSE OF CONGRESS.*—It is the sense of Congress
8 that Venezuela's democratically elected National Assembly
9 is the only national level democratic institution remaining
10 in the country.

11 (c) *POLICY.*—It is the policy of the United States to
12 recognize the democratically elected National Assembly of
13 Venezuela as the only legitimate national legislative body
14 in Venezuela.

15 (d) *ASSISTANCE TO VENEZUELA'S NATIONAL ASSEM-*
16 *BLY.*—The Secretary of State, in coordination with the Ad-
17 ministrator of the United States Agency for International
18 Development, shall prioritize efforts to provide technical as-
19 sistance to support the democratically elected National As-
20 sembly of Venezuela in accordance with section 143.

21 **SEC. 113. ADVANCING A NEGOTIATED SOLUTION TO VEN-**
22 **EZUELA'S CRISIS.**

23 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
24 that—

1 (1) *direct, credible negotiations led by the In-*
2 *terim President of Venezuela and members of Ven-*
3 *ezuela’s democratically elected National Assembly—*

4 (A) *are supported by stakeholders in the*
5 *international community that have recognized*
6 *the Interim President of Venezuela;*

7 (B) *include the input and interests of Ven-*
8 *ezuelan civil society; and*

9 (C) *represent the best opportunity to reach*
10 *a solution to the Venezuelan crisis that in-*
11 *cludes—*

12 (i) *holding a new presidential election*
13 *that complies with international standards*
14 *for a free, fair, and transparent electoral*
15 *process;*

16 (ii) *ending Nicolás Maduro’s usurpa-*
17 *tion of presidential authorities;*

18 (iii) *restoring democracy and the rule*
19 *of law;*

20 (iv) *freeing political prisoners; and*

21 (v) *facilitating the delivery of humani-*
22 *tarian aid;*

23 (2) *dialogue between the Maduro regime and rep-*
24 *resentatives of the political opposition that com-*
25 *menced in October 2017, and were supported by the*

1 *Governments of Mexico, of Chile, of Bolivia, and of*
2 *Nicaragua, did not result in an agreement because the*
3 *Maduro regime failed to credibly participate in the*
4 *process; and*

5 *(3) negotiations between the Maduro regime and*
6 *representatives of the political opposition that com-*
7 *menced in October 2016, and were supported by the*
8 *Vatican, did not result in an agreement because the*
9 *Maduro regime failed to credibly participate in the*
10 *process.*

11 *(b) POLICY.—It is the policy of the United States to*
12 *support diplomatic engagement in order to advance a nego-*
13 *tiated and peaceful solution to Venezuela’s political, eco-*
14 *nomie, and humanitarian crisis that is described in sub-*
15 *section (a)(1).*

16 ***Subtitle B—Humanitarian Relief***
17 ***for Venezuela***

18 ***SEC. 121. HUMANITARIAN RELIEF FOR THE VENEZUELAN***
19 ***PEOPLE.***

20 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
21 *that—*

22 *(1) the United States Government should expand*
23 *efforts to peacefully address Venezuela’s humanitarian*
24 *crisis; and*

25 *(2) humanitarian assistance—*

1 (A) should be targeted toward those most in
2 need and delivered through partners that uphold
3 internationally recognized humanitarian prin-
4 ciples; and

5 (B) should not be passed through the control
6 or distribution mechanisms of the Maduro re-
7 gime.

8 (b) *HUMANITARIAN RELIEF.*—

9 (1) *IN GENERAL.*—*The Secretary of State, in co-*
10 *ordination with the Administrator of the United*
11 *States Agency for International Development, shall*
12 *provide—*

13 (A) *humanitarian assistance to individuals*
14 *and communities in Venezuela, including—*

15 (i) *public health commodities and serv-*
16 *ices, including medicines and basic medical*
17 *supplies and equipment;*

18 (ii) *basic food commodities and nutri-*
19 *tional supplements needed to address grow-*
20 *ing malnutrition and improve food security*
21 *for the people of Venezuela, with a specific*
22 *emphasis on the most vulnerable popu-*
23 *lations; and*

24 (iii) *technical assistance to ensure that*
25 *health and food commodities are appro-*

1 *privately selected, procured, targeted, and*
2 *distributed; and*

3 *(B) Venezuelans and hosting communities,*
4 *as appropriate, in neighboring countries with*
5 *humanitarian aid, such as—*

6 *(i) urgently needed health and nutri-*
7 *tional assistance, including logistical and*
8 *technical assistance to hospitals and health*
9 *centers in affected communities;*

10 *(ii) food assistance for vulnerable indi-*
11 *viduals, including assistance to improve*
12 *food security for affected communities; and*

13 *(iii) hygiene supplies and sanitation*
14 *services.*

15 *(2) AID TO VENEZUELAN IN NEIGHBORING*
16 *COUNTRIES.—The aid described in paragraph*
17 *(1)(B)—*

18 *(A) may be provided—*

19 *(i) directly to Venezuelans in neigh-*
20 *boring countries, including countries of the*
21 *Caribbean; or*

22 *(ii) indirectly through the communities*
23 *in which the Venezuelans reside; and*

24 *(B) should focus on the most vulnerable*
25 *Venezuelans in neighboring countries.*

1 (c) *HUMANITARIAN ASSISTANCE STRATEGY UP-*
2 *DATE.*—*Not later than 180 days after the date of the enact-*
3 *ment of this Act, the Secretary of State, in coordination*
4 *with the Administrator of the United States Agency for*
5 *International Development, shall submit, to the appropriate*
6 *congressional committees, an update to the Venezuela hu-*
7 *manitarian assistance strategy described in the conference*
8 *report accompanying the Consolidated Appropriations Act*
9 *(Public Law 116–6), to cover a 2-year period and include—*

10 (1) *a description of the United States humani-*
11 *tarian assistance provided under this section;*

12 (2) *a description of United States diplomatic ef-*
13 *forts to ensure support from international donors, in-*
14 *cluding regional partners in Latin America and the*
15 *Caribbean, for the provision of humanitarian assist-*
16 *ance to the people of Venezuela;*

17 (3) *the identification of governments that are*
18 *willing to provide financial and technical assistance*
19 *for the provision of such humanitarian assistance to*
20 *the people of Venezuela and a description of such as-*
21 *sistance; and*

22 (4) *the identification of the financial and tech-*
23 *nical assistance to be provided by multilateral insti-*
24 *tutions, including the United Nations humanitarian*
25 *agencies, the Pan American Health Organization, the*

1 *Inter-American Development Bank, and the World*
2 *Bank, and a description of such assistance.*

3 (d) *DIPLOMATIC ENGAGEMENT.*—*The Secretary of*
4 *State, in consultation with the Administrator of the United*
5 *States Agency for International Development, shall work*
6 *with relevant foreign governments and multilateral organi-*
7 *zations to coordinate a donors summit and carry out diplo-*
8 *matic engagement to advance the strategy required under*
9 *subsection (c).*

10 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
11 *authorized to be appropriated \$400,000,000 for fiscal year*
12 *2020 to carry out the activities set forth in subsection (b).*

13 (f) *DEFINED TERM.*—*In this section, the term “appro-*
14 *priate congressional committees” means—*

15 (1) *the Committee on Foreign Relations of the*
16 *Senate;*

17 (2) *the Committee on Appropriations of the Sen-*
18 *ate;*

19 (3) *the Committee on Foreign Affairs of the*
20 *House of Representatives; and*

21 (4) *the Committee on Appropriations of the*
22 *House of Representatives.*

1 **SEC. 122. SUPPORT FOR EFFORTS AT THE UNITED NATIONS**
2 **ON THE HUMANITARIAN CRISIS IN VEN-**
3 **EZUELA.**

4 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
5 *that the United Nations humanitarian agencies should con-*
6 *duct and publish independent assessments of the humani-*
7 *tarian situation in Venezuela, including—*

8 (1) *the extent and impact of the shortages of*
9 *food, medicine, and medical supplies in Venezuela;*

10 (2) *basic health indicators in Venezuela, such as*
11 *maternal and child mortality rates and the preva-*
12 *lence and treatment of communicable diseases; and*

13 (3) *the efforts needed to resolve the shortages*
14 *identified in paragraph (1) and to improve the health*
15 *indicators referred to in paragraph (2).*

16 (b) *UNITED NATIONS RESIDENT COORDINATOR.*—*The*
17 *President should instruct the Permanent Representative to*
18 *the United Nations to use the voice, vote, and influence of*
19 *the United States at the United Nations to support the ef-*
20 *forts of the Resident Coordinator for Venezuela in a manner*
21 *that—*

22 (1) *contributes to Venezuela's long-term recovery;*
23 *and*

24 (2) *advances humanitarian efforts in Venezuela*
25 *and for Venezuelans residing in neighboring coun-*
26 *tries.*

1 **SEC. 123. COORDINATION AND DISTRIBUTION OF HUMANI-**
2 **TARIAN ASSISTANCE TO THE PEOPLE OF VEN-**
3 **EZUELA.**

4 (a) *SHORT TITLE.*—*This section may be cited as the*
5 *“Humanitarian Assistance to the Venezuelan People Act of*
6 *2019”.*

7 (b) *DEFINED TERM.*—*In this section, the term “appro-*
8 *priate congressional committees” means—*

9 (1) *the Committee on Foreign Relations of the*
10 *Senate;*

11 (2) *the Committee on Appropriations of the Sen-*
12 *ate;*

13 (3) *the Committee on Banking, Housing, and*
14 *Urban Affairs of the Senate;*

15 (4) *the Committee on Foreign Affairs of the*
16 *House of Representatives;*

17 (5) *the Committee on Appropriations of the*
18 *House of Representatives; and*

19 (6) *the Committee on Financial Services of the*
20 *House of Representatives.*

21 (c) *REPORT ON THE COORDINATION AND DISTRIBUTION OF HUMANITARIAN ASSISTANCE TO THE PEOPLE OF*
22 *VENEZUELA INCLUDING STRATEGY ON FUTURE EF-*
23 *FORTS.*—

24 (1) *IN GENERAL.*—*Not later than 1 year after*
25 *the date of the enactment of this Act, the Secretary of*
26

1 *State, in coordination with the Administrator of the*
2 *United States Agency for International Development,*
3 *shall submit a report to the appropriate congressional*
4 *committees that evaluates the delivery and coordina-*
5 *tion of humanitarian assistance to the people of Ven-*
6 *ezuela since the onset of the humanitarian crisis,*
7 *whether residing in Venezuela or elsewhere in the*
8 *Western Hemisphere.*

9 (2) *MATTERS TO BE INCLUDED.—The report re-*
10 *quired under paragraph (1) shall—*

11 (A) *identify how United States Agency for*
12 *International Development and Department of*
13 *State best practices are being utilized in pro-*
14 *viding humanitarian assistance to Venezuela*
15 *and countries in the region, including a descrip-*
16 *tion of coordination efforts with United States*
17 *embassies and USAID missions throughout the*
18 *region;*

19 (B) *describe the current and anticipated*
20 *challenges to distributing humanitarian assist-*
21 *ance in Venezuela and countries hosting Ven-*
22 *ezuelan migrants;*

23 (C) *describe the coordination of United*
24 *States assistance with foreign donors; and*

1 (D) describe how the distribution of human-
2 itarian assistance is being monitored and evalu-
3 ated, including—

4 (i) the number of beneficiaries receiv-
5 ing such assistance;

6 (ii) an assessment of how humani-
7 tarian and development assistance is bene-
8 fitting Venezuelan migrants inside and out-
9 side of the country; and

10 (iii) what additional staff may be nec-
11 essary to manage such assistance.

12 ***Subtitle C—Addressing Regime*** 13 ***Cohesion***

14 ***SEC. 131. CLASSIFIED BRIEFING ON DECLINING COHESION*** 15 ***INSIDE THE VENEZUELAN MILITARY AND THE*** 16 ***MADURO REGIME.***

17 (a) *REPORTING REQUIREMENT.*—Not later than 90
18 days after the date of the enactment of this Act, the Sec-
19 retary of State, acting through the Bureau of Intelligence
20 and Research, and in coordination with the Director of Na-
21 tional Intelligence, shall provide a briefing to the appro-
22 priate congressional committees that assesses the declining
23 cohesion inside the Venezuelan military and security forces
24 and the Maduro regime.

1 (b) *ADDITIONAL ELEMENTS.*—*The briefing required*
2 *under subsection (a) shall—*

3 (1) *identify senior members of the Venezuelan*
4 *military and the Maduro regime, including generals,*
5 *admirals, cabinet ministers, deputy cabinet ministers,*
6 *and the heads of intelligence agencies, whose loyalty*
7 *to Nicolás Maduro is declining;*

8 (2) *describe the factors that would accelerate the*
9 *decision making of individuals identified in para-*
10 *graph (1)—*

11 (A) *to break with the Maduro regime; and*

12 (B) *to recognize the Interim President of*
13 *Venezuela and his government; and*

14 (3) *assess and detail the massive number of de-*
15 *sertions and defections that have occurred at the offi-*
16 *cer and enlisted levels inside the Venezuelan military*
17 *and security forces.*

18 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—*In*
19 *this section, the term “appropriate congressional commit-*
20 *tees” means—*

21 (1) *the Committee on Foreign Relations of the*
22 *Senate;*

23 (2) *the Select Committee on Intelligence of the*
24 *Senate;*

1 (3) *the Committee on Foreign Affairs of the*
2 *House of Representatives; and*

3 (4) *the Permanent Select Committee on Intel-*
4 *ligence of the House of Representatives.*

5 **SEC. 132. ADDITIONAL RESTRICTIONS ON VISAS.**

6 (a) *IN GENERAL.*—*The Secretary of State shall impose*
7 *the visa restrictions described in subsection (c) on any for-*
8 *eign person who the Secretary determines—*

9 (1) *is a current or former senior official of the*
10 *Maduro regime, or any foreign person acting on be-*
11 *half of such regime, who is knowingly responsible for,*
12 *complicit in, responsible for ordering, controlling, or*
13 *otherwise directing, or participating in (directly or*
14 *indirectly) any activity in or in relation to Ven-*
15 *ezuela, on or after January 23, 2019, that signifi-*
16 *cantly undermines or threatens the integrity of—*

17 (A) *the democratically-elected National As-*
18 *sembly of Venezuela; or*

19 (B) *the President of such National Assem-*
20 *bly, while serving as Interim President of Ven-*
21 *ezuela, or the senior government officials under*
22 *the supervision of such President;*

23 (2) *is the spouse or adult child of a foreign per-*
24 *son described in paragraph (1); or*

1 (3) *is the spouse or adult child of Venezuelan*
2 *person sanctioned under—*

3 (A) *section 5(a) of the Venezuela Defense of*
4 *Human Rights and Civil Society Act of 2014*
5 *(Public Law 113–278), as amended by section*
6 *163 of this title;*

7 (B) *section 804(b) of the Foreign Narcotics*
8 *Kingpin Designation Act (21 U.S.C. 1903(b)); or*

9 (C) *Executive Orders 13692 (50 U.S.C.*
10 *1701 note) and 13850.*

11 (b) *REMOVAL FROM VISA REVOCATION LIST.—Pursu-*
12 *ant to such procedures as the Secretary of State may estab-*
13 *lish to implement this section—*

14 (1) *if any person described in subsection (a)(1)*
15 *recognizes and pledges support for the Interim Presi-*
16 *dent of Venezuela or a subsequent democratically*
17 *elected government of Venezuela, that person and any*
18 *family members of that person who were subject to*
19 *visa restrictions pursuant to subsection (a)(2) shall*
20 *no longer be subject to such visa restrictions; and*

21 (2) *if any person described in subparagraphs (A)*
22 *through (C) of subsection (a)(3) recognizes and*
23 *pledges support for the Interim President of Venezuela*
24 *or a subsequent democratically elected government of*
25 *Venezuela, any family members of that person who*

1 *were subject to visa restrictions pursuant to sub-*
2 *section (a)(3) shall no longer be subject to such visa*
3 *restrictions.*

4 *(c) VISA RESTRICTIONS DESCRIBED.—*

5 *(1) VISAS, ADMISSION, OR PAROLE.—An alien*
6 *described in subsection (a) is—*

7 *(A) inadmissible to the United States;*

8 *(B) ineligible to receive a visa or other doc-*
9 *umentation to enter the United States; and*

10 *(C) otherwise ineligible to be admitted or*
11 *paroled into the United States or to receive any*
12 *benefit under the Immigration and Nationality*
13 *Act (8 U.S.C. 1101 et seq.).*

14 *(2) CURRENT VISAS REVOKED.—*

15 *(A) IN GENERAL.—An alien described in*
16 *subsection (a) is subject to revocation of any visa*
17 *or other entry documentation regardless of when*
18 *the visa or other entry documentation is or was*
19 *issued.*

20 *(B) IMMEDIATE EFFECT.—A revocation*
21 *under subparagraph (A) shall—*

22 *(i) take effect immediately; and*

23 *(ii) automatically cancel any other*
24 *valid visa or entry documentation that is in*
25 *the alien's possession.*

1 (3) *EXCEPTIONS.*—*Sanctions under paragraphs*
2 *(1) and (2) shall not apply with respect to an alien*
3 *if admitting or paroling the alien into the United*
4 *States is necessary—*

5 *(A) to permit the United States to comply*
6 *with the Agreement regarding the Headquarters*
7 *of the United Nations, signed at Lake Success*
8 *June 26, 1947, and entered into force November*
9 *21, 1947, between the United Nations and the*
10 *United States, or other applicable international*
11 *obligations; or*

12 *(B) to carry out or assist law enforcement*
13 *activity in the United States.*

14 (d) *RULEMAKING.*—*The President shall issue such reg-*
15 *ulations, licenses, and orders as may be necessary to carry*
16 *out this section.*

17 **SEC. 133. WAIVER FOR SANCTIONED OFFICIALS THAT REC-**
18 **OGNIZE THE INTERIM PRESIDENT OF VEN-**
19 **EZUELA.**

20 (a) *REMOVAL OF SANCTIONS.*—*If a person sanctioned*
21 *under any of the provisions of law described in subsection*
22 *(b) recognizes and pledges supports for the Interim Presi-*
23 *dent of Venezuela or a subsequent democratically elected*
24 *government, the person shall no longer be subject to such*
25 *sanctions, pursuant to such procedures as the Secretary of*

1 *State and the Secretary of the Treasury may establish to*
2 *implement this section.*

3 (b) *SANCTIONS DESCRIBED.—The sanctions described*
4 *in this subsection are set forth in the following provisions*
5 *of law:*

6 (1)(A) *Paragraphs (3) and (4) of section 5(a) of*
7 *the Venezuela Defense of Human Rights and Civil So-*
8 *ciety Act of 2014 (Public Law 113–278), as amended*
9 *by section 163 of this title.*

10 (B) *Paragraph (5) of section 5(a) of such Act, to*
11 *the extent such paragraph relates to the sanctions de-*
12 *scribed in paragraph (3) or (4) of such subsection.*

13 (2)(A) *Clauses (1) and (4) of section 1(a)(ii)(A)*
14 *of Executive Order 13692 (50 U.S.C. 1701 note).*

15 (B) *Subparagraph (D)(2) of section 1(a)(ii) of*
16 *such Executive Order, to the extent such subpara-*
17 *graph relates to the provisions of law cited in sub-*
18 *paragraph (A).*

19 (3)(A) *Section 1(a)(ii) of Executive Order 13850.*

20 (B) *Paragraph (iii) of section 1(a) of such Exec-*
21 *utive Order, to the extent such paragraph relates to*
22 *the provision of law cited in subparagraph (A).*

23 (c) *RULEMAKING.—The President shall issue such reg-*
24 *ulations, licenses, and orders as may be necessary to carry*
25 *out this section.*

1 ***Subtitle D—Restoring Democracy***
2 ***and Addressing the Political***
3 ***Crisis in Venezuela***

4 **SEC. 141. SUPPORT FOR THE ORGANIZATION OF AMERICAN**
5 **STATES AND THE LIMA GROUP.**

6 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
7 *that the Secretary of State should—*

8 (1) *take additional steps to support ongoing ef-*
9 *forts by the Secretary General of the Organization of*
10 *American States to promote diplomatic initiatives to*
11 *foster the restoration of democracy and the rule of law*
12 *in Venezuela;*

13 (2) *conduct diplomatic engagement in support of*
14 *efforts by the Lima Group to restore democracy and*
15 *the rule of law in Venezuela and facilitate the deliv-*
16 *ery of humanitarian assistance for the Venezuelan*
17 *people; and*

18 (3) *engage with the International Contact Group*
19 *on Venezuela to advance a peaceful and democratic*
20 *solution to the current crisis.*

21 (b) *DEFINED TERMS.*—*In this section:*

22 (1) *INTERNATIONAL CONTACT GROUP ON VEN-*
23 *EZUELA.*—*The “International Contact Group on Ven-*
24 *ezuela” refers to a diplomatic bloc—*

1 (A) whose members include the European
2 Union, France, Germany, Italy, Spain, Por-
3 tugal, Sweden, the Netherlands, the United King-
4 dom, Ecuador, Costa Rica, and Uruguay; and

5 (B) which was established to advance a
6 peaceful and democratic solution to the current
7 crisis in Venezuela.

8 (2) *LIMA GROUP*.—The “Lima Group” refers to
9 a diplomatic bloc—

10 (A) whose members include Argentina,
11 Brazil, Canada, Chile, Colombia, Costa Rica,
12 Guatemala, Guyana, Honduras, Panama, Para-
13 guay, Peru, and Saint Lucia; and

14 (B) which was established to address the po-
15 litical, economic, and humanitarian crises in
16 Venezuela.

17 **SEC. 142. ACCOUNTABILITY FOR CRIMES AGAINST HUMAN-**
18 **ITY.**

19 (a) *SENSE OF CONGRESS*.—It is the sense of Congress
20 that the Secretary of State should conduct robust diplomatic
21 engagement in support of efforts in Venezuela, and on the
22 part of the international community, to ensure account-
23 ability for possible crimes against humanity and serious
24 violations of human rights.

1 (b) *REPORT.*—Not later than 90 days after the date
2 of the enactment of this Act, the Secretary of State shall
3 submit a report to Congress that—

4 (1) evaluates the degree to which the Maduro re-
5 gime and its officials, including members of the Ven-
6 ezuelan security forces, have engaged in actions that
7 constitute possible crimes against humanity and seri-
8 ous violations of human rights; and

9 (2) provides options for holding accountable the
10 perpetrators identified under paragraph (1).

11 **SEC. 143. SUPPORT FOR INTERNATIONAL ELECTION OBSER-**
12 **VATION AND DEMOCRATIC CIVIL SOCIETY.**

13 (a) *IN GENERAL.*—The Secretary of State, in coordi-
14 nation with the Administrator of the United States Agency
15 for International Development—

16 (1) shall work with the Organization of Ameri-
17 can States to ensure credible international observa-
18 tion of future elections in Venezuela that contributes
19 to free, fair, and transparent democratic electoral
20 processes; and

21 (2) shall work with nongovernmental organiza-
22 tions—

23 (A) to strengthen democratic governance
24 and institutions, including the democratically
25 elected National Assembly of Venezuela;

1 (B) to defend internationally recognized
2 human rights for the people of Venezuela, includ-
3 ing support for efforts to document crimes
4 against humanity and violations of human
5 rights;

6 (C) to support the efforts of independent
7 media outlets to broadcast, distribute, and share
8 information beyond the limited channels made
9 available by the Maduro regime; and

10 (D) to combat corruption and improve the
11 transparency and accountability of institutions
12 that are part of the Maduro regime.

13 (b) *ENGAGEMENT AT THE ORGANIZATION OF AMER-*
14 *ICAN STATES.*—The Secretary of State, acting through the
15 *United States Permanent Representative to the Organiza-*
16 *tion of American States, should advocate and build diplo-*
17 *matic support for sending an election observation mission*
18 *to Venezuela to ensure that democratic electoral processes*
19 *are organized and carried out in a free, fair, and trans-*
20 *parent manner.*

21 (c) *BRIEFING REQUIREMENT.*—Not later than 180
22 *days after the date of the enactment of this Act, the Sec-*
23 *retary of State, in coordination with the Administrator of*
24 *the United States Agency for International Development,*

1 *shall provide a briefing on the strategy to carry out the*
2 *activities described in subsection (a) to—*

3 *(1) the Committee on Foreign Relations of the*
4 *Senate;*

5 *(2) the Committee on Appropriations of the Sen-*
6 *ate;*

7 *(3) the Committee on Foreign Affairs of the*
8 *House of Representatives; and*

9 *(4) the Committee on Appropriations of the*
10 *House of Representatives.*

11 *(d) AUTHORIZATION OF APPROPRIATIONS.—*

12 *(1) IN GENERAL.—There are authorized to be ap-*
13 *propriated to the Secretary of State for fiscal year*
14 *2020, \$17,500,000 to carry out the activities set forth*
15 *in subsection (a).*

16 *(2) NOTIFICATION REQUIREMENTS.—Amounts*
17 *appropriated pursuant to paragraph (1) are subject*
18 *to the notification requirements applicable to expendi-*
19 *tures from the Economic Support Fund under section*
20 *531(c) of the Foreign Assistance Act of 1961 (22*
21 *U.S.C. 2346(c)) and from the Development Assistance*
22 *Fund under section 653(a) of the Foreign Assistance*
23 *Act of 1961 (22 U.S.C. 2413(a)), to the extent that*
24 *such funds are expended.*

1 ***Subtitle E—Supporting the***
2 ***Reconstruction of Venezuela***

3 ***SEC. 151. RECOVERING ASSETS STOLEN FROM THE VEN-***
4 ***EZUELAN PEOPLE.***

5 *(a) RECOVERING ASSETS.—The President, acting*
6 *through the Secretary of State and in consultation with the*
7 *Secretary of the Treasury, shall advance a coordinated*
8 *international effort—*

9 *(1) to work with foreign governments—*

10 *(A) to share financial investigations intel-*
11 *ligence, as appropriate;*

12 *(B) to block the assets identified pursuant*
13 *to paragraph (2); and*

14 *(C) to provide technical assistance to help*
15 *governments establish the necessary legal frame-*
16 *work to carry out asset forfeitures; and*

17 *(2) to carry out special financial investigations*
18 *to identify and track assets taken from the people and*
19 *institutions of Venezuela through theft, corruption,*
20 *money laundering, or other illicit means.*

21 *(b) STRATEGY REQUIREMENT.—*

22 *(1) IN GENERAL.—Not later than 180 days after*
23 *the date of the enactment of this Act, the President,*
24 *acting through the Secretary of State and in consulta-*
25 *tion with the Secretary of the Treasury, shall submit*

1 *a strategy for carrying out the activities described in*
2 *subsection (a) to Congress.*

3 (2) *ADDITIONAL ELEMENTS.—The strategy re-*
4 *quired under paragraph (1) shall—*

5 (A) *assess whether the United States or an-*
6 *other member of the international community*
7 *should establish a managed fund to hold the as-*
8 *sets identified pursuant to subsection (a)(2) that*
9 *could be returned to a future democratic govern-*
10 *ment in Venezuela; and*

11 (B) *include such recommendations as the*
12 *President and the Secretary of State consider ap-*
13 *propriate for legislative or administrative action*
14 *in the United States that would be needed to es-*
15 *tablish and manage the fund described in sub-*
16 *paragraph (A).*

17 ***Subtitle F—Restoring the Rule of***
18 ***Law in Venezuela***

19 ***SEC. 161. DEVELOPING AND IMPLEMENTING A COORDI-***
20 ***NATED SANCTIONS STRATEGY WITH PART-***
21 ***NERS IN THE WESTERN HEMISPHERE AND***
22 ***THE EUROPEAN UNION.***

23 (a) *STRENGTHENING SANCTIONS CAPACITY IN LATIN*
24 *AMERICA AND THE CARIBBEAN.—The Secretary of State,*
25 *in consultation with the Secretary of the Treasury, shall*

1 *offer to provide technical assistance to partner governments*
2 *in Latin America and the Caribbean to assist such govern-*
3 *ments in establishing the legislative and regulatory frame-*
4 *works needed to impose targeted sanctions on officials of*
5 *the Maduro regime who—*

6 (1) *are responsible for human rights abuses;*

7 (2) *have engaged in public corruption; or*

8 (3) *are undermining democratic institutions and*
9 *processes in Venezuela.*

10 (b) *COORDINATING INTERNATIONAL SANCTIONS.—The*
11 *Secretary of State, in consultation with the Secretary of*
12 *the Treasury, shall engage in diplomatic efforts with part-*
13 *ner governments, including the Government of Canada, gov-*
14 *ernments in the European Union, and governments in*
15 *Latin America and the Caribbean, to impose targeted sanc-*
16 *tions on the Maduro regime officials described in subsection*
17 *(a).*

18 (c) *STRATEGY REQUIREMENT.—Not later than 90 days*
19 *after the date of the enactment of this Act, the Secretary*
20 *of State, in consultation with the Secretary of the Treasury,*
21 *shall submit a strategy for carrying out the activities de-*
22 *scribed in subsection (a) to—*

23 (1) *the Committee on Foreign Relations of the*
24 *Senate;*

1 (2) *the Committee on Appropriations of the Sen-*
2 *ate;*

3 (3) *the Committee on Banking, Housing, and*
4 *Urban Affairs of the Senate;*

5 (4) *the Committee on Foreign Affairs of the*
6 *House of Representatives;*

7 (5) *the Committee on Appropriations of the*
8 *House of Representatives; and*

9 (6) *the Committee on Financial Services of the*
10 *House of Representatives.*

11 (d) *AUTHORIZATION OF APPROPRIATIONS.—*

12 (1) *IN GENERAL.—There is authorized to be ap-*
13 *propriated to the Secretary of State for fiscal year*
14 *2020, \$3,000,000 to carry out the activities set forth*
15 *in subsection (a).*

16 (2) *NOTIFICATION REQUIREMENTS.—Amounts*
17 *appropriated pursuant to paragraph (1) are subject*
18 *to the notification requirements applicable to expendi-*
19 *tures from the Economic Support Fund under section*
20 *531(c) of the Foreign Assistance Act of 1961 (22*
21 *U.S.C. 2346(c)) and the International Narcotics and*
22 *Law Enforcement Fund under section 489 of the For-*
23 *oreign Assistance Act of 1961 (22 U.S.C. 2291h) to the*
24 *extent that such funds are expended.*

1 **SEC. 162. CLASSIFIED BRIEFING ON THE INVOLVEMENT OF**
2 **VENEZUELAN OFFICIALS IN CORRUPTION**
3 **AND ILLICIT NARCOTICS TRAFFICKING.**

4 (a) *BRIEFING REQUIREMENT.*—Not later than 90 days
5 after the date of the enactment of this Act, the Secretary
6 of State, acting through the Bureau of Intelligence and Re-
7 search, and in coordination with the Director of National
8 Intelligence, shall provide a classified briefing to the appro-
9 priate congressional committees on the involvement of sen-
10 ior officials of the Maduro regime, including members of
11 the National Electoral Council, the judicial system, and the
12 Venezuelan security forces, in illicit narcotics trafficking
13 and significant acts of public corruption in Venezuela.

14 (b) *ADDITIONAL ELEMENTS.*—The briefing provided
15 under subsection (a) shall—

16 (1) describe how the significant acts of public
17 corruption pose challenges for United States national
18 security and impact the rule of law and democratic
19 governance in countries of the Western Hemisphere;

20 (2) identify individuals for whom there is cred-
21 ible information that they frustrated the ability of the
22 United States to combat illicit narcotics trafficking;

23 (3) include an assessment of the relationship be-
24 tween individuals identified under subsection (a) and
25 Nicolás Maduro or members of his cabinet; and

1 (4) *include input from the Drug Enforcement*
2 *Administration, the Office of Foreign Assets Control,*
3 *and the Financial Crimes Enforcement Network.*

4 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES.—In*
5 *this section, the term “appropriate congressional commit-*
6 *tees” means—*

7 (1) *the Committee on Foreign Relations of the*
8 *Senate;*

9 (2) *the Select Committee on Intelligence of the*
10 *Senate;*

11 (3) *the Committee on Banking, Housing, and*
12 *Urban Affairs of the Senate;*

13 (4) *the Committee on Foreign Affairs of the*
14 *House of Representatives;*

15 (5) *the Permanent Select Committee on Intel-*
16 *ligence of the House of Representatives; and*

17 (6) *the Committee on Financial Services of the*
18 *House of Representatives.*

19 **SEC. 163. CONCERNS OVER PDVSA TRANSACTIONS WITH**
20 **ROSNEFT.**

21 (a) *FINDINGS.—Congress makes the following findings:*

22 (1) *In late 2016, Venezuelan state-owned oil*
23 *company Petróleos de Venezuela, S.A. (referred to in*
24 *this section as “PDVSA”), through a no compete*
25 *transaction, secured a loan from Russian government-*

1 *controlled oil company Rosneft, using 49.9 percent of*
2 *PDVSA's American subsidiary, CITGO Petroleum*
3 *Corporation, including its assets in the United States,*
4 *as collateral. As a result of this transaction, 100 per-*
5 *cent of CITGO is held as collateral by PDVSA's*
6 *creditors.*

7 *(2) CITGO, a wholly owned subsidiary of*
8 *PDVSA, is engaged in interstate commerce and owns*
9 *and controls critical energy infrastructure in 19*
10 *States of the United States, including an extensive*
11 *network of pipelines, 48 terminals, and 3 refineries,*
12 *with a combined oil refining capacity of 749,000 bar-*
13 *rels per day. CITGO's refinery in Lake Charles, Lou-*
14 *isiana, is the sixth largest refinery in the United*
15 *States.*

16 *(3) The Department of the Treasury imposed*
17 *sanctions on Rosneft, which is controlled by the Gov-*
18 *ernment of the Russian Federation, and its Executive*
19 *Chairman, Igor Sechin, following Russia's military*
20 *invasion of Ukraine and its illegal annexation of Cri-*
21 *mea in 2014.*

22 *(4) The Department of Homeland Security has*
23 *designated the energy sector as critical to United*
24 *States infrastructure.*

1 (5) *The growing economic crisis in Venezuela*
2 *raises the probability that the Maduro regime and*
3 *PDVSA will default on their international debt obli-*
4 *gations, resulting in a scenario in which Rosneft*
5 *could come into control of CITGO's United States en-*
6 *ergy infrastructure holdings.*

7 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
8 *that—*

9 (1) *control of critical United States energy infra-*
10 *structure by Rosneft, a Russian government-controlled*
11 *entity currently under United States sanctions that is*
12 *led by Igor Sechin, who is also under United States*
13 *sanctions and is a close associate of Vladimir Putin,*
14 *would pose a significant risk to United States na-*
15 *tional security and energy security; and*

16 (2) *a default by PDVSA on its loan from*
17 *Rosneft, resulting in Rosneft coming into possession*
18 *of PDVSA's United States CITGO assets, would war-*
19 *rant careful consideration by the Committee on For-*
20 *oreign Investment in the United States.*

21 (c) *PREVENTING ROSNEFT FROM CONTROLLING*
22 *UNITED STATES ENERGY INFRASTRUCTURE.—The Presi-*
23 *dent shall take all necessary steps to prevent Rosneft from*
24 *gaining control of critical United States energy infrastruc-*
25 *ture.*

1 (d) *SECURITY RISK REPORT.*—Not later than 90 days
2 after the date of the enactment of this Act, the President
3 shall submit a report assessing the national security risks
4 posed by potential Russian acquisition and control of
5 CITGO's United States energy infrastructure holdings to—

6 (1) the Committee on Foreign Relations of the
7 Senate;

8 (2) the Committee on Homeland Security and
9 Governmental Affairs of the Senate;

10 (3) the Committee on Banking, Housing, and
11 Urban Affairs of the Senate;

12 (4) the Committee on Foreign Affairs of the
13 House of Representatives;

14 (5) the Committee on Homeland Security of the
15 House of Representatives; and

16 (6) the Committee on Financial Services of the
17 House of Representatives.

18 **SEC. 164. CLASSIFIED BRIEFING ON ACTIVITIES OF CER-**
19 **TAIN FOREIGN GOVERNMENTS AND ACTORS**
20 **IN VENEZUELA.**

21 (a) *IN GENERAL.*—Not later than 90 days after the
22 date of the enactment of this Act, the Secretary of State,
23 acting through the Bureau of Intelligence and Research of
24 the Department of State, and in coordination with the Di-

1 *rector of National Intelligence, shall provide a classified*
2 *briefing to the appropriate congressional committees on—*

3 (1) *the full extent of cooperation by the Govern-*
4 *ment of the Russian Federation, the Government of*
5 *the People’s Republic of China, the Government of*
6 *Cuba, and the Government of Iran with the Maduro*
7 *regime; and*

8 (2) *the activities inside Venezuelan territory of*
9 *foreign armed groups, including Colombian criminal*
10 *organizations and defectors from the Colombian gue-*
11 *rilla group known as the Revolutionary Armed Forces*
12 *of Colombia, and foreign terrorist organizations, in-*
13 *cluding the Colombian guerilla group known as the*
14 *National Liberation Army (ELN).*

15 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES.—In*
16 *this section, the term “appropriate congressional commit-*
17 *tees” means—*

18 (1) *the Committee on Foreign Relations of the*
19 *Senate;*

20 (2) *the Select Committee on Intelligence of the*
21 *Senate;*

22 (3) *the Committee on Foreign Affairs of the*
23 *House of Representatives; and*

24 (4) *the Permanent Select Committee on Intel-*
25 *ligence of the House of Representatives.*

1 **SEC. 165. COUNTERING RUSSIAN INFLUENCE IN VEN-**
2 **EZUELA.**

3 (a) *SHORT TITLE.*—*This section may be cited as the*
4 *“Russian-Venezuelan Threat Mitigation Act”.*

5 (b) *THREAT ASSESSMENT AND STRATEGY TO*
6 *COUNTER RUSSIAN INFLUENCE IN VENEZUELA.*—

7 (1) *DEFINED TERM.*—*In this subsection, the*
8 *term “appropriate congressional committees”*
9 *means—*

10 (A) *the Committee on Foreign Relations of*
11 *the Senate; and*

12 (B) *the Committee on Foreign Affairs of the*
13 *House of Representatives.*

14 (2) *THREAT ASSESSMENT.*—*Not later than 120*
15 *days after the date of the enactment of this Act, the*
16 *Secretary of State shall submit a report to the appro-*
17 *priate congressional committees regarding—*

18 (A) *an assessment of Russian-Venezuelan se-*
19 *curity cooperation;*

20 (B) *the potential threat such cooperation*
21 *poses to the United States and countries in the*
22 *Western Hemisphere; and*

23 (C) *a strategy to counter threats identified*
24 *in subparagraphs (A) and (B).*

25 (c) *ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR*
26 *PAROLE.*—

1 (1) *ALIENS DESCRIBED.*—An alien described in
2 this paragraph is an alien who the Secretary of State
3 or the Secretary of Homeland Security (or a designee
4 of either Secretary) knows, or has reason to believe,
5 is acting or has acted on behalf of the Government of
6 Russia in direct support of the security forces of the
7 Maduro regime.

8 (2) *VISAS, ADMISSION, OR PAROLE.*—An alien
9 described in paragraph (1) is—

10 (A) inadmissible to the United States;

11 (B) ineligible to receive a visa or other doc-
12 umentation to enter the United States; and

13 (C) otherwise ineligible to be admitted or
14 paroled into the United States or to receive any
15 benefit under the Immigration and Nationality
16 Act (8 U.S.C. 1101 et seq.).

17 (3) *CURRENT VISAS REVOKED.*—

18 (A) *IN GENERAL.*—An alien described in
19 paragraph (1) is subject to revocation of any
20 visa or other entry documentation regardless of
21 when the visa or other entry documentation is or
22 was issued.

23 (B) *IMMEDIATE EFFECT.*—A revocation
24 under subparagraph (A) shall—

25 (i) take effect immediately; and

1 (ii) automatically cancel any other
2 valid visa or entry documentation that is in
3 the alien's possession.

4 (4) *EXCEPTIONS.*—Sanctions under paragraphs
5 (2) and (3) shall not apply with respect to an alien
6 if admitting or paroling the alien into the United
7 States is necessary—

8 (A) to permit the United States to comply
9 with the Agreement regarding the Headquarters
10 of the United Nations, signed at Lake Success
11 June 26, 1947, and entered into force November
12 21, 1947, between the United Nations and the
13 United States, or other applicable international
14 obligations; or

15 (B) to carry out or assist law enforcement
16 activity in the United States.

17 (5) *NATIONAL SECURITY.*—The President may
18 waive the application of this subsection with respect
19 to an alien if the President—

20 (A) determines that such a waiver is in the
21 national interest of the United States; and

22 (B) submits a notice of, and justification
23 for, such waiver to the appropriate congressional
24 committees.

1 (6) *SUNSET*.—*This subsection shall terminate on*
2 *the date that is 1 year after the date of the enactment*
3 *of this Act.*

4 **SEC. 166. RESTRICTION ON EXPORT OF COVERED ARTICLES**
5 **AND SERVICES TO CERTAIN SECURITY**
6 **FORCES OF VENEZUELA.**

7 (a) *SHORT TITLE*.—*This section may be cited as the*
8 *“Venezuela Arms Restriction Act”.*

9 (b) *DEFINITIONS*.—*In this section:*

10 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
11 *TEES*.—*The term “appropriate congressional commit-*
12 *tees” means—*

13 (A) *the Committee on Foreign Relations of*
14 *the Senate;*

15 (B) *the Committee on Banking, Housing,*
16 *and Urban Affairs of the Senate;*

17 (C) *the Committee on Foreign Affairs of the*
18 *House of Representatives; and*

19 (D) *the Committee on Financial Services of*
20 *the House of Representatives.*

21 (2) *COVERED ARTICLE OR SERVICE*.—*The term*
22 *“covered article or service”—*

23 (A) *for purposes of subsection (c), means—*

24 (i) *a defense article or defense service*

25 *(as such terms are defined in section 47 of*

1 *the Arms Export Control Act (22 U.S.C.*
2 *2794)); and*

3 *(ii) any article included on the Com-*
4 *merce Control List set forth in Supplement*
5 *No. 1 to part 774 of the Export Administra-*
6 *tion Regulations under subchapter C of*
7 *chapter VII of title 15, Code of Federal Reg-*
8 *ulations, and controlled for crime control*
9 *purposes, if the end user is likely to use the*
10 *article to violate the human rights of the*
11 *citizens of Venezuela; and*

12 *(B) for purposes of subsection (d), means—*

13 *(i) any defense article or defense serv-*
14 *ice of the type described in section 47 of the*
15 *Arms Export Control Act (22 U.S.C. 2794);*
16 *and*

17 *(ii) any article of the type included on*
18 *the Commerce Control List set forth in Sup-*
19 *plement No. 1 to part 774 of the Export Ad-*
20 *ministration Regulations and controlled for*
21 *crime control purposes.*

22 (3) *FOREIGN PERSON.—The term “foreign per-*
23 *son” means a person that is not a United States per-*
24 *son.*

1 (4) *PERSON.*—*The term “person” means an in-*
2 *dividual or entity.*

3 (5) *SECURITY FORCES OF VENEZUELA.*—*The*
4 *term “security forces of Venezuela” includes—*

5 (A) *the Bolivarian National Armed Forces,*
6 *including the Bolivarian National Guard;*

7 (B) *the Bolivarian National Intelligence*
8 *Service;*

9 (C) *the Bolivarian National Police; and*

10 (D) *the Bureau for Scientific, Criminal and*
11 *Forensic Investigations of the Ministry of Inte-*
12 *rior, Justice, and Peace.*

13 (6) *UNITED STATES PERSON.*—*The term “United*
14 *States person” means—*

15 (A) *a United States citizen or an alien law-*
16 *fully admitted for permanent residence to the*
17 *United States; or*

18 (B) *an entity organized under the laws of*
19 *the United States or of any jurisdiction within*
20 *the United States, including a foreign branch of*
21 *such an entity.*

22 (c) *RESTRICTION ON EXPORT OF COVERED ARTICLES*
23 *AND SERVICES TO CERTAIN SECURITY FORCES OF VEN-*
24 *EZUELA.*—

1 (1) *IN GENERAL.*—Notwithstanding any other
2 provision of law, covered articles or services may not
3 be exported from the United States to any element of
4 the security forces of the Maduro regime.

5 (2) *DETERMINATION.*—Not later than 180 days
6 after the date of the enactment of this Act, the Sec-
7 retary of State, in consultation with the Secretary of
8 Commerce and the heads of other departments and
9 agencies, as appropriate, shall—

10 (A) determine, using such information that
11 is available to the Secretary of State, whether
12 any covered article or service has been trans-
13 ferred since July 2017 to the security forces of
14 Venezuela without a license or other authoriza-
15 tion as required by law; and

16 (B) submit such determination in writing
17 to the appropriate congressional committees.

18 (d) *REPORT.*—

19 (1) *IN GENERAL.*—Not later than 180 days after
20 the date of the enactment of this Act, the Secretary of
21 State, in consultation with the Secretary of Com-
22 merce, as appropriate, shall submit a report to the
23 appropriate congressional committees regarding the
24 transfer by foreign persons of covered articles or serv-

1 *ices to elements of the security forces of Venezuela that*
2 *are under the authority of the Maduro regime.*

3 (2) *MATTERS TO BE INCLUDED.*—*The report re-*
4 *quired under paragraph (1) shall include—*

5 (A) *a list of all significant transfers by for-*
6 *ign persons of covered articles or services to*
7 *such elements of the security forces of Venezuela*
8 *since July 2017;*

9 (B) *a list of all foreign persons who main-*
10 *tain an existing defense relationship with such*
11 *elements of the security forces of Venezuela; and*

12 (C) *any known use of covered articles or*
13 *services by such elements of the security forces of*
14 *Venezuela or associated forces, including para-*
15 *military groups, that have coordinated with such*
16 *security forces to assault, intimidate, or murder*
17 *political activists, protesters, dissidents, and*
18 *other civil society leaders, including Juan*
19 *Guaidó.*

20 (e) *SUNSET.*—*This section shall terminate on the ear-*
21 *lier of—*

22 (1) *the date that is 3 years after the date of the*
23 *enactment of this Act; or*

24 (2) *the date on which the President certifies to*
25 *the appropriate congressional committees that the*

1 *Government of Venezuela has returned to a demo-*
2 *cratic form of government with respect for the essen-*
3 *tial elements of representative democracy as set forth*
4 *in Article 3 of the Inter-American Democratic Char-*
5 *ter, adopted by the Organization of American States*
6 *in Lima on September 11, 2001.*

7 ***Subtitle G—Cryptocurrency and En-***
8 ***surging the Effectiveness of***
9 ***United States Sanctions***

10 ***SEC. 171. BRIEFING ON THE IMPACT OF***
11 ***CRYPTOCURRENCIES ON UNITED STATES***
12 ***SANCTIONS.***

13 *(a) DEFINITION.—In this section, the term “appro-*
14 *priate congressional committees” means—*

15 *(1) the Committee on Foreign Relations of the*
16 *Senate;*

17 *(2) the Committee on Banking, Housing, and*
18 *Urban Affairs of the Senate;*

19 *(3) the Committee on Foreign Affairs of the*
20 *House of Representatives; and*

21 *(4) the Committee on Financial Services of the*
22 *House of Representatives.*

23 *(b) METHODOLOGY.—Not later than 180 days after the*
24 *date of the enactment of this Act, the Secretary of State*
25 *and the Secretary of the Treasury, after consultation with*

1 *the Chairman of the Securities and Exchange Commission*
2 *and the Chairman of the Commodity Futures Trading*
3 *Commission, shall develop a methodology to assess how any*
4 *digital currency, digital coin, or digital token, that was*
5 *issued by, for, or on behalf of the Maduro regime is being*
6 *utilized to circumvent or undermine United States sanc-*
7 *tions.*

8 (c) *BRIEFING.*—*Not later than 180 days after the date*
9 *of the enactment of this Act, the Secretary of State and the*
10 *Secretary of the Treasury shall brief the appropriate con-*
11 *gressional committees on the methodology developed under*
12 *subsection (b).*

13 ***Subtitle H—Miscellaneous*** 14 ***Provisions***

15 **SEC. 181. CONGRESSIONAL BRIEFINGS.**

16 (a) *HUMANITARIAN ASSISTANCE; SANCTIONS COORDI-*
17 *NATION.*—

18 (1) *IN GENERAL.*—*Not later than 15 days after*
19 *any of the congressional committees listed in para-*
20 *graph (2) requests a briefing regarding the implemen-*
21 *tation—*

22 (A) *of section 121, the Secretary of State*
23 *and the Administrator of the United States*
24 *Agency for International Development shall pro-*
25 *vide such briefing to such committee; and*

1 (B) of section 161, the Secretary of State
2 shall provide such briefing to such committee.

3 (2) CONGRESSIONAL COMMITTEES.—The commit-
4 tees listed in this paragraph are—

5 (A) the Committee on Foreign Relations of
6 the Senate;

7 (B) the Committee on Appropriations of the
8 Senate;

9 (C) the Committee on Foreign Affairs of the
10 House of Representatives; and

11 (D) the Committee on Appropriations of the
12 House of Representatives.

13 (b) UNITED NATIONS; NEGOTIATED SOLUTION;
14 CRIMES AGAINST HUMANITY.—

15 (1) IN GENERAL.—Not later than 15 days after
16 any congressional committee listed in paragraph (2)
17 requests a briefing regarding the implementation of
18 section 113, 122, or 142, the Secretary of State shall
19 provide such briefing to such committee.

20 (2) CONGRESSIONAL COMMITTEES.—The congres-
21 sional committees listed in this paragraph are—

22 (A) the Committee on Foreign Relations of
23 the Senate; and

24 (B) the Committee on Foreign Affairs of the
25 House of Representatives.

1 (c) *REGIME COHESION.*—

2 (1) *IN GENERAL.*—Not later than 15 days after
3 a congressional committee listed in paragraph (2) re-
4 quests a briefing regarding the implementation of sec-
5 tion 131, the Secretary of State and the Director of
6 National Intelligence shall provide such briefing to
7 such committee.

8 (2) *CONGRESSIONAL COMMITTEES.*—The congres-
9 sional committees listed in this paragraph are—

10 (A) the Committee on Foreign Relations of
11 the Senate;

12 (B) the Select Committee on Intelligence of
13 the Senate;

14 (C) the Committee on Foreign Affairs of the
15 House of Representatives; and

16 (D) the Permanent Select Committee on In-
17 telligence of the House of Representatives.

18 (d) *INTERNATIONAL ELECTION OBSERVATION; DEMO-*
19 *CRATIC CIVIL SOCIETY.*—Not later than 15 days after a
20 congressional committee listed in subsection (a)(2) requests
21 a briefing regarding the implementation of section 143, the
22 Secretary of State and the Administrator of the United
23 States Agency for International Development shall provide
24 such briefing to such committee.

1 (e) *VISA RESTRICTIONS; SANCTIONS WAIVER.*—Not
2 later than 15 days after a congressional committee listed
3 in subsection (b)(2) requests a briefing regarding the imple-
4 mentation of section 132 or 133, the Secretary of State shall
5 provide such briefing to such committee.

6 (f) *RECOVERY OF STOLEN ASSETS.*—

7 (1) *IN GENERAL.*—Not later than 15 days after
8 a congressional committee listed in paragraph (2) re-
9 quests a briefing regarding the implementation of sec-
10 tion 151, the Secretary of State, the Secretary of the
11 Treasury, and the Attorney General shall provide
12 such briefing to such committee.

13 (2) *CONGRESSIONAL COMMITTEES.*—The congress-
14 sional committees listed in this paragraph are—

15 (A) the Committee on Foreign Relations of
16 the Senate;

17 (B) the Committee on Banking, Housing,
18 and Urban Affairs of the Senate;

19 (C) the Committee on the Judiciary of the
20 Senate;

21 (D) the Committee on Foreign Affairs of the
22 House of Representatives;

23 (E) the Committee on Financial Services of
24 the House of Representatives; and

1 (F) *the Committee on the Judiciary of the*
2 *House of Representatives.*

3 (g) *PDVSA TRANSACTIONS WITH ROSNEFT.—*

4 (1) *IN GENERAL.—Not later than 15 days after*
5 *a congressional committee listed in paragraph (2) re-*
6 *quests a briefing regarding the implementation of sec-*
7 *tion 163, the Secretary of State, the Secretary of the*
8 *Treasury, and the Secretary of Homeland Security*
9 *shall provide such briefing to such committee.*

10 (2) *CONGRESSIONAL COMMITTEES.—The congress-*
11 *sional committees listed in this paragraph are—*

12 (A) *the Committee on Foreign Relations of*
13 *the Senate;*

14 (B) *the Committee on Homeland Security*
15 *and Governmental Affairs of the Senate;*

16 (C) *the Committee on Foreign Affairs of the*
17 *House of Representatives; and*

18 (D) *the Committee on Homeland Security*
19 *of the House of Representatives.*

20 **SEC. 182. PROHIBITION ON CONSTRUCTION OF PROVISIONS**
21 **OF THIS TITLE AS AN AUTHORIZATION FOR**
22 **THE USE OF MILITARY FORCE.**

23 *Nothing in this title may be construed as an authoriza-*
24 *tion for the use of military force.*

1 **SEC. 183. EXTENSION AND TERMINATION OF SANCTIONS**
2 **AGAINST VENEZUELA.**

3 (a) *AMENDMENT.*—Section 5(e) of the Venezuela De-
4 fense of Human Rights and Civil Society Act of 2014 (Pub-
5 lic Law 113–278; 50 U.S.C. 1701 note) is amended by strik-
6 ing “December 31, 2019” and inserting “December 31,
7 2023”.

8 (b) *TERMINATION.*—The requirement to impose sanc-
9 tions under this title shall terminate on December 31, 2023.

10 **TITLE II—EASTERN MEDITERRA-**
11 **NEAN SECURITY AND ENERGY**
12 **PARTNERSHIP**

13 **SEC. 201. SHORT TITLE.**

14 This title may be cited as the “Eastern Mediterranean
15 Security and Energy Partnership Act of 2019”.

16 **SEC. 202. FINDINGS.**

17 Congress makes the following findings:

18 (1) The security of partners and allies in the
19 Eastern Mediterranean region is critical to the secu-
20 rity of the United States and Europe.

21 (2) Greece is a valuable member of the North At-
22 lantic Treaty Organization (NATO) and a key pillar
23 of stability in the Eastern Mediterranean.

24 (3) Israel is a steadfast ally of the United States
25 and has been designated a “major non-NATO ally”
26 and “major strategic partner”.

1 (4) *Cyprus is a key strategic partner and signed*
2 *a Statement of Intent with the United States on No-*
3 *vember 6, 2018, to enhance bilateral security coopera-*
4 *tion.*

5 (5) *The countries of Greece, Cyprus, and Israel*
6 *have participated in critical trilateral summits to*
7 *improve cooperation on energy and security issues.*

8 (6) *Secretary of State Mike Pompeo participated*
9 *in the trilateral summit among Israel, Greece, and*
10 *Cyprus on March 20, 2019.*

11 (7) *The United States, Israel, Greece, and Cy-*
12 *prus oppose any action in the Eastern Mediterranean*
13 *and the Aegean Sea that could challenge stability,*
14 *violate international law, or undermine good neigh-*
15 *borly relations, and in a joint declaration on March*
16 *21, 2019, agreed to “defend against external malign*
17 *influences in the Eastern Mediterranean and the*
18 *broader Middle East”.*

19 (8) *The recent discovery of what may be the re-*
20 *gion’s largest natural gas field off the Egyptian coast*
21 *and the newest discoveries of natural gas off the coast*
22 *of Cyprus could represent a significant and positive*
23 *development for the Eastern Mediterranean and the*
24 *Middle East, enhancing the region’s strategic energy*
25 *significance.*

1 (9) *It is in the national security interest of the*
2 *United States to promote, achieve, and maintain en-*
3 *ergy security among, and through cooperation with,*
4 *allies.*

5 (10) *Natural gas developments in the Eastern*
6 *Mediterranean have the potential to provide economic*
7 *gains and contribute to energy security in the region*
8 *and Europe, as well as support European efforts to*
9 *diversify away from natural gas supplied by the Rus-*
10 *sian Federation.*

11 (11) *The soon to be completed Trans Adriatic*
12 *Pipeline is a critical component of the Southern Gas*
13 *Corridor and the European Union's efforts to diver-*
14 *sify energy resources.*

15 (12) *The proposed Eastern Mediterranean pipe-*
16 *line, if commercially viable, would provide for energy*
17 *diversification in accordance with the European*
18 *Union's third energy package of reforms.*

19 (13) *The United States acknowledges the achieve-*
20 *ments and importance of the Binational Industrial*
21 *Research and Development Foundation (BIRD) and*
22 *the United States-Israel Binational Science Founda-*
23 *tion (BSF) and supports continued multiyear fund-*
24 *ing to ensure the continuity of the programs of the*
25 *Foundations.*

1 (14) *The United States has welcomed Greece’s al-*
2 *location of 2 percent of its gross domestic product*
3 *(GDP) to defense in accordance with commitments*
4 *made at the 2014 NATO Summit in Wales.*

5 (15) *Energy exploration in the Eastern Medi-*
6 *terranean region must be safeguarded against threats*
7 *posed by terrorist and extremist groups, including*
8 *Hezbollah and any other actor in the region.*

9 (16) *The energy exploration in the Republic of*
10 *Cyprus’s Exclusive Economic Zone and territorial*
11 *waters—*

12 (A) *furtheres United States interests by pro-*
13 *viding a potential alternative to Russian gas for*
14 *United States allies and partners; and*

15 (B) *should not be impeded by other sov-*
16 *ereign states.*

17 (17) *The United States Government cooperates*
18 *closely with Cyprus, Greece, and Israel through infor-*
19 *mation sharing agreements.*

20 (18) *United States officials have assisted the*
21 *Government of the Republic of Cyprus with crafting*
22 *that nation’s national security strategy.*

23 (19) *The United States Government provides*
24 *training to Cypriot officials in areas such as cyberse-*

1 *curity, counterterrorism, and explosive ordnance dis-*
2 *posal and stockpile management.*

3 *(20) Israel, Greece, and Cyprus are valued mem-*
4 *bers of the Proliferation Security Initiative to combat*
5 *the trafficking of weapons of mass destruction.*

6 *(21) The Republic of Cyprus continues to work*
7 *closely with the United Nations and regional partners*
8 *in Europe to combat terrorism and violent extremism.*

9 *(22) Despite robust economic and security rela-*
10 *tions with the United States, the Republic of Cyprus*
11 *has been subject to a United States prohibition on the*
12 *export of defense articles and services since 1987.*

13 *(23) The 1987 arms prohibition was designed to*
14 *restrict United States arms sales and transfers to the*
15 *Republic of Cyprus and the occupied part of Cyprus*
16 *to avoid hindering reunification efforts.*

17 *(24) At least 40,000 Turkish troops are stationed*
18 *in the occupied part of Cyprus with some weapons*
19 *procured from the United States through mainland*
20 *Turkey.*

21 *(25) While the United States has, as a matter of*
22 *policy, avoided the provision of defense articles and*
23 *services to the Republic of Cyprus, the Government of*
24 *Cyprus has, in the past, sought to obtain defense arti-*
25 *cles from other countries, including countries, such as*

1 *Russia, that pose challenges to United States interests*
2 *around the world.*

3 **SEC. 203. STATEMENT OF POLICY.**

4 *It is the policy of the United States—*

5 *(1) to continue to actively participate in the tri-*
6 *lateral dialogue on energy, maritime security, cyber-*
7 *security and protection of critical infrastructure con-*
8 *ducted among Israel, Greece, and Cyprus;*

9 *(2) to support diplomatic efforts with partners*
10 *and allies to deepen energy security cooperation*
11 *among Greece, Cyprus, and Israel and to encourage*
12 *the private sector to make investments in energy in-*
13 *frastructure in the Eastern Mediterranean region;*

14 *(3) to strongly support the completion of the*
15 *Trans Adriatic and Eastern Mediterranean Pipelines*
16 *and the establishment of liquified natural gas (LNG)*
17 *terminals across the Eastern Mediterranean as a*
18 *means of diversifying regional energy needs away*
19 *from the Russian Federation;*

20 *(4) to maintain a robust United States naval*
21 *presence and investments in the naval facility at*
22 *Souda Bay, Greece and develop deeper security co-*
23 *operation with Greece to include the recent MQ-9 de-*
24 *ployments to the Larissa Air Force Base and United*
25 *States Army helicopter training in central Greece;*

1 (5) to welcome Greece's commitment to move for-
2 ward with the Interconnector Greece-Bulgaria (IGB
3 pipeline) and additional LNG terminals that will
4 help facilitate delivery of non-Russian gas to the Bal-
5 kans and central Europe;

6 (6) to support deepened security cooperation
7 with the Republic of Cyprus through the removal of
8 the arms embargo on the country;

9 (7) to support robust International Military
10 Education and Training (IMET) programming with
11 Greece and the Republic of Cyprus;

12 (8) to leverage relationships within the European
13 Union to encourage investments in Cypriot border
14 and maritime security;

15 (9) to support efforts to counter Russian Federa-
16 tion interference and influence in the Eastern Medi-
17 terranean through increased security cooperation with
18 Greece, Cyprus, and Israel, to include intelligence
19 sharing, cyber, and maritime domain awareness;

20 (10) to support the Republic of Cyprus' efforts to
21 regulate its banking industry to ensure that it is not
22 used as a source of international money laundering
23 and encourage additional measures toward that end;

24 (11) to strongly oppose any actions that would
25 trigger mandatory sanctions pursuant to section 231

1 *of the Countering America's Adversaries Through*
2 *Sanctions Act (CAATSA) (Public Law 115-44), to*
3 *include the purchase of military equipment from the*
4 *Russian Federation;*

5 *(12) to continue robust official strategic engage-*
6 *ment with Israel, Greece, and Cyprus;*

7 *(13) to urge countries in the region to deny port*
8 *services to Russian Federation vessels deployed to*
9 *support the government of Bashar Al-Assad in Syria;*

10 *(14) to support joint military exercises among*
11 *Israel, Greece, and Cyprus;*

12 *(15) to fully implement relevant CAATSA provi-*
13 *sions to prevent interference by the Russian Federa-*
14 *tion in the region;*

15 *(16) to support efforts by countries in the region*
16 *to demobilize military equipment supplied by the*
17 *Russian Federation in favor of equipment provided*
18 *by NATO and NATO-allied member countries; and*

19 *(17) to strongly support the active and robust*
20 *participation of Israel, Cyprus, and Greece in the*
21 *Combating Terrorism Fellowship Program.*

22 **SEC. 204. UNITED STATES-EASTERN MEDITERRANEAN EN-**
23 **ERGY COOPERATION.**

24 *(a) IN GENERAL.—The Secretary of State, in coordi-*
25 *nation with the Secretary of Energy, may enter into cooper-*

1 *ative agreements supporting and enhancing dialogue and*
2 *planning involving international partnerships between the*
3 *United States and Israel, Greece, and the Republic of Cy-*
4 *prus.*

5 (b) *ANNUAL REPORTS.*—*If the Secretary of State, in*
6 *coordination with the Secretary of Energy, enters into*
7 *agreements authorized under subsection (a), the Secretary*
8 *shall submit an annual report to the appropriate congres-*
9 *sional committees that describes—*

10 (1) *actions taken to implement such agreements;*

11 *and*

12 (2) *any projects undertaken pursuant to such*
13 *agreements.*

14 (c) *UNITED STATES-EASTERN MEDITERRANEAN EN-*
15 *ERGY CENTER.*—*The Secretary of Energy, in coordination*
16 *with the Secretary of State, may establish a joint United*
17 *States-Eastern Mediterranean Energy Center in the United*
18 *States leveraging the experience, knowledge, and expertise*
19 *of institutions of higher education and entities in the pri-*
20 *vate sector, among others, in offshore energy development*
21 *to further dialogue and collaboration to develop more robust*
22 *academic cooperation in energy innovation technology and*
23 *engineering, water science, technology transfer, and anal-*
24 *ysis of emerging geopolitical implications, which include*

1 *opportunities as well as crises and threats from foreign nat-*
2 *ural resource and energy acquisitions.*

3 **SEC. 205. REPEAL OF PROHIBITION ON TRANSFER OF ARTI-**
4 **CLES ON THE UNITED STATES MUNITIONS**
5 **LIST TO THE REPUBLIC OF CYPRUS.**

6 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
7 *that—*

8 (1) *allowing for the export, re-export or transfer*
9 *of arms subject to the United States Munitions List*
10 *(part 121 of title 22, Code of Federal Regulations) to*
11 *the Republic of Cyprus would advance United States*
12 *security interests in Europe by helping to reduce the*
13 *dependence of the Government of the Republic of Cy-*
14 *prus on other countries, including countries that pose*
15 *challenges to United States interests around the*
16 *world, for defense-related materiel; and*

17 (2) *it is in the interest of the United States to*
18 *continue to support United Nations-facilitated efforts*
19 *toward a comprehensive solution to the division of*
20 *Cyprus.*

21 (b) *MODIFICATION OF PROHIBITION.—Section 620C(e)*
22 *of the Foreign Assistance Act of 1961 (22 U.S.C. 2373(e))*
23 *is amended—*

1 (1) *in paragraph (1), by striking “Any agree-*
2 *ment” and inserting “Except as provided in para-*
3 *graph (3), any agreement”;* and

4 (2) *by adding at the end the following new para-*
5 *graph:*

6 “(3) *The requirement under paragraph (1) shall not*
7 *apply to any sale or other provision of any defense article*
8 *or defense service to Cyprus if the end-user of such defense*
9 *article or defense service is the Government of the Republic*
10 *of Cyprus.”.*

11 (c) *EXCLUSION OF THE GOVERNMENT OF THE REPUB-*
12 *LIC OF CYPRUS FROM CERTAIN RELATED REGULATIONS.—*

13 (1) *IN GENERAL.—Subject to subsection (d) and*
14 *except as provided in paragraph (2), beginning on the*
15 *date of the enactment of this Act, the Secretary of*
16 *State shall not apply a policy of denial for exports,*
17 *re-exports, or transfers of defense articles and defense*
18 *services destined for or originating in the Republic of*
19 *Cyprus if—*

20 (A) *the request is made by or on behalf of*
21 *the Government of the Republic of Cyprus; and*

22 (B) *the end-user of such defense articles or*
23 *defense services is the Government of the Repub-*
24 *lic of Cyprus.*

1 (2) *EXCEPTION.*—*This exclusion shall not apply*
2 *to any denial based upon credible human rights con-*
3 *cerns.*

4 (d) *LIMITATIONS ON THE TRANSFER OF ARTICLES ON*
5 *THE UNITED STATES MUNITIONS LIST TO THE REPUBLIC*
6 *OF CYPRUS.*—

7 (1) *IN GENERAL.*—*The policy of denial for ex-*
8 *ports, re-exports, or transfers of defense articles on the*
9 *United States Munitions List to the Republic of Cy-*
10 *prus shall remain in place unless the President deter-*
11 *mines and certifies to the appropriate congressional*
12 *committees not less than annually that—*

13 (A) *the Government of the Republic of Cy-*
14 *prus is continuing to cooperate with the United*
15 *States Government in efforts to implement re-*
16 *forms on anti-money laundering regulations and*
17 *financial regulatory oversight; and*

18 (B) *the Government of the Republic of Cy-*
19 *prus has made and is continuing to take the*
20 *steps necessary to deny Russian military vessels*
21 *access to ports for refueling and servicing.*

22 (2) *WAIVER.*—*The President may waive the lim-*
23 *itations contained in this subsection for one fiscal*
24 *year if the President determines that it is essential to*

1 *the national security interests of the United States to*
2 *do so.*

3 (3) *APPROPRIATE CONGRESSIONAL COMMITTEES*
4 *DEFINED.—In this section, the term “appropriate*
5 *congressional committees” means—*

6 (A) *the Committee on Foreign Relations*
7 *and the Committee on Armed Services of the*
8 *Senate; and*

9 (B) *the Committee on Foreign Affairs and*
10 *the Committee on Armed Services of the House*
11 *of Representatives.*

12 **SEC. 206. IMET COOPERATION WITH GREECE AND THE RE-**
13 **PUBLIC OF CYPRUS.**

14 *There is authorized to be appropriated \$1,300,000 for*
15 *fiscal year 2020, \$1,500,000 for fiscal year 2021, and*
16 *\$1,800,000 for fiscal year 2022 for International Military*
17 *Education and Training (IMET) assistance for Greece and*
18 *\$200,000 for fiscal year 2020, \$500,000 for fiscal year 2021,*
19 *and \$750,000 for fiscal year 2022 for such assistance for*
20 *the Republic of Cyprus. The assistance shall be made avail-*
21 *able for the following purposes:*

22 (1) *Training of future leaders.*

23 (2) *Fostering a better understanding of the*
24 *United States.*

1 (3) *Establishing a rapport between the United*
2 *States military and the country's military to build*
3 *alliances for the future.*

4 (4) *Enhancement of interoperability and capa-*
5 *bilities for joint operations.*

6 (5) *Focusing on professional military education.*

7 (6) *Enabling countries to use their national*
8 *funds to receive a reduced cost for other Department*
9 *of Defense education and training.*

10 **SEC. 207. FOREIGN MILITARY FINANCING.**

11 (a) *AUTHORIZATION OF APPROPRIATIONS.—There is*
12 *authorized to be appropriated for fiscal year 2021 up to*
13 *\$3,000,000 for Foreign Military Financing (FMF) assist-*
14 *ance for Greece to assist the country in meeting its commit-*
15 *ment as a member of the North Atlantic Treaty Organiza-*
16 *tion (NATO) to dedicate 20 percent of its defense budget*
17 *to enhance research and development.*

18 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
19 *that Greece should receive robust support under the Euro-*
20 *pean Recapitalization Incentive Program implemented by*
21 *the Department of Defense.*

1 **SEC. 208. STRATEGY ON UNITED STATES SECURITY AND EN-**
2 **ERGY COOPERATION IN THE EASTERN MEDI-**
3 **TERRANEAN.**

4 (a) *IN GENERAL.*—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary of State,
6 in consultation with the Secretary of Defense and the Sec-
7 retary of Energy, shall submit to the appropriate congres-
8 sional committees a strategy on enhanced security and en-
9 ergy cooperation with countries in the Eastern Mediterra-
10 nean region, including Israel, the Republic of Cyprus, and
11 Greece.

12 (b) *ELEMENTS.*—The report required under subsection
13 (a) shall include the following elements:

14 (1) *A description of United States participation*
15 *in and support for the Eastern Mediterranean Nat-*
16 *ural Gas Forum.*

17 (2) *An evaluation of all possible delivery mecha-*
18 *nisms into Europe for natural gas discoveries in the*
19 *Eastern Mediterranean region.*

20 (3) *An evaluation of efforts to protect energy ex-*
21 *ploration infrastructure in the region, including in-*
22 *frastructure owned or operated by United States com-*
23 *panies.*

24 (4) *An assessment of the capacity of the Republic*
25 *of Cyprus to host an Energy Crisis Center in the re-*
26 *gion which could provide basing facilities in support*

1 of search and rescue efforts in the event of an acci-
2 dent.

3 (5) *An assessment of the timing of potential nat-*
4 *ural gas delivery in the region as well as an assess-*
5 *ment of the ultimate destination countries for the nat-*
6 *ural gas delivery from the region.*

7 (6) *A plan to work with United States businesses*
8 *seeking to invest in Eastern Mediterranean energy ex-*
9 *ploration, development, and cooperation.*

10 (c) *FORM.*—*The report required under subsection (a)*
11 *shall be submitted in unclassified form, but may contain*
12 *a classified annex.*

13 **SEC. 209. REPORT ON RUSSIAN FEDERATION MALIGN IN-**
14 **FLUENCE IN THE EASTERN MEDITERRANEAN.**

15 (a) *IN GENERAL.*—*Not later than 90 days after the*
16 *date of the enactment of this Act, the Secretary of State*
17 *shall submit to the appropriate congressional committees a*
18 *report on Russian Federation malign influence in the Re-*
19 *public of Cyprus, Greece, and Israel since January 1, 2017.*

20 (b) *ELEMENTS.*—*The report required under subsection*
21 (i) *shall include the following elements:*

22 (1) *An assessment of security, political, and en-*
23 *ergy goals of the Russian Federation in the Eastern*
24 *Mediterranean.*

1 (2) *A description of energy projects of the Gov-*
2 *ernment of the Russian Federation in the Eastern*
3 *Mediterranean.*

4 (3) *A listing of Russian national ownership of*
5 *media outlets in these countries, including the name*
6 *of the media outlet, approximate viewership, and as-*
7 *essment of whether the outlet promotes pro-Kremlin*
8 *views.*

9 (4) *An assessment of military engagement by the*
10 *Government of the Russian Federation in the security*
11 *sector, including engagement by military equipment*
12 *and personnel contractors.*

13 (5) *An assessment of efforts supported by the*
14 *Government of the Russian Federation to influence*
15 *elections in the three countries, through the use of*
16 *cyber attacks, social media campaigns, or other ma-*
17 *lign influence techniques.*

18 (6) *An assessment of efforts by the Government*
19 *of the Russian Federation to intimidate and influence*
20 *the decision by His All Holiness Ecumenical Patri-*
21 *arch Bartholomew, leader of 300,000,000 Orthodox*
22 *Christians worldwide, to grant autocephaly to the*
23 *Ukrainian Orthodox Church.*

1 (c) *FORM.*—The report required under subsection (a)
2 shall be submitted in unclassified form, but may contain
3 a classified annex.

4 **SEC. 210. REPORT ON INTERFERENCE BY OTHER COUN-**
5 **TRIES IN THE EXCLUSIVE ECONOMIC ZONE**
6 **OF THE REPUBLIC OF CYPRUS.**

7 (a) *IN GENERAL.*—Not later than 90 days after the
8 date of the enactment of this Act, the Secretary of State,
9 in consultation with the Secretary of Defense and the Sec-
10 retary of Energy, shall submit to the appropriate congres-
11 sional committees a report listing incidents since January
12 1, 2017, determined by the Secretary of State to interfere
13 in efforts by the Republic of Cyprus to explore and exploit
14 natural resources in its Exclusive Economic Zone.

15 (b) *FORM.*—The report required under subsection (a)
16 shall be submitted in unclassified form, but may contain
17 a classified annex.

18 **SEC. 211. REPORT ON INTERFERENCE BY OTHER COUN-**
19 **TRIES IN THE AIRSPACE OF GREECE.**

20 (a) *IN GENERAL.*—Not later than 90 days after the
21 date of the enactment of this Act, the Secretary of State,
22 in consultation with the Secretary of Defense, shall submit
23 to the appropriate congressional committees a report listing
24 incidents since January 1, 2017, determined by the Sec-

1 *retary of State to be violations of the airspace of the sov-*
2 *ereign territory of Greece by its neighbors.*

3 (b) *FORM.*—*The report required under subsection (a)*
4 *shall be submitted in unclassified form, but may contain*
5 *a classified annex.*

6 **SEC. 212. APPROPRIATE CONGRESSIONAL COMMITTEES.**

7 *In this title, the term “appropriate congressional com-*
8 *mittees” means the Committee on Foreign Relations of the*
9 *Senate and the Committee on Foreign Affairs of the House*
10 *of Representatives.*

11 **TITLE III—END NEGLECTED**
12 **TROPICAL DISEASES ACT**

13 **SEC. 301. SHORT TITLE.**

14 *This title may be cited as the “End Neglected Tropical*
15 *Diseases Act”.*

16 **SEC. 302. STATEMENT OF POLICY.**

17 *It is the policy of the United States to support a broad*
18 *range of implementation and research and development ac-*
19 *tivities that work toward the achievement of cost-effective*
20 *and sustainable treatment, control, and, where possible,*
21 *elimination of neglected tropical diseases for the economic*
22 *and social well-being of all people.*

23 **SEC. 303. DEFINITION.**

24 *In this title, the terms “neglected tropical diseases”*
25 *and “NTDs”—*

1 (1) *mean infections caused by pathogens, includ-*
2 *ing viruses, bacteria, protozoa, and helminths that*
3 *disproportionately impact individuals living in ex-*
4 *treme poverty, especially in developing countries; and*

5 (2) *include—*

6 (A) *Buruli ulcer (Mycobacterium Ulcerans*
7 *infection);*

8 (B) *Chagas disease;*

9 (C) *dengue or severe dengue fever;*

10 (D) *dracunculiasis (Guinea worm disease);*

11 (E) *echinococcosis;*

12 (F) *foodborne trematodiasis;*

13 (G) *human African trypanosomiasis (sleep-*
14 *ing sickness);*

15 (H) *leishmaniasis;*

16 (I) *leprosy;*

17 (J) *lymphatic filariasis (elephantiasis);*

18 (K) *onchocerciasis (river blindness);*

19 (L) *scabies;*

20 (M) *schistosomiasis;*

21 (N) *soil-transmitted helminthiasis (STH)*
22 *(roundworm, whipworm, and hookworm);*

23 (O) *taeniasis/cysticercosis;*

24 (P) *trachoma; and*

25 (Q) *yaws (endemic treponematoses).*

1 **SEC. 304. EXPANSION OF UNITED STATES AGENCY FOR**
2 **INTERNATIONAL DEVELOPMENT NEGLECTED**
3 **TROPICAL DISEASES PROGRAM.**

4 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
5 *that the Neglected Tropical Diseases Program, as in effect*
6 *on the date of the enactment of this Act, should—*

7 (1) *provide integrated drug treatment packages*
8 *to as many individuals suffering from NTDs or at*
9 *risk of acquiring NTDs, including individuals dis-*
10 *placed by manmade and natural disasters, as*
11 *logistically feasible;*

12 (2) *better integrate NTD control and treatment*
13 *tools and approaches into complementary develop-*
14 *ment and global health programs by coordinating, to*
15 *the extent practicable and appropriate, across mul-*
16 *tiple sectors, including those relating to HIV/AIDS,*
17 *malaria, tuberculosis, education, nutrition, other in-*
18 *fectious diseases, maternal and child health, and*
19 *water, sanitation, and hygiene;*

20 (3) *establish low-cost, high-impact community-*
21 *and school-based NTD programs to reach large at-risk*
22 *populations, including school-age children, with inte-*
23 *grated drug treatment packages, as feasible;*

24 (4) *as opportunities emerge and resources allow,*
25 *engage in research and development of new tools and*
26 *approaches to reach the goals relating to the elimi-*

1 *nation of NTDs as set forth by the 2012 World Health*
2 *Organization publication “Accelerating Work to Over-*
3 *come the Global Impact of Neglected Tropical Dis-*
4 *eases: A Roadmap for Implementation”, including for*
5 *Chagas disease, Guinea worm, human African*
6 *trypanosomiasis (sleeping sickness), leprosy, and vis-*
7 *ceral leishmaniasis; and*

8 *(5) monitor research on and developments in the*
9 *prevention and treatment of other NTDs so break-*
10 *throughs can be incorporated into the Neglected Trop-*
11 *ical Diseases Program, as practicable and appro-*
12 *priate.*

13 *(b) PROGRAM PRIORITIES.—The Administrator of the*
14 *United States Agency for International Development (re-*
15 *ferred to in this section as the “Administrator”) should in-*
16 *corporate the following priorities into the Neglected Trop-*
17 *ical Diseases Program (as in effect on the date of the enact-*
18 *ment of this Act):*

19 *(1) Planning for and conducting robust moni-*
20 *toring and evaluation of program investments in*
21 *order to accurately measure impact, identify and*
22 *share lessons learned, and inform future NTD control*
23 *and elimination strategies.*

24 *(2) Coordinating program activities with com-*
25 *plementary development and global health programs*

1 *of the United States Agency for International Devel-*
2 *opment, including programs relating to water, sani-*
3 *tation, and hygiene, food and nutrition security, and*
4 *education (both primary and secondary), in order to*
5 *advance the goals of the London Declaration on Ne-*
6 *glected Tropical Diseases (2012).*

7 (3) *Including morbidity management in treat-*
8 *ment plans for high-burden NTDs.*

9 (4) *Incorporating NTDs included in the Global*
10 *Burden of Disease Study 2010 into the program as*
11 *opportunities emerge, to the extent practicable and*
12 *appropriate.*

13 (5) *Continuing investments in the research and*
14 *development of new tools and approaches that com-*
15 *plement existing research investments and ensure that*
16 *new discoveries make it through the pipeline and be-*
17 *come available to individuals who need them most.*

18 **SEC. 305. ACTIONS BY DEPARTMENT OF STATE.**

19 (a) *OFFICE OF THE GLOBAL AIDS COORDINATOR.—*
20 *It is the sense of Congress that the Coordinator of United*
21 *States Government Activities to Combat HIV/AIDS Glob-*
22 *ally should fully consider evolving research on the impact*
23 *of NTDs on efforts to control HIV/AIDS when making fu-*
24 *ture programming decisions, as necessary and appropriate.*

25 (b) *GLOBAL PROGRAMMING.—*

1 *soil-transmitted helminthiases (roundworm, whipworm,*
2 *and hookworm) in particular.*

3 (b) UNITED NATIONS.—*The President should direct the*
4 *United States Permanent Representative to the United Na-*
5 *tions to use the voice, vote, and influence of the United*
6 *States to urge the World Health Organization and the*
7 *United Nations Development Programme to—*

8 (1) *ensure the dissemination of best practices*
9 *and programming on NTDs to governments and make*
10 *data accessible to practitioners in an open and timely*
11 *fashion;*

12 (2) *highlight impacts of community- and school-*
13 *based deworming programs on children’s health and*
14 *education, emphasizing the cost-effectiveness of such*
15 *programs;*

16 (3) *encourage governments to implement*
17 *deworming campaigns at the national level;*

18 (4) *consider the designation of a portion of grant*
19 *funds of the institutions to deworming initiatives and*
20 *cross-sectoral collaboration with water, sanitation,*
21 *and hygiene efforts and nutrition or education pro-*
22 *gramming, as practicable and appropriate;*

23 (5) *encourage accurate monitoring and evalua-*
24 *tion of NTD programs, including deworming pro-*
25 *grams; and*

1 (6) *engage governments in cross-border initia-*
2 *tives for the treatment, control, prevention, and elimi-*
3 *nation of NTDs, and assist in developing*
4 *transnational agreements, when and where necessary.*

5 **SEC. 307. RULE OF CONSTRUCTION.**

6 *Nothing in this title may be construed to increase au-*
7 *thorizations of appropriations for the United States Agency*
8 *for International Development.*

9 **TITLE IV—PREVENTING CHILD**
10 **MARRIAGE IN DISPLACED**
11 **POPULATIONS**

12 **SEC. 401. SHORT TITLE.**

13 *This title may be cited as the “Preventing Child Mar-*
14 *riage in Displaced Populations Act”.*

15 **SEC. 402. FINDINGS.**

16 *Congress finds the following:*

17 (1) *According to United Nations Children’s*
18 *Fund (UNICEF), 12,000,000 girls marry before the*
19 *age of 18 every year.*

20 (2) *Early marriage denies children, especially*
21 *girls, their right to make vital decisions about their*
22 *well-being, including relating to their health, family,*
23 *and career. Child brides are less likely to finish their*
24 *education, and are at higher risk for abuse, con-*

1 *tracting HIV, and dying while pregnant or giving*
2 *birth.*

3 *(3) Child marriage also imposes substantial eco-*
4 *nomical costs to developing countries, impeding devel-*
5 *opment and prosperity gains.*

6 *(4) Displaced populations are particularly vul-*
7 *nerable to child marriage, in communities where pov-*
8 *erty, instability, and displacement put pressure on*
9 *families to marry children, particularly young girls,*
10 *off at a young age.*

11 *(5) One United Nations (UN) study found that*
12 *child marriage rates were 4 times higher among dis-*
13 *placed Syrian refugees than among Syrians before the*
14 *crisis. This indicates that displacement, instability,*
15 *and poverty are driving child marriages.*

16 *(6) United Nations agencies, including UNICEF*
17 *and the United Nations High Commissioner for Refu-*
18 *gees (UNHCR), have acknowledged the dangers of*
19 *child marriage and taken steps to address its risk in*
20 *the populations they serve.*

21 *(7) The UN Joint Program on Child Marriage*
22 *supports this work by building the resilience of popu-*
23 *lations to indirectly prevent child marriage and by*
24 *generating new data and evidence on the prevalence*
25 *of child marriage in humanitarian and fragile set-*

1 *tings. For example, in Uganda, the UN Joint Pro-*
2 *gram on Child Marriage helped 27,000 adolescent*
3 *girls strengthen critical skills through school clubs and*
4 *Go Back to School campaigns, as well as life skills*
5 *and financial literacy training.*

6 *(8) After the UN Joint Program on Child Mar-*
7 *riage identified Yemen as one of its focus countries,*
8 *65,000 people, of whom 45,000 are adolescents, were*
9 *reached with awareness-raising activities on the*
10 *harms of child marriage in 2018 alone. As a result,*
11 *local council representatives, elders, and community*
12 *leaders from 6 districts signed a pledge to support ad-*
13 *vocacy efforts to end child marriage.*

14 **SEC. 403. PREVENTING CHILD MARRIAGE IN DISPLACED**
15 **POPULATIONS.**

16 *(a) IN GENERAL.—The President shall direct the*
17 *United States Permanent Representative to the United Na-*
18 *tions to use the voice, vote, and influence of the United*
19 *States at the United Nations to call for an adoption of an*
20 *agreed upon definition of “child marriage” across United*
21 *Nations agencies.*

22 *(b) STRATEGY.—The President shall direct the United*
23 *States Permanent Representative to the United Nations to*
24 *use the voice, vote, and influence of the United States at*
25 *the United Nations to call for the development of a com-*

1 *prehensive strategy to address child marriage in refugee set-*
2 *tlements administered by the United Nations. The strategy*
3 *should include the following elements:*

4 (1) *A mandate to regularly collect and report*
5 *data related to the number of known or suspected*
6 *child marriages taking place inside each such settle-*
7 *ment.*

8 (2) *Protocols for United Nations personnel re-*
9 *garding prevention and monitoring of child mar-*
10 *riages inside each such settlement.*

11 (3) *A description of United Nations programs*
12 *administered at such settlements that include—*

13 (A) *physical, mental, and emotional reha-*
14 *ilitation and support to children who have ex-*
15 *tricated themselves from child marriage; and*

16 (B) *alternatives to child marriage, such as*
17 *education initiatives.*

18 (4) *Protocols regarding how United Nations per-*
19 *sonnel should—*

20 (A) *report adults participating in illegal*
21 *child marriages in each such settlement; and*

22 (B) *monitor the prosecution of such adults*
23 *by the authorities of the country in which the*
24 *settlement at issue is located.*

1 (c) *RESEARCH.*—*The President shall direct the United*
2 *States Permanent Representative to the United Nations to*
3 *use the voice, vote, and influence of the United States at*
4 *the United Nations to advocate for the United Nations and*
5 *its appropriate agencies to include, as appropriate, in all*
6 *of its research regarding child marriage, the relationship*
7 *between child marriage and violence against girls, includ-*
8 *ing young children and infants.*

9 (d) *DEFINITIONS.*—*In this section:*

10 (1) *CHILD MARRIAGE.*—*The term “child mar-*
11 *riage” means a formal marriage or informal union*
12 *involving at least one person younger than age 18.*

13 (2) *ILLEGAL CHILD MARRIAGE.*—*The term “ille-*
14 *gal child marriage” means a child marriage that is*
15 *illegal under the laws of the country in which the*
16 *child marriage occurs.*

17 **TITLE V—GLOBAL FRAGILITY**

18 **SEC. 501. SHORT TITLE.**

19 *This title may be cited as the “Global Fragility Act*
20 *of 2019”.*

21 **SEC. 502. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**

22 **FINED.**

23 *In this title:*

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.—The term “appropriate congressional commit-*
3 *tees” means—*

4 (A) *the Committee on Foreign Relations*
5 *and the Committee on Appropriations of the*
6 *Senate; and*

7 (B) *the Committee on Foreign Affairs and*
8 *the Committee on Appropriations of the House of*
9 *Representatives.*

10 (2) *RELEVANT FEDERAL DEPARTMENT OR AGEN-*
11 *CY.—The term “relevant Federal department or agen-*
12 *cy” means the Department of State, the United States*
13 *Agency for International Development, the Depart-*
14 *ment of Defense, the Department of Treasury, and*
15 *any other Federal department or agency the President*
16 *determines is relevant to carry out the purposes of*
17 *this title.*

18 **SEC. 503. STATEMENT OF POLICY.**

19 *It is the policy of the United States to seek to stabilize*
20 *conflict-affected areas and prevent violence and fragility*
21 *globally, including by—*

22 (1) *ensuring that all relevant Federal depart-*
23 *ments and agencies coordinate to achieve coherent,*
24 *long-term goals for programs designed to carry out*
25 *such policy;*

1 (2) *seeking to improve global, regional, and local*
2 *coordination of relevant international and multilat-*
3 *eral development and donor organizations regarding*
4 *efforts to carry out such policy; and*

5 (3) *enhancing the effectiveness of United States*
6 *foreign assistance programs and activities to carry*
7 *out such policy, including by improving assessment,*
8 *monitoring, and evaluation conducted by the relevant*
9 *Federal departments and agencies.*

10 **SEC. 504. GLOBAL FRAGILITY STRATEGY.**

11 (a) *STRATEGY.*—*The President, in coordination with*
12 *the Secretary of State, the Administrator of the United*
13 *States Agency for International Development (“USAID”),*
14 *the Secretary of Defense, and the heads of other relevant*
15 *Federal departments and agencies, shall establish a com-*
16 *prehensive, integrated, ten-year strategy, to be referred to*
17 *as the “Global Fragility Strategy”, to contribute to the sta-*
18 *bilization of conflict-affected areas, address global fragility,*
19 *and strengthen the capacity of the United States to be an*
20 *effective leader of international efforts to prevent extremism*
21 *and violent conflict. The strategy shall focus on addressing*
22 *long-term causes of fragility and violence, and shall—*

23 (1) *consider the causes of fragility and violence*
24 *at both the local and national levels, the external ac-*

1 *tors that reinforce and exploit such conditions, and*
2 *successful prevention strategies and their key features;*

3 *(2) include specific objectives and multisectoral*
4 *approaches to reduce fragility and the causes of vio-*
5 *lence, including those that strengthen state-society re-*
6 *lations, curb extremist ideology, and make society less*
7 *vulnerable to the spread of extremism and violence;*

8 *(3) encourage and empower local and national*
9 *actors to address the concerns of their citizens, includ-*
10 *ing those in vulnerable communities, and build com-*
11 *munity resilience against violence and extremism;*

12 *(4) address the long-term underlying causes of*
13 *fragility and violence through participatory, locally*
14 *led programs, empowering marginalized groups such*
15 *as youth and women, inclusive dialogues and conflict*
16 *resolutions processes, justice sector reform, good gov-*
17 *ernance, inclusive and accountable service delivery,*
18 *and community policing and civilian security, in-*
19 *cluding by combatting impunity for security forces*
20 *implicated in violations of internationally recognized*
21 *human rights and other serious crimes;*

22 *(5) describe approaches that ensure national*
23 *leadership where appropriate and participatory en-*
24 *gagement by civil society and local partners in the*
25 *design, implementation, and monitoring of programs;*

1 (6) *assign roles for relevant Federal departments*
2 *and agencies to avoid duplication of efforts, while en-*
3 *sureing that—*

4 (A) *the Department of State is responsible*
5 *for leading the drafting and execution of the*
6 *strategy, establishing United States foreign pol-*
7 *icy, advancing diplomatic and political efforts,*
8 *and overseeing the planning and implementation*
9 *of security assistance and related civilian secu-*
10 *rity efforts;*

11 (B) *USAID is responsible for overseeing*
12 *prevention programs, and is the lead imple-*
13 *menting agency for development, humanitarian,*
14 *and related non-security program policy;*

15 (C) *activities undertaken or supported by*
16 *the Department of Defense in relation to the*
17 *Global Fragility Strategy are established through*
18 *joint formulation and with the concurrence of the*
19 *Secretary of State; and*

20 (D) *other relevant Federal departments and*
21 *agencies support the activities of the Department*
22 *of State and USAID as appropriate, with the*
23 *concurrence of the Secretary of State and the Ad-*
24 *ministrator of the United States Agency for*
25 *International Development;*

1 (7) describe programs that relevant Federal de-
2 partments and agencies will undertake to achieve the
3 stated objectives, including descriptions of existing
4 programs and funding by fiscal year and account;

5 (8) identify mechanisms to improve coordination
6 between the United States, foreign governments, and
7 international organizations, including the World
8 Bank, the United Nations, regional organizations,
9 and private sector organizations;

10 (9) address efforts to expand public-private part-
11 nerships and leverage private sector resources;

12 (10) describe the criteria, metrics, and mecha-
13 nisms for monitoring and evaluation of programs and
14 objectives in the strategy to ensure planning, imple-
15 mentation, and coordination are appropriately exe-
16 cuted and updated;

17 (11) describe how the strategy will ensure that
18 programs are country-led and context-specific; and

19 (12) identify mechanisms or activities to reduce
20 the risk that the programs, policies, or resources of the
21 United States and its partners will facilitate corrup-
22 tion, empower or abet repressive local actors, or be ex-
23 ploited by extremists to gain support for their cause.

24 (b) *STAKEHOLDER CONSULTATION.*—*The Global Fra-*
25 *gility Strategy required under this section shall be devel-*

1 *oped in consultation with representatives of civil society*
2 *and national and local governance entities in countries and*
3 *regions described in section 505, as well as relevant inter-*
4 *national development organizations with experience imple-*
5 *menting programs in fragile states, multilateral organiza-*
6 *tions and donors, relevant private, academic, and philan-*
7 *thropic entities, and the appropriate congressional commit-*
8 *tees.*

9 (c) *REPORT.*—*Not later than 270 days after the date*
10 *of the enactment of this Act, the President shall submit to*
11 *the appropriate congressional committees a report setting*
12 *forth the strategy described in subsection (a), which shall*
13 *be submitted in unclassified form, but may include a classi-*
14 *fied annex if necessary, and shall include, at a minimum,*
15 *the following elements:*

16 (1) *The objectives, general and specific, of the*
17 *strategy.*

18 (2) *An identification of the relevant Federal de-*
19 *partments and agencies that will be involved and the*
20 *assignment of priorities to such departments and*
21 *agencies.*

22 (3) *A description of the compact-based partner-*
23 *ships that will be established to ensure local leader-*
24 *ship of strategies, policy, and programs, as well as*

1 *mutual accountability for results and resources need-*
2 *ed to support such partnerships.*

3 *(4) An identification of the authorities, staffing,*
4 *and other requirements, as necessary and appro-*
5 *priate, needed to effectively implement the Global*
6 *Fragility Strategy.*

7 *(5) A description of the ways in which United*
8 *States leadership will be used to enhance overall*
9 *international prevention efforts, including through in-*
10 *creasing the engagement of the member states of the*
11 *Group of Seven and Group of Twenty.*

12 *(6) An identification of which officials of the De-*
13 *partment of State, USAID, and the Department of*
14 *Defense, with a rank not lower than Assistant Sec-*
15 *retary or Assistant Administrator, will be responsible*
16 *for leading and overseeing the strategy.*

17 *(7) A list of priority countries and regions se-*
18 *lected pursuant to section 505, including descriptions*
19 *of the rationale for such selections.*

20 **SEC. 505. SELECTION OF PRIORITY COUNTRIES AND RE-**
21 **GIONS.**

22 *(a) IN GENERAL.—The President, in coordination*
23 *with the Secretary of State, the Administrator of the United*
24 *States Agency for International Development, and the Sec-*
25 *retary of Defense, and in consultation with the appropriate*

1 congressional committees specified in subsection (b), shall
2 select certain countries as “priority countries” and certain
3 regions as “priority regions” for the purpose of imple-
4 menting the Global Fragility Strategy required under sec-
5 tion 504—

6 (1) on the basis of—

7 (A) the national security interests of the
8 United States;

9 (B) clearly defined indicators of the levels of
10 violence or fragility in such country or region,
11 such as the country’s or region’s—

12 (i) ranking on recognized global fra-
13 gility lists, such as the Organization for
14 Economic Co-operation and Development
15 States of Fragility report, the Fund for
16 Peace Fragile States Index, the World Bank
17 Harmonized List of Fragile Situations, the
18 Institute for Economics and Peace Global
19 Peace Index, and the Holocaust Museum
20 Early Warning Project Risk Assessment;

21 (ii) ranking on select United States
22 Government conflict and atrocity early
23 warning watch lists;

24 (iii) levels of violence, including vio-
25 lence committed by armed groups, state ac-

1 *tors, and violent extremist organizations,*
2 *gender-based violence, and violence against*
3 *children and youth; and*

4 *(iv) vulnerability to rising sea levels,*
5 *flooding, drought, wildfires, desertification,*
6 *deforestation, food insecurity, and human*
7 *displacement; and*

8 *(C) an assessment of—*

9 *(i) the commitment and capacity of*
10 *national and sub-national government enti-*
11 *ties and civil society partners in such coun-*
12 *try or region to work with relevant Federal*
13 *departments and agencies on the Global*
14 *Fragility Strategy, including by dem-*
15 *onstrating commitment to—*

16 *(I) improving inclusive, trans-*
17 *parent, and accountable power struc-*
18 *tures, including effective, legitimate,*
19 *and resilient national and sub-na-*
20 *tional institutions; and*

21 *(II) ensuring strong foundations*
22 *for human rights, rule of law, and*
23 *equal access to justice; and*

24 *(ii) the likelihood that United States*
25 *assistance under the Global Fragility Strat-*

1 *egy would measurably help to reduce fra-*
2 *gility, prevent the spread of extremism and*
3 *violence, and stabilize conflict-affected areas*
4 *in each such country or region; and*

5 *(2) in a manner that ensures that not fewer than*
6 *five countries or regions are selected, including not*
7 *fewer than two in which the priority will be pre-*
8 *venting violent conflict and fragility, rather than sta-*
9 *bilizing ongoing conflicts.*

10 *(b) CONSULTATION WITH CONGRESS.—Prior to final-*
11 *ization of the selection of priority countries and regions*
12 *under subsection (a), representatives from the Department*
13 *of State, USAID, the Department of Defense, and other rel-*
14 *evant Federal departments and agencies, as necessary and*
15 *appropriate, shall brief the appropriate congressional com-*
16 *mittees on the countries and regions being considered and*
17 *shall consider congressional input on such prioritization.*

18 **SEC. 506. PRIORITY COUNTRY AND REGIONAL PLANS.**

19 *Not later than one year after the date of the enactment*
20 *of this Act, the President, in coordination with the Sec-*
21 *retary of State, the Administrator of the United States*
22 *Agency for International Development, the Secretary of De-*
23 *fense, and the heads of other relevant Federal departments*
24 *and agencies, shall submit to the appropriate congressional*
25 *committees ten-year plans to align and integrate under the*

1 *Global Fragility Strategy established pursuant to section*
2 *504 all relevant diplomatic, development, and security as-*
3 *sistance and activities of the United States Government*
4 *with respect to each of the countries and regions selected*
5 *pursuant to section 505. Each such country and regional*
6 *plan shall include the following elements:*

7 (1) *Specific multi-year interagency plans for co-*
8 *ordination and implementation under each such plan.*

9 (2) *An up-to-date baseline analysis for each such*
10 *country or region, including an analysis of the condi-*
11 *tions that contribute to violence and fragility.*

12 (3) *Prioritized descriptions of the goals and ob-*
13 *jectives for stabilizing conflict-affected areas, reducing*
14 *fragility, and preventing the spread of extremism and*
15 *violence in each such country.*

16 (4) *Descriptions of how and when the relevant*
17 *goals, objectives, plans, and benchmarks for each such*
18 *country or region will be incorporated into relevant*
19 *United States country or regional plans and strate-*
20 *gies, including the National Security Strategy of the*
21 *United States, the Stabilization Assistance Review,*
22 *Department of State Integrated Country Strategies,*
23 *USAID Country Development Cooperation Strategies,*
24 *and Department of Defense Campaign Plans, Oper-*

1 *ational Plans, and Regional Strategies, as well as*
2 *any equivalent or successor plans or strategies.*

3 (5) *Interagency plans to ensure that appropriate*
4 *local actors, including government and civil society*
5 *entities, have an appropriate ownership stake in de-*
6 *veloping, implementing, monitoring, and evaluating*
7 *relevant activities under each such plan.*

8 (6) *Interagency plans to integrate existing and*
9 *planned security assistance and cooperation programs*
10 *in each such country or region with the strategy, and*
11 *to mitigate risks associated with such programs, in-*
12 *cluding risks related to corruption, governance, and*
13 *human rights.*

14 (7) *Assessment, monitoring, and evaluation*
15 *frameworks for diplomatic, development, and security*
16 *assistance and activities, which shall be informed by*
17 *consultations with the stakeholders specified in section*
18 *504(b), with clear metrics for each such country or re-*
19 *gion, as well as interagency plans for using such*
20 *frameworks to adapt such activities on a regular*
21 *basis.*

22 (8) *Descriptions of available policy tools and*
23 *how such tools will be used to reduce fragility, prevent*
24 *the spread of extremism and violence, and stabilize*
25 *conflict-affected areas in each such country or region.*

1 (9) *A description of how planning and imple-*
2 *mentation of assistance under the Global Fragility*
3 *Strategy for each such country or region will be co-*
4 *ordinated in a manner that strengthens partnerships*
5 *and leverages the unique expertise and resources of the*
6 *United States Government and—*

7 *(A) governments of such countries;*

8 *(B) international development organiza-*
9 *tions;*

10 *(C) relevant international donors;*

11 *(D) multilateral organizations; and*

12 *(E) the private sector.*

13 (10) *A regional component outlining plans to*
14 *address relevant transnational issues and how each*
15 *such country is affected by or at risk of regional fra-*
16 *gility or violence.*

17 (11) *When a region is selected, a component out-*
18 *lining plans to address factors at the individual coun-*
19 *try level that affect regional fragility or violence.*

20 **SEC. 507. IMPLEMENTATION.**

21 *The President, in coordination with the Secretary of*
22 *State, the Administrator of the United States Agency for*
23 *International Development, the Secretary of Defense, the*
24 *heads of other relevant Federal departments and agencies,*
25 *relevant United States ambassadors, USAID mission direc-*

1 *tors, geographic combatant commanders, and other relevant*
2 *individuals with responsibility over activities in each pri-*
3 *ority country or region selected pursuant to section 505,*
4 *shall ensure that—*

5 (1) *the Global Fragility Strategy required under*
6 *section 504, including each of the country plans devel-*
7 *oped under section 506, is implemented, updated, and*
8 *coordinated on a regular basis; and*

9 (2) *the strategy is used to guide United States*
10 *Government policy at a senior level and incorporated*
11 *into relevant strategies and plans across the United*
12 *States Government such that the activities of all rel-*
13 *evant Federal departments and agencies are con-*
14 *sistent with the strategy.*

15 **SEC. 508. BIENNIAL REPORTS AND CONGRESSIONAL CON-**
16 **SULTATION.**

17 (a) *BIENNIAL REPORTS.*—*Not later than two years*
18 *after the submission of the plans required in section 506,*
19 *and every two years thereafter until the date that is ten*
20 *years after the date of submission of such plans, the Presi-*
21 *dent, the Secretary of State, the Administrator of the*
22 *United States Agency for International Development, the*
23 *Secretary of Defense, and the heads of other relevant Federal*
24 *departments and agencies shall jointly submit to the appro-*
25 *priate congressional committees an unclassified report,*

1 *which may include a classified annex, on progress made*
2 *and lessons learned with respect to implementation of the*
3 *Global Fragility Strategy established pursuant to section*
4 *504. The report shall include the following elements:*

5 (1) *Descriptions of steps taken to incorporate the*
6 *strategy into any relevant, existing country and re-*
7 *gional plans or strategies.*

8 (2) *Accountings of all funding received and obli-*
9 *gated to implement each such country and regional*
10 *plan during the previous two years, and, to the extent*
11 *feasible, projections of funding to be requested,*
12 *planned, and implemented for the following two*
13 *years.*

14 (3) *Descriptions of progress made towards*
15 *achieving specific targets, metrics, and indicators for*
16 *each priority country and region.*

17 (4) *Descriptions of any changes made to pro-*
18 *grams based on the results of assessment, monitoring,*
19 *and evaluation for each priority country and region.*

20 (b) *CONGRESSIONAL CONSULTATION.—The Secretary*
21 *of State, the Administrator of the United States Agency for*
22 *International Development, and the Secretary of Defense*
23 *shall provide to any appropriate congressional committee*
24 *briefings on the implementation of this title upon the re-*
25 *quest of any such committee.*

1 **SEC. 509. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) *PREVENTION AND STABILIZATION FUND.*—

3 (1) *ESTABLISHMENT.*—*There is established in*
4 *the Treasury of the United States a fund, which shall*
5 *be known as the “Prevention and Stabilization Fund”*
6 *(in this subsection referred to as “The Fund”), to be*
7 *administered by the Department of State and*
8 *USAID, as appropriate, to support stabilization of*
9 *conflict-affected areas and to mitigate fragility, in-*
10 *cluding through the Global Fragility Strategy estab-*
11 *lished pursuant to section 504, which shall replace the*
12 *Relief and Recovery Fund.*

13 (2) *AUTHORIZATION OF APPROPRIATIONS.*—
14 *There is authorized to be appropriated to the Fund*
15 *\$200,000,000 for each of the fiscal years 2020 through*
16 *2024.*

17 (3) *PURPOSES OF THE FUND.*—

18 (A) *IN GENERAL.*—*Amounts authorized to*
19 *be appropriated to the Fund shall be used—*

20 (i) *to support stabilization of conflict-*
21 *affected areas and prevent global fragility,*
22 *including through the Global Fragility*
23 *Strategy established pursuant to section*
24 *504; and*

25 (ii) *to provide assistance to areas liber-*
26 *ated or at risk from, or under the control of,*

1 *the Islamic State of Iraq and Syria, other*
2 *terrorist organizations, or violent extremist*
3 *organizations, including for stabilization*
4 *assistance for vulnerable ethnic and reli-*
5 *gious minority communities affected by con-*
6 *flict.*

7 *(B) AMOUNTS IN ADDITION.—Amounts au-*
8 *thorized to be appropriated to the Fund under*
9 *this section are in addition to any funds other-*
10 *wise made available for the purposes described in*
11 *paragraph (1).*

12 *(4) CONGRESSIONAL NOTIFICATION.—Funds may*
13 *not be obligated under this section unless the congres-*
14 *sional committees specified in section 634A of the*
15 *Foreign Assistance Act of 1961 (22 U.S.C. 2394–1)*
16 *are notified of the amount and nature of such pro-*
17 *posed obligation at least 15 days in advance of such*
18 *proposed obligation, in accordance with the proce-*
19 *dures applicable to notifications regarding*
20 *reprogrammings pursuant to such section.*

21 *(b) COMPLEX CRISIS FUND.—*

22 *(1) ESTABLISHMENT.—There is established in*
23 *the Treasury of the United States a fund, which shall*
24 *be known as the “Complex Crises Fund” (in this sub-*
25 *section referred to as the “Fund”), to be administered*

1 *by USAID, to support programs and activities to pre-*
2 *vent or respond to emerging or unforeseen events over-*
3 *seas, including to support the Global Fragility Strat-*
4 *egy established pursuant to section 504.*

5 (2) *AUTHORIZATION OF APPROPRIATIONS.—*

6 *There is authorized to be appropriated to the Fund*
7 *\$30,000,000 for each of the fiscal years 2020 through*
8 *2024, which shall remain available until expended.*

9 (3) *PURPOSES OF THE FUND.—*

10 (A) *IN GENERAL.—Notwithstanding any*
11 *other provision of law, except section 620M of the*
12 *Foreign Assistance Act of 1961 (22 U.S.C.*
13 *2378d), amounts in the Fund may be used to*
14 *carry out the provisions of the Foreign Assist-*
15 *ance Act of 1961 (22 U.S.C. 2151 et seq.) to sup-*
16 *port programs and activities to prevent or re-*
17 *spond to emerging or unforeseen foreign chal-*
18 *lenges and complex crises overseas, including*
19 *through the Global Fragility Strategy established*
20 *pursuant to section 504.*

21 (B) *AMOUNTS IN ADDITION.—Amounts au-*
22 *thorized to be appropriated to the Fund are in*
23 *addition to any amounts otherwise made avail-*
24 *able for the purposes described in subparagraph*
25 *(A).*

1 (4) *LIMITATIONS.*—

2 (A) *IN GENERAL.*—*Amounts in the Fund*
3 *may not be expended for lethal assistance or to*
4 *respond to natural disasters.*

5 (B) *ADMINISTRATIVE EXPENSES.*—*Not more*
6 *than five percent of the amounts in the Fund*
7 *may be used for administrative expenses.*

8 (5) *CONGRESSIONAL NOTIFICATION.*—*The United*
9 *States Agency for International Development shall*
10 *notify the appropriate congressional committees not*
11 *less than five days prior to the obligation of amounts*
12 *in the Fund.*

13 (6) *WAIVER.*—*The notification requirement*
14 *under paragraph (5) may be waived if—*

15 (A) *notification by the deadline specified in*
16 *such paragraph would pose a substantial risk to*
17 *human health or welfare; and*

18 (B) *the appropriate congressional commit-*
19 *tees—*

20 (i) *are notified as early as practicable*
21 *but in no event later than three days after*
22 *an obligation of amounts from the Fund;*
23 *and*

1 (ii) are provided with an explanation
2 of the emergency circumstances that neces-
3 sitated such waiver.

4 **SEC. 510. IMPROVING AND LEVERAGING ASSISTANCE FOR**
5 **THE GLOBAL FRAGILITY STRATEGY.**

6 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
7 that the President, the Secretary of State, the Administrator
8 of the United States Agency for International Development,
9 the Secretary of Defense, and the heads of other relevant
10 Federal departments and agencies should—

11 (1) develop more adaptive and responsive policy
12 and program planning, implementation, and scaling
13 under the Global Fragility Strategy established pur-
14 suant to section 504, and work with the appropriate
15 congressional committees to identify any legislative
16 changes that may be necessary to support such efforts;

17 (2) better integrate the strategy and other con-
18 flict and violence reduction objectives and activities
19 into other policy and program areas, where appro-
20 priate; and

21 (3) support transparent and accountable multi-
22 lateral funds, initiatives, and strategies to enhance
23 and better coordinate private and public efforts to
24 stabilize conflict-affected areas and prevent violence
25 and fragility globally.

1 (b) *OTHER FUNDING AND COST MATCHING.*—The
2 *Global Fragility Strategy* established pursuant to section
3 504—

4 (1) *may, after consultation with the appropriate*
5 *congressional committees, be supported with funds*
6 *other than funds authorized to be appropriated pursu-*
7 *ant to section 509; and*

8 (2) *shall seek to leverage funds from sources other*
9 *than the United States Government in order to pro-*
10 *mote coordination and cost-matching to the max-*
11 *imum extent practicable.*

12 (c) *MULTI-DONOR GLOBAL FRAGILITY FUND.*—

13 (1) *AUTHORITY.*—Pursuant to sections 607 and
14 632 of the *Foreign Assistance Act of 1961* (22 U.S.C.
15 2357 and 2392), and consistent with subsection (b),
16 and after consultation with the appropriate congress-
17 sional committees, the Secretary of State is authorized
18 to establish funding mechanisms, to include the estab-
19 lishment of a *Global Fragility Fund*, to leverage, re-
20 ceive, coordinate, and program funds provided by
21 other donors and private sector partners to carry out
22 the purposes of this title.

23 (2) *PURPOSES.*—A funding mechanism estab-
24 lished pursuant to paragraph (1) should—

1 (A) include input from and participation
2 by key bilateral and multilateral donors, rep-
3 resentatives of civil society, relevant nongovern-
4 mental organizations and private sector entities,
5 and developing countries where fragility threat-
6 ens to exacerbate violent extremism and under-
7 mine development;

8 (B) enhance donor coordination and co-
9 operation;

10 (C) advance clearly defined goals, objectives,
11 and metrics for monitoring, evaluating, and
12 measuring progress; and

13 (D) focus on strengthening national and
14 local good governance and conflict resolution ca-
15 pacity in fragile and conflict-affected areas over
16 the long-term through comprehensive, compact-
17 based agreements that support country-led strate-
18 gies.

19 (3) CONGRESSIONAL NOTIFICATION.—Funds may
20 not be obligated under this section except in consulta-
21 tion with the appropriate congressional committees
22 and subject to the notification of such committees of
23 the amount and proposed uses of such funds at least
24 15 days in advance of such proposed obligation.

1 **SEC. 511. RULE OF CONSTRUCTION.**

2 *Nothing in this title shall be construed as a declaration*
3 *of war or an authorization for the use of military force.*

4 **TITLE VI—COMBATING WILDLIFE**
5 **TRAFFICKING**

6 **SEC. 601. SHORT TITLE.**

7 *This title may be cited as the “Rescuing Animals With*
8 *Rewards Act of 2019” or the “RAWR Act”.*

9 **SEC. 602. FINDINGS; SENSE OF CONGRESS.**

10 *(a) FINDINGS.—Congress finds the following:*

11 *(1) Wildlife trafficking is a major transnational*
12 *crime that is estimated to generate over \$10 billion a*
13 *year in illegal profits and which is increasingly per-*
14 *petrated by organized, sophisticated criminal enter-*
15 *prises, including known terrorist organizations.*

16 *(2) Wildlife trafficking not only threatens endan-*
17 *gered species worldwide, but also jeopardizes local se-*
18 *curity, spreads disease, undermines rule of law, fuels*
19 *corruption, and damages economic development.*

20 *(3) Combating wildlife trafficking requires a co-*
21 *ordinated and sustained approach at the global, re-*
22 *gional, national, and local levels.*

23 *(4) Congress stated in the Eliminate, Neutralize,*
24 *and Disrupt Wildlife Trafficking Act of 2016 that it*
25 *is the policy of the United States to take immediate*
26 *actions to stop the illegal global trade in wildlife and*

1 *wildlife products and associated transnational orga-*
 2 *nized crime.*

3 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
 4 *that the Department of State’s rewards program is a power-*
 5 *ful tool in combating sophisticated international crime and*
 6 *that the Department of State and Federal law enforcement*
 7 *should work in concert to offer rewards that target wildlife*
 8 *traffickers.*

9 **SEC. 603. WILDLIFE TRAFFICKING PREVENTION AWARDS**
 10 **PROGRAM.**

11 *Subparagraph (B) of section 36(k)(5) of the State De-*
 12 *partment Basic Authorities Act of 1956 (22 U.S.C.*
 13 *2708(k)(5)) is amended by inserting “wildlife trafficking*
 14 *(as defined by section 2(12) of the Eliminate, Neutralize,*
 15 *and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C.*
 16 *7601(12); Public Law 114–231)) and” after “includes”.*

17 **TITLE VII—CHAMPIONING AMER-**
 18 **ICAN BUSINESS THROUGH DI-**
 19 **PLOMACY**

20 **SEC. 701. SHORT TITLE.**

21 *This title may be cited as the “Championing American*
 22 *Business Through Diplomacy Act of 2019”.*

23 **SEC. 702. FINDINGS.**

24 *Congress makes the following findings:*

1 (1) *According to the 2017 National Security*
2 *Strategy of the United States of America, “Retaining*
3 *our position as the world’s preeminent economic actor*
4 *strengthens our ability to use the tools of economic di-*
5 *plomacy for the good of Americans and others.”.*

6 (2) *A November 7, 2018, cable from Secretary of*
7 *State Michael R. Pompeo to all diplomatic and con-*
8 *sular posts—“Boosting Commercial Diplomacy*
9 *Around the World”—stated that “helping American*
10 *companies is a foreign policy priority. . .Promoting*
11 *broad-based, responsible, and sustainable economic*
12 *growth helps to stabilize regions and creates new and*
13 *growing markets for U.S. companies. A transparent*
14 *and level playing field for U.S. investment in these*
15 *countries counters real and growing challenges such*
16 *as China’s Belt and Road initiative.”.*

17 (3) *In the January–February 2019 issue of The*
18 *Foreign Service Journal, Ambassador Barbara Ste-*
19 *phenson, the President of the American Foreign Serv-*
20 *ice Association, wrote, “Foreign Service support for*
21 *American business. . .is a major reason why the U.S.*
22 *Foreign Service was created.”.*

1 **SEC. 703. ECONOMIC DIPLOMACY WITHIN THE DEPART-**
2 **MENT OF STATE.**

3 *Subsection (c) of section 1 of the State Department*
4 *Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amend-*
5 *ed—*

6 *(1) by redesignating paragraph (3) as para-*
7 *graph (4); and*

8 *(2) by inserting after paragraph (2) the fol-*
9 *lowing new paragraph:*

10 *“(3) ASSISTANT SECRETARY FOR ECONOMIC AND*
11 *BUSINESS MATTERS.—*

12 *“(A) IN GENERAL.—Subject to the numer-*
13 *ical limitation specified in paragraph (1), there*
14 *is authorized to be established in the Department*
15 *of State an Assistant Secretary of State who*
16 *shall be responsible to the Secretary of State for*
17 *matters pertaining to international economics*
18 *and business matters in the conduct of foreign*
19 *policy.*

20 *“(B) MATTERS CONTEMPLATED.—The mat-*
21 *ters referred to in subparagraph (A) include the*
22 *following:*

23 *“(i) International trade and invest-*
24 *ment policy.*

25 *“(ii) International finance, economic*
26 *development, and debt policy.*

1 “(iii) *Economic sanctions and com-*
2 *bating terrorist financing.*

3 “(iv) *International transportation pol-*
4 *icy.*

5 “(v) *Support for United States busi-*
6 *nesses.*

7 “(vi) *Economic policy analysis and*
8 *private sector outreach.*

9 “(vii) *International data privacy and*
10 *innovation policies.*

11 “(viii) *Such other related duties as the*
12 *Secretary may from time to time des-*
13 *ignate.”.*

14 **SEC. 704. CHIEF OF MISSION RESPONSIBILITIES.**

15 *Section 207 of the Foreign Service Act of 1980 (22*
16 *U.S.C. 3927) is amended by adding at the end the following*
17 *new subsection:*

18 “(d) *PROMOTION OF UNITED STATES ECONOMIC IN-*
19 *TERESTS.—Each chief of mission to a foreign country shall*
20 *have as a principal duty the promotion of United States*
21 *economic and commercial interests in such country.”.*

1 **SEC. 705. INCREASED TRAINING IN ECONOMIC AND COM-**
2 **MERCIAL DIPLOMACY.**

3 *Section 708 of the Foreign Service Act of 1980 (22*
4 *U.S.C. 4028) is amended by adding at the end the following*
5 *new subsection:*

6 *“(d) ECONOMIC AND COMMERCIAL DIPLOMACY.—The*
7 *Secretary of State, with the assistance of other relevant offi-*
8 *cials and the private sector, shall establish as part of the*
9 *standard training provided for economic and commercial*
10 *officers of the Foreign Service, chiefs of mission, and deputy*
11 *chiefs of mission, training on matters related to economic*
12 *and commercial diplomacy, with particular attention to*
13 *market access and other elements of an enabling framework*
14 *for United States businesses, commercial advocacy, and*
15 *United States foreign economic policy, in addition to*
16 *awareness about the support of the United States Govern-*
17 *ment available to United States businesses, including sup-*
18 *port provided by the Department of Agriculture, the De-*
19 *partment of Commerce, the Export-Import Bank of the*
20 *United States, the Millennium Challenge Corporation, the*
21 *Trade and Development Agency, the Department of the*
22 *Treasury, the United States Agency for International De-*
23 *velopment, and the United States International Develop-*
24 *ment Finance Corporation.”.*

1 **SEC. 706. REPORT FROM EACH MISSION ON MATTERS OF**
2 **COMMERCIAL RELATIONS.**

3 (a) *IN GENERAL.*—Not later than 1 year after the date
4 of the enactment of this Act and annually thereafter, the
5 chief of mission at each bilateral diplomatic mission of the
6 United States and the Director of the American Institute
7 in Taiwan shall submit to the Secretary of State mission
8 plans that include the following:

9 (1) *Data and other information regarding ac-*
10 *tions taken by each such mission or Institute during*
11 *the previous year to foster commercial relations and*
12 *safeguard United States economic and business inter-*
13 *ests in the country or region in which each such chief*
14 *of mission and the Director serves.*

15 (2) *Each such mission's and Institute's antici-*
16 *ipated economic and commercial priorities for the*
17 *coming year.*

18 (b) *REPORT TO CONGRESS.*—The Secretary of State,
19 after receiving the information required under subsection
20 (a), shall submit to the Committee on Foreign Affairs of
21 the House of Representatives and the Committee on Foreign
22 Relations of the Senate a report, disaggregated by country
23 or region, on activities and initiatives, including with ap-
24 propriate examples, to create an enabling environment and
25 otherwise promote United States economic and business in-
26 terests in each such country or region, as well as informa-

1 *tion about significant foreign competition to United States*
2 *businesses in the relevant country or region, including*
3 *state-directed investments by foreign governments and*
4 *United States strategic competitors in such country or re-*
5 *gion.*

6 **SEC. 707. CONSOLIDATED REPORT ON UNIFIED INVEST-**
7 **MENT CLIMATE STATEMENT AND COUNTRY**
8 **COMMERCIAL GUIDE.**

9 *(a) IN GENERAL.—The Secretary of State and the Sec-*
10 *retary of Commerce shall jointly produce and make publicly*
11 *available on a United States Government internet website*
12 *an annual country- and region-specific report regarding*
13 *commercial relations with foreign countries and regions*
14 *and safeguarding United States economic and business in-*
15 *terests abroad, including with regard to United States ex-*
16 *ports and investments, including by small- and medium-*
17 *size enterprises.*

18 *(b) MATTERS TO BE INCLUDED.—Each report re-*
19 *quired under subsection (a) shall include the following with*
20 *respect to each country or region covered by each such re-*
21 *port:*

22 *(1) Information about doing business in each*
23 *country or region.*

24 *(2) Background information about each coun-*
25 *try's or region's political environment.*

1 (3) *Information about selling United States*
2 *products and services in each country or region.*

3 (4) *Leading sectors for United States exports*
4 *and investment in each country or region.*

5 (5) *Information about trade regulations, cus-*
6 *toms, and standards in each country or region, such*
7 *as—*

8 (A) *information on import tariffs; and*

9 (B) *documentation about which United*
10 *States businesses should be aware when export-*
11 *ing, including any prohibited items or tem-*
12 *porary entry procedures.*

13 (6) *Investment climate statements describing*
14 *each country's or region's openness to foreign invest-*
15 *ments, such as information relating to each country's*
16 *or region's—*

17 (A) *investment policies;*

18 (B) *market barriers;*

19 (C) *business risks;*

20 (D) *legal and regulatory system, including*
21 *dispute resolution;*

22 (E) *level of public and private sector cor-*
23 *ruption;*

24 (F) *level of political violence and insta-*
25 *bility;*

1 (G) adherence to internationally recognized
2 core labor standards; and

3 (H) protection of property rights.

4 (7) Information about trade and project financ-
5 ing in each country or region, such as each country's
6 or region's—

7 (A) banking and financial system, and how
8 United States businesses typically get paid;

9 (B) foreign exchange controls; and

10 (C) important sources of funding for project
11 financing.

12 (8) Relevant business travel information and
13 business customs in each country or region.

14 (9) Information about services and personnel of
15 the diplomatic mission of the United States available
16 to United States businesses to support their activities
17 in each country or region.

18 (10) Any significant trade or commercial agree-
19 ment that exists between the United States and each
20 country or region.

21 (11) A point of contact at the diplomatic or con-
22 sular mission of the United States in each country or
23 region for United States businesses.

1 (c) *RULE OF CONSTRUCTION.*—*Nothing in this section*
2 *may be construed to require the duplication of existing re-*
3 *ports.*

4 **SEC. 708. WHOLE-OF-GOVERNMENT COORDINATION AND**
5 **CONSULTATION TO SUPPORT UNITED STATES**
6 **ECONOMIC AND BUSINESS INTERESTS.**

7 (a) *IN GENERAL.*—*The Secretary of State, in consulta-*
8 *tion with the Administrator of the United States Agency*
9 *for International Development, the Secretary of Commerce,*
10 *the Secretary of the Treasury, and the United States Trade*
11 *Representative, shall have primary responsibility for co-*
12 *ordinating a whole-of-government effort to expand United*
13 *States efforts in supporting United States economic and*
14 *business interests abroad. The Secretary may delegate re-*
15 *sponsibilities under this Act to a senior, Senate-confirmed*
16 *Department of State official.*

17 (b) *RESPONSIBILITIES.*—*The Secretary shall—*

18 (1) *chair the interagency coordinating committee*
19 *established under subsection (c);*

20 (2) *develop and implement the joint strategic*
21 *plan required under subsection (c)(4) for all United*
22 *States trade-related and trade capacity building and*
23 *related technical assistance programs, in consultation*
24 *with the coordinating committee established under*
25 *subsection (c);*

1 (3) advise the Federal departments and agencies
2 designated by the President to participate in the
3 interagency coordinating committee under this section
4 in identifying the most needed and effective ways for
5 United States diplomatic and consular posts and the
6 departments and agencies that staff such posts to sup-
7 port the expansion of United States trade relations
8 with host governments;

9 (4) consult with the private sector in the develop-
10 ment of government-wide trade expansion efforts, in-
11 cluding establishing a point of contact and lead office
12 within the Department of State to receive private-sec-
13 tor recommendations and comments concerning trade
14 capacity assistance, coordination, consultations, and
15 country-specific issues;

16 (5) consult with the Office of Management and
17 Budget regarding the administrative and human re-
18 sources needs that may be required to implement the
19 provisions of this title; and

20 (6) brief Congress on trade capacity building
21 programs and make recommendations, as appro-
22 priate, to Congress for improvements in trade capac-
23 ity building efforts.

24 (c) *ECONOMIC DIPLOMACY ACTION GROUP.*—

1 (1) *ESTABLISHMENT.*—*The President shall estab-*
2 *lish an interagency coordinating committee, to be*
3 *known as the “Economic Diplomacy Action Group”,*
4 *to coordinate and carry out the purposes of this sec-*
5 *tion.*

6 (2) *LEADERSHIP.*—*The Group shall be chaired*
7 *by the Secretary of State and the vice-chairs shall be*
8 *the United States Trade Representative and the Sec-*
9 *retary of Commerce. The Secretaries and the United*
10 *States Trade Representative may delegate responsibil-*
11 *ities under this Act to appropriate, senior, Senate-*
12 *confirmed officials.*

13 (3) *MEMBERSHIP.*—*The President may appoint*
14 *to the Group senior officials from the United States*
15 *Agency for International Development, the Depart-*
16 *ment of Agriculture, the Department of the Treasury,*
17 *the Export-Import Bank, the United States Develop-*
18 *ment Finance Corporation, and any such other rel-*
19 *evant executive branch department or agency as the*
20 *President determines to be substantially involved in*
21 *trade capacity building and related assistance efforts*
22 *in developing countries.*

23 (4) *DEVELOPMENT OF JOINT STRATEGIC PLAN.*—
24 *The Group shall develop a joint strategic plan for all*

1 *United States capacity building and technical assist-*
2 *ance programs.*

3 *(d) DIPLOMACY TRADE EXPANSION ADVISORY COM-*
4 *MITTEE.—*

5 *(1) ESTABLISHMENT OF TEAC.—The Chair and*
6 *Vice-Chairs of the Economic Diplomacy Action Group*
7 *shall establish a trade expansion advisory committee*
8 *with selected representatives of the United States pri-*
9 *vate sector and other organizations, including labor*
10 *organizations, with direct and relevant operational*
11 *experience in importing from and exporting into de-*
12 *veloping countries, as appropriate, to provide com-*
13 *ment and advice on priorities for trade expansion*
14 *initiatives. The Chair and Vice-Chairs of the Group*
15 *may also appoint representatives from select non-*
16 *profit organizations to the advisory committee if such*
17 *representatives can demonstrate both a presence in*
18 *and relevant operational or programmatic experience*
19 *with trade capacity building efforts in developing*
20 *countries.*

21 *(2) MEETINGS.—The trade expansion advisory*
22 *committee shall convene at least twice annually or*
23 *more often as necessary at the call of the Chair and*
24 *Vice-Chairs of the Group.*

1 (3) *STRATEGIC PLANNING ADVICE.*—*The trade*
2 *expansion advisory committee shall advise the Chair*
3 *and Vice-Chairs of the Group on ways that embassies*
4 *can better support the United States private sector*
5 *abroad, including assisting the Chair and Vice-*
6 *Chairs—*

7 (A) *in soliciting private-sector advice;*

8 (B) *with respect to implementation of stra-*
9 *tegic planning; and*

10 (C) *in advancing the overall mission and*
11 *goals of United States national security.*

12 **SEC. 709. PRIVATE SECTOR CONSULTATION AND COORDI-**
13 **NATION.**

14 (a) *CONSULTATION WITH PRIVATE SECTOR BY EM-*
15 *BASSY.*—*In developing the priorities for trade expansion*
16 *initiatives described in section 708(d), embassy mission*
17 *teams shall convene local representatives of the United*
18 *States private sector and the private sector of host countries*
19 *to consult on issues affecting trade at the borders of such*
20 *countries and take into account the private sector's oper-*
21 *ational expertise and experience confronting the trade bar-*
22 *riers in such countries as well as its recommendations for*
23 *reform and best practices.*

24 (b) *INCLUSION OF PRIVATE-SECTOR COMMENTS IN*
25 *MISSION PLANS.*—*Written comments from local United*

1 *States private sector representatives shall be included in the*
2 *trade expansion component of mission plans submitted by*
3 *the chief of mission to the Secretary of State, with rec-*
4 *ommendations and comments from the mission team, for*
5 *the purpose of informing the development of the joint stra-*
6 *tegic plan on trade expansion priorities required pursuant*
7 *to section 708(c)(4) and recommended funding for the im-*
8 *plementation of such plan.*

9 (c) *DESIGNATED EMBASSY POINT OF CONTACT FOR*
10 *PRIVATE SECTOR CONSULTATION.*—*Each chief of mission*
11 *shall designate an appropriate point of contact within the*
12 *embassy who shall receive recommendations from appro-*
13 *priate private sector representatives regarding the imple-*
14 *mentation of the strategic plan required under section*
15 *708(c)(4) and ongoing trade barriers negatively impacting*
16 *priority trade expansion. The chief of mission shall ensure*
17 *that the designated point of contact shall be reasonably*
18 *available for consultations with appropriate private sector*
19 *representatives and to receive recommendations with respect*
20 *to country-specific issues that may arise that will*
21 *foreseeably disrupt trade.*

22 (d) *REQUIREMENT TO PROTECT BUSINESS CONFIDEN-*
23 *TIAL INFORMATION.*—

24 (1) *IN GENERAL.*—*The Secretary of State, Sec-*
25 *retary of Commerce, and United States Trade Rep-*

1 *representative as well as the heads of all other agencies*
2 *involved in the Economic Diplomacy Action Group*
3 *established under section 708(c) shall protect from*
4 *disclosure any proprietary information submitted by*
5 *any private sector representative and marked as*
6 *“business confidential information”, unless the party*
7 *submitting the confidential business information had*
8 *notice, at the time of submission, that such informa-*
9 *tion would be released by the head of any such de-*
10 *partment or agency, or such party subsequently con-*
11 *sents to the release of the information. To the extent*
12 *business confidential information is provided, a non-*
13 *confidential version of the information shall also be*
14 *provided, in which the business confidential informa-*
15 *tion is summarized or, if necessary, deleted.*

16 (2) *TREATMENT AS TRADE SECRETS.—Propri-*
17 *etary information submitted by a private party in*
18 *accordance with this Act shall be considered to be a*
19 *matter falling within the meaning of trade secrets*
20 *and commercial or financial information exemption*
21 *under section 552(b)(4) of title 5, United States Code,*
22 *and shall be exempt from disclosure without the ex-*
23 *press approval of the private party.*

1 **SEC. 710. IMPROVING AWARENESS OF UNITED STATES GOV-**
2 **ERNMENT TOOLS AND SERVICES TO SUPPORT**
3 **UNITED STATES BUSINESSES OVERSEAS.**

4 *The Secretary of State and the Secretary of Commerce*
5 *shall take actions to improve the awareness of United States*
6 *businesses with respect to United States Government tools*
7 *and services to assist such businesses overseas, especially*
8 *small and medium-sized enterprises, including by coordi-*
9 *nating with State trade agencies, Export Assistance Cen-*
10 *ters, and Small Businesses Development Centers.*

11 **SEC. 711. REPORT BY COMPTROLLER GENERAL OF THE**
12 **UNITED STATES.**

13 *(a) IN GENERAL.—Not later than 2 years after the*
14 *date of the enactment of this Act, the Comptroller General*
15 *of the United States shall submit to the Committee on For-*
16 *ign Affairs of the House of Representatives and the Com-*
17 *mittee on Foreign Relations of the Senate a report on*
18 *United States economic and commercial diplomacy.*

19 *(b) MATTERS TO BE INCLUDED.—The report required*
20 *under subsection (a) shall include an assessment of the fol-*
21 *lowing:*

22 *(1) What is known about the effectiveness of*
23 *United States economic and commercial diplomacy in*
24 *influencing foreign governments and supporting*
25 *United States businesses abroad.*

1 (2) *Coordination between the Department of*
2 *State and the Department of Commerce with respect*
3 *to United States economic and commercial diplo-*
4 *macy.*

5 (3) *The effectiveness of training provided pursu-*
6 *ant to subsection (d) of section 708 of the Foreign*
7 *Service Act of 1980 (as added by section 705 of this*
8 *title) on matters relating to economic and commercial*
9 *diplomacy.*

10 (4) *The status and effectiveness of actions taken*
11 *by the Secretary of State under section 710 of this*
12 *title regarding commercial relations with foreign*
13 *countries and regions and safeguarding United States*
14 *economic and business interests abroad.*

15 (5) *The status of the U.S. Commercial Service of*
16 *the Department of Commerce and its effectiveness in*
17 *advancing the economic and business interests of the*
18 *United States abroad.*

19 (6) *The status of the Foreign Service economics*
20 *officers and their effectiveness in advancing the eco-*
21 *nomical and business interests of the United States*
22 *abroad.*

23 (7) *Recommendations to improve United States*
24 *economic and commercial diplomacy.*

1 **TITLE VIII—UNITED STATES**
2 **COMMISSION ON INTER-**
3 **NATIONAL RELIGIOUS FREE-**
4 **DOM REAUTHORIZATION**

5 **SEC. 801. SHORT TITLE.**

6 *This title may be cited as the “United States Commis-*
7 *sion on International Religious Freedom Reauthorization*
8 *Act of 2019”.*

9 **SEC. 802. REAUTHORIZATION.**

10 *Section 209 of the International Religious Freedom*
11 *Act of 1998 (22 U.S.C. 6436) is amended by striking*
12 *“2019” and inserting “2022”.*

13 **SEC. 803. COMPOSITION OF COMMISSION.**

14 *Section 201 of the International Religious Freedom*
15 *Act of 1998 (22 U.S.C. 6431) is amended—*

16 *(1) in subsection (b)(2)—*

17 *(A) by striking “(A) IN GENERAL.—”; and*

18 *(B) by striking subparagraph (B);*

19 *(2) by amending subsection (d) to read as fol-*
20 *lows:*

21 *“(d) ELECTION OF CHAIR AND VICE CHAIR.—At the*
22 *first meeting of the Commission after May 30 of each year,*
23 *a majority of the members of the Commission who are*
24 *present and voting shall elect a Chair and a Vice Chair.*
25 *The Vice Chair shall have been appointed by an officeholder*

1 *from a different political party than the officeholder who*
2 *appointed the member of the Commission who was elected*
3 *Chair. The positions of Chair and Vice Chair shall be ro-*
4 *tated annually between members who were appointed to the*
5 *Commission by officeholders of different political parties.”;*

6 (3) *in subsection (f), by striking “Country Re-*
7 *port on Human Rights Practices” and inserting*
8 *“International Religious Freedom Report”; and*

9 (4) *by adding at the end the following:*

10 “(j) *REMOVAL.—If a payment is made under section*
11 *415(a) of the Congressional Accountability Act of 1995 (2*
12 *U.S.C. 1415(a)) for an award or settlement in connection*
13 *with a claim alleging a violation of unlawful harassment,*
14 *intimidation, reprisal, or discrimination under the Con-*
15 *gressional Accountability Act of 1995 (2 U.S.C. 1301 et*
16 *seq.) that was committed personally by an individual who,*
17 *at the time of committing the violation, was a Member of*
18 *the Commission, the Member shall be removed from the*
19 *Commission.”.*

20 **SEC. 804. DUTIES AND POWERS OF THE COMMISSION.**

21 (a) *DUTIES.—Section 202(e) of the International Reli-*
22 *gious Freedom Act of 1998 (22 U.S.C. 6432) is amended—*

23 (1) *by striking “The Commission” and inserting*
24 *the following:*

25 “(1) *IN GENERAL.—The Commission”; and*

1 (2) *by adding at the end the following:*

2 “(2) *TRACKING; REVIEW.—The Commission shall*
3 *regularly—*

4 “(A) *track the implementation by the*
5 *United States Government of the recommenda-*
6 *tions it makes under paragraph (1); and*

7 “(B) *review, to the extent practicable, the ef-*
8 *fectiveness of such implemented recommendations*
9 *in advancing religious freedom internationally.”.*

10 (b) *POWERS.—Section 203(e) of the International Re-*
11 *ligious Freedom Act of 1998 (22 U.S.C. 6432a(e)) is amend-*
12 *ed by adding at the end the following: “If a Member of the*
13 *Commission is invited to speak at an event in his or her*
14 *capacity as a Commissioner, the Member shall provide no-*
15 *tice of the request to all Commissioners and the Executive*
16 *Director as soon as the Commissioner becomes aware of such*
17 *invitation. Speeches and responses to questions at official*
18 *events shall reflect the views of the Commission. Official*
19 *speeches and other prepared materials shall be made avail-*
20 *able to all Commissioners in advance of the event. If a Com-*
21 *missioner is speaking in his or her private capacity, he or*
22 *she shall include qualifying language that the views they*
23 *are representing are his or her own views and not the views*
24 *of the Commission.”.*

1 **SEC. 805. COMMISSION PERSONNEL MATTERS.**

2 (a) *IN GENERAL.*—Section 204 of the International
3 *Religious Freedom Act of 1998 (22 U.S.C. 6432b)* is amend-
4 *ed—*

5 (1) *in subsection (b)—*

6 (A) *by striking “fix the compensation of the*
7 *Executive Director and other personnel” and in-*
8 *serting “provide reasonable compensation to the*
9 *Executive Director”;*

10 (B) *by striking “and other personnel may*
11 *not exceed the rate payable for level V of the Ex-*
12 *ecutive Schedule under section 5316” and insert-*
13 *ing “may not exceed the rate payable under level*
14 *II of the Executive Schedule under section 5313”;*
15 *and*

16 (C) *by adding at the end the following:*
17 *“The rate of pay for other personnel of the Com-*
18 *mission may not exceed the rate payable for level*
19 *IV of the Executive Schedule under section 5315*
20 *of such title. All employees of the Commission*
21 *shall otherwise be treated as employees whose*
22 *pay is disbursed by the Secretary of the Senate,*
23 *including for purposes of applying the Standing*
24 *Rules of the Senate. The Commission shall be*
25 *treated as an employing office of the Senate.”;*

1 (2) *in subsection (f), by striking “the commis-*
2 *sion, for the executive director” and inserting “the*
3 *Commission, for the Executive Director”;* and

4 (3) *by striking subsection (g).*

5 (b) *COVERAGE OF COMMISSION EMPLOYEES.—Section*
6 *101(b) of the Congressional Accountability Act (2 U.S.C.*
7 *1301(b)) is amended—*

8 (1) *in paragraph (1), by inserting “the United*
9 *States Commission on International Religious Free-*
10 *dom,” after “With respect to”;*

11 (2) *in paragraph (2)—*

12 (A) *by redesignating subparagraphs (A)*
13 *and (B) as clauses (i) and (ii), respectively;*

14 (B) *by inserting “(A)” before “Subject to*
15 *paragraph (3),”;* and

16 (C) *by adding at the end the following:*

17 “(B) *Legal assistance and representation*
18 *under this chapter, including assistance and rep-*
19 *resentation with respect to the proposal or ac-*
20 *ceptance of the disposition of a claim under this*
21 *chapter, shall be provided to the United States*
22 *Commission on International Religious Freedom*
23 *by the Office of Senate Chief Counsel for Em-*
24 *ployment of the Senate, in the case of assistance*
25 *and representation in connection with a claim*

1 *filed under subchapter IV (including all subse-*
2 *quent proceedings under such subchapter in con-*
3 *nection with such claim).”; and*

4 *(3) in paragraph (3)—*

5 *(A) in subparagraph (B), by striking “and”*
6 *at the end;*

7 *(B) in subparagraph (C), by striking the*
8 *period at the end and inserting “; and”; and*

9 *(C) by adding at the end the following:*

10 *“(D) the term ‘United States Commission*
11 *on International Religious Freedom’ means the*
12 *Commission established under section 201 of the*
13 *International Religious Freedom Act of 1998 (22*
14 *U.S.C. 6431 et seq.).”.*

15 **SEC. 806. COMMISSION TRAVEL AND ANNUAL DISCLO-**
16 **SURES.**

17 *(a) DUTIES.—Section 201(i) of the International Reli-*
18 *gious Freedom Act of 1998 (22 U.S.C. 6431(i)) is amended*
19 *by striking “are subject to” and inserting “shall comply*
20 *with”.*

21 *(b) POWERS.—Section 203(f) of the International Reli-*
22 *gious Freedom Act of 1998 (22 U.S.C. 6432a(f)) is amend-*
23 *ed—*

24 *(1) by striking “The Members of the Commis-*
25 *sion” and inserting the following:*

1 “(1) *IN GENERAL.*—*The Members of the Commis-*
2 *sion*”; and

3 (2) *by adding at the end the following:*

4 “(2) *PROHIBITION AGAINST PAYMENT OF OFFI-*
5 *CIAL TRAVEL BY NON-FEDERAL SOURCES.*—*Members*
6 *of the Commission and Commission staff may not ac-*
7 *cept payment from a non-Federal source for expenses*
8 *related to official travel on behalf of the Commis-*
9 *sion.*”.

10 (c) *ANNUAL DISCLOSURES.*—*Section 203 of the Inter-*
11 *national Religious Freedom Act of 1998, as amended by*
12 *subsection (b), is further amended by adding at the end the*
13 *following:*

14 “(g) *ANNUAL DISCLOSURES.*—*Not later than March 1*
15 *of each year, each Member of the Commission shall submit*
16 *a report to the appropriate congressional committees (as de-*
17 *finied in section 4(a) of the United States Commission on*
18 *International Religious Freedom Reauthorization Act of*
19 *2015 (22 U.S.C. 6433a(a)) with respect to the most recently*
20 *concluded 12-month period, that discloses any travel by the*
21 *Member outside of the United States that was paid for or*
22 *reimbursed by a person or entity other than the Member,*
23 *a relative of the Member, or the Federal Government, in-*
24 *cluding—*

25 “(1) *who paid for or reimbursed the travel;*

1 “(2) a good faith estimate of the cost of the trav-
2 el, if the travel was funded by a person or entity that
3 does not employ the Member; and

4 “(3) brief details of the travel and events related
5 to such travel.”.

6 **SEC. 807. STRATEGIC PLAN.**

7 Section 4(d) of the United States Commission on
8 *International Religious Freedom Reauthorization Act of*
9 2015 (22 U.S.C. 6433a(d)) is amended by striking “Not
10 later than 180 days after the date of the enactment of the
11 Act, and not less frequently than biennially thereafter” and
12 inserting “Not later than 180 days after the date of the en-
13 actment of this Act, and every 2 years thereafter”.

14 **SEC. 808. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 207(a) of the *International Religious Freedom*
16 *Act of 1998* (22 U.S.C. 6435(a)) is amended by striking
17 “2016 to 2019” and inserting “2019 through 2022”.

18 **SEC. 809. RECORD RETENTION.**

19 Section 208 of the *International Religious Freedom*
20 *Act of 1998* (22 U.S.C. 6435a) is amended by adding at
21 the end the following:

22 “(f) *COMMISSION RECORDS.*—The Commission shall
23 comply with all of the records management requirements
24 set forth in chapter 31 of title 44, United States Code (com-
25 monly referred to as the ‘Federal Records Act of 1950’).

1 “(g) *OFFICIAL EMAIL FOR COMMISSION BUSINESS.*—
2 *When conducting any Commission business on electronic*
3 *accounts, Commission Members and staff shall use official*
4 *Commission electronic accounts.*”.

5 ***TITLE IX—OTHER MATTERS***

6 ***SEC. 901. SPECIAL RULES FOR CERTAIN MONTHLY WORK-***
7 ***ERS’ COMPENSATION PAYMENTS AND OTHER***
8 ***PAYMENTS FOR DEPARTMENT OF STATE PER-***
9 ***SONNEL UNDER CHIEF OF MISSION AUTHOR-***
10 ***ITY.***

11 (a) *ADJUSTMENT OF COMPENSATION FOR CERTAIN IN-*
12 *JURIES.*—

13 (1) *INCREASE.*—*The Secretary of State may pay*
14 *an additional monthly monetary benefit, provided*
15 *that the covered employee is receiving benefits under*
16 *section 8105 or 8106 of title 5, United States Code,*
17 *and may determine the amount of each monthly mon-*
18 *etary benefit amount by taking into account—*

19 (A) *the severity of the qualifying injury;*

20 (B) *the circumstances by which the covered*
21 *employee became injured; and*

22 (C) *the seniority of the covered employee,*
23 *particularly for purposes of compensating for*
24 *lost career growth.*

1 (2) *MAXIMUM.*—Notwithstanding chapter 81 of
2 *title 5, United States Code, the total amount of*
3 *monthly compensation increased under paragraph (1)*
4 *may not exceed the monthly pay of the maximum rate*
5 *of basic pay for GS–15 of the General Schedule under*
6 *section 5332 of such title.*

7 (b) *COSTS FOR TREATING QUALIFYING INJURIES.*—
8 *The Secretary of State may pay the costs of or reimburse*
9 *for diagnosing and treating—*

10 (1) *a qualifying injury of a covered employee for*
11 *such costs, that are not otherwise covered by chapter*
12 *81 of title 5, United States Code, or other provision*
13 *of Federal law; or*

14 (2) *a covered individual, or a covered dependent,*
15 *for such costs that are not otherwise covered by Fed-*
16 *eral law.*

17 (c) *INFORMATION EXCHANGE.*—*To avoid duplicate or*
18 *otherwise improper payments under this subsection, the*
19 *Secretary of Labor and the Secretary of State shall ex-*
20 *change information about the amounts paid for treatment*
21 *of qualifying injuries.*

22 (d) *REGULATIONS.*—*Not later than 120 days after the*
23 *date of the enactment of this Act, the Secretary of State*
24 *shall—*

1 (1) *prescribe regulations ensuring the fair and*
2 *equitable implementation of this section; and*

3 (2) *submit to the Committee on Foreign Rela-*
4 *tions of the Senate and the Committee on Foreign Af-*
5 *airs of the House of Representatives such regulations.*

6 (e) *DEFINITIONS.—In this section:*

7 (1) *COVERED DEPENDENT.—The term “covered*
8 *dependent” means a family member (as defined by*
9 *the Secretary of State) of a employee who, on or after*
10 *January 1, 2016—*

11 (A) *accompanies the employee to an as-*
12 *signed duty station in a foreign country under*
13 *chief of mission authority; and*

14 (B) *becomes injured by reason of a quali-*
15 *fying injury.*

16 (2) *COVERED EMPLOYEE.—The term “covered*
17 *employee” means an employee of the Department of*
18 *State who, on or after January 1, 2016, becomes in-*
19 *jured by reason of a qualifying injury and was as-*
20 *signed to a duty station in the Republic of Cuba, the*
21 *People’s Republic of China, or another foreign coun-*
22 *try designated by the Secretary of State pursuant to*
23 *subsection (f).*

24 (3) *COVERED INDIVIDUAL.—The term “covered*
25 *individual” means an individual who, on or after*

1 *January 1, 2016, becomes injured by reason of a*
2 *qualifying injury and is—*

3 *(A) detailed to a duty station in the Repub-*
4 *lic of Cuba, the People’s Republic of China, or*
5 *another foreign country designated by the Sec-*
6 *retary of State pursuant to subsection (f); or*

7 *(B) affiliated with the Department of State,*
8 *as determined by the Secretary of State.*

9 *(4) QUALIFYING INJURY.—The term “qualifying*
10 *injury” means the following:*

11 *(A) With respect to a covered dependent, an*
12 *injury incurred—*

13 *(i) during a period in which the cov-*
14 *ered dependent is accompanying an em-*
15 *ployee to an assigned duty station in the*
16 *Republic of Cuba, the People’s Republic of*
17 *China, or another foreign country des-*
18 *ignated by the Secretary of State pursuant*
19 *to subsection (f);*

20 *(ii) in connection with war, insur-*
21 *gency, hostile act, terrorist activity, or other*
22 *incident designated by the Secretary of*
23 *State; and*

24 *(iii) that was not the result of the will-*
25 *ful misconduct of the covered dependent.*

1 (B) *With respect to a covered employee or*
2 *a covered individual, an injury incurred—*

3 (i) *during a period of assignment to a*
4 *duty station in the Republic of Cuba, the*
5 *People’s Republic of China, or another*
6 *country designated by the Secretary of State*
7 *pursuant to subsection (f);*

8 (ii) *in connection with war, insur-*
9 *gency, hostile act, terrorist activity, or other*
10 *incident designated by the Secretary of*
11 *State; and*

12 (iii) *that was not the result of the will-*
13 *ful misconduct of the covered employee or*
14 *the covered individual.*

15 (f) *DESIGNATION BY THE SECRETARY OF STATE OF*
16 *ANOTHER FOREIGN COUNTRY OR DUTY STATION.—The*
17 *Secretary of State may designate another foreign country*
18 *for the purposes of this section, provided that the Secretary*
19 *reports such designation to the Committee on Foreign Rela-*
20 *tions of the Senate and the Committee on Foreign Affairs*
21 *of the House of Representatives, and includes in such report*
22 *a rationale for each such designation. The Secretary of*
23 *State may not designate an added foreign country or duty*
24 *station for purposes of providing additional monetary ben-*
25 *efit pursuant to subsection (a) or (b) for a qualifying injury*

1 *to covered employees, covered dependents, or covered indi-*
2 *viduals under this section unless the Secretary of State—*

3 *(1) provides to the Committees on Foreign Rela-*
4 *tions of the Senate and the Committee on Foreign Af-*
5 *airs of the House of Representatives 30 days' notice*
6 *of the designation of a particular additional country*
7 *or duty station and the rationale for such addition;*
8 *and*

9 *(2) provides no such additional monetary benefit*
10 *pursuant to subsection (a) or (b) to covered employ-*
11 *ees, covered dependents, or covered individuals for a*
12 *qualifying injury until the 30-day notice period ex-*
13 *pires, unless there is written agreement by both the*
14 *Chair and Ranking Members of both the Committee*
15 *on Foreign Relations of the Senate and the Committee*
16 *on Foreign Affairs of the House of Representatives*
17 *that there is no objection to proceeding with provision*
18 *of such monetary benefit compensation in less than 30*
19 *days.*

20 *(g) TREATMENT OF AMOUNTS.—For purposes of sec-*
21 *tion 104 of the Internal Revenue Code of 1986, amounts*
22 *paid pursuant to this section shall be treated as amounts*
23 *described in subsection (a)(5) of such section.*

24 *(h) APPLICATION.—*

1 (1) *IN GENERAL.*—*This section shall apply with*
2 *respect to—*

3 (A) *payments made to covered employees*
4 *(as defined in such section) under section 8105*
5 *or 8106 of title 5, United States Code, beginning*
6 *on or after January 1, 2016; and*

7 (B) *diagnosis or treatment described in sub-*
8 *section (b) occurring on or after January 1,*
9 *2016.*

10 (2) *RULE OF CONSTRUCTION.*—*Nothing in this*
11 *section shall modify or otherwise supersede chapter 81*
12 *of title 5, or chapter 11 of title 42 United States Code.*
13 *Monetary benefits and treatment expenses paid under*
14 *this section shall not be considered payments under*
15 *any workers' compensation law.*

16 **SEC. 902. DECLASSIFICATION OF INFORMATION RELATED**
17 **TO CERTAIN ACTIONS BY SAUDI ARABIAN OF-**
18 **FICIALS.**

19 *Not later than 30 days after the date of the enactment*
20 *of this Act, the Director of the Federal Bureau of Investiga-*
21 *tion, in coordination with the Director of National Intel-*
22 *ligence, shall declassify, with any redactions necessary to*
23 *protect intelligence sources and methods, any and all infor-*
24 *mation related to whether the Government of Saudi Arabia*
25 *materially assisted or facilitated any citizen or national of*

1 *Saudi Arabia in departing from the United States while*
2 *the citizen or national was awaiting trial or sentencing for*
3 *a criminal offense committed in the United States.*

4 **SEC. 903. PROMOTING SECURITY AND JUSTICE FOR VIC-**
5 **TIMS OF TERRORISM.**

6 (a) *SHORT TITLE.*—*This section may be cited as the*
7 *Promoting Security and Justice for Victims of Terrorism*
8 *Act of 2019.*

9 (b) *FACILITATION OF THE SETTLEMENT OF TER-*
10 *RORISM-RELATED CLAIMS OF NATIONALS OF THE UNITED*
11 *STATES.*—

12 (1) *COMPREHENSIVE PROCESS TO FACILITATE*
13 *THE RESOLUTION OF ANTI-TERRORISM ACT CLAIMS.*—
14 *The Secretary of State, in consultation with the At-*
15 *torney General, shall, not later than 30 days after the*
16 *date of enactment of this Act, develop and initiate a*
17 *comprehensive process for the Department of State to*
18 *facilitate the resolution and settlement of covered*
19 *claims.*

20 (2) *ELEMENTS OF COMPREHENSIVE PROCESS.*—
21 *The comprehensive process developed under paragraph*
22 *(1) shall include, at a minimum, the following:*

23 (A) *Not later than 45 days after the date of*
24 *enactment of this Act, the Department of State*
25 *shall publish a notice in the Federal Register*

1 *identifying the method by which a national of*
2 *the United States, or a representative of a na-*
3 *tional of the United States, who has a covered*
4 *claim, may contact the Department of State to*
5 *give notice of the covered claim.*

6 *(B) Not later than 120 days after the date*
7 *of enactment of this Act, the Secretary of State,*
8 *or a designee of the Secretary, shall meet (and*
9 *make every effort to continue to meet on a reg-*
10 *ular basis thereafter) with any national of the*
11 *United States, or a representative of a national*
12 *of the United States, who has a covered claim*
13 *and has informed the Department of State of the*
14 *covered claim using the method established pur-*
15 *suant to subparagraph (A) to discuss the status*
16 *of the covered claim, including the status of any*
17 *settlement discussions with the Palestinian Au-*
18 *thority or the Palestine Liberation Organization.*

19 *(C) Not later than 180 days after the date*
20 *of enactment of this Act, the Secretary of State,*
21 *or a designee of the Secretary, shall make every*
22 *effort to meet (and make every effort to continue*
23 *to meet on a regular basis thereafter) with rep-*
24 *resentatives of the Palestinian Authority and the*
25 *Palestine Liberation Organization to discuss the*

1 *covered claims identified pursuant to subpara-*
2 *graph (A) and potential settlement of the covered*
3 *claims.*

4 (3) *REPORT TO CONGRESS.—The Secretary of*
5 *State shall, not later than 240 days after the date of*
6 *enactment of this Act, and annually thereafter for 5*
7 *years, submit to the Committee on the Judiciary and*
8 *the Committee on Foreign Relations of the Senate and*
9 *the Committee on the Judiciary and the Committee*
10 *on Foreign Affairs of the House of Representatives a*
11 *report describing activities that the Department of*
12 *State has undertaken to comply with this subsection,*
13 *including specific updates regarding subparagraphs*
14 *(B) and (C) of paragraph (2).*

15 (4) *SENSE OF CONGRESS.—It is the sense of*
16 *Congress that—*

17 (A) *covered claims should be resolved in a*
18 *manner that provides just compensation to the*
19 *victims;*

20 (B) *covered claims should be resolved and*
21 *settled in favor of the victim to the fullest extent*
22 *possible and without subjecting victims to unnec-*
23 *essary or protracted litigation;*

24 (C) *the United States Government should*
25 *take all practicable steps to facilitate the resolu-*

1 *tion and settlement of all covered claims, includ-*
2 *ing engaging directly with the victims or their*
3 *representatives and the Palestinian Authority*
4 *and the Palestine Liberation Organization; and*

5 *(D) the United States Government should*
6 *strongly urge the Palestinian Authority and the*
7 *Palestine Liberation Organization to commit to*
8 *good-faith negotiations to resolve and settle all*
9 *covered claims.*

10 *(5) DEFINITION.—In this subsection, the term*
11 *“covered claim” means any pending action by, or*
12 *final judgment in favor of, a national of the United*
13 *States, or any action by a national of the United*
14 *States dismissed for lack of personal jurisdiction,*
15 *under section 2333 of title 18, United States Code,*
16 *against the Palestinian Authority or the Palestine*
17 *Liberation Organization.*

18 *(c) JURISDICTIONAL AMENDMENTS TO FACILITATE*
19 *RESOLUTION OF TERRORISM-RELATED CLAIMS OF NATION-*
20 *ALS OF THE UNITED STATES.—*

21 *(1) IN GENERAL.—Section 2334(e) of title 18,*
22 *United States Code, is amended—*

23 *(A) by striking paragraph (1) and inserting*
24 *the following:*

1 “(1) *IN GENERAL.*—*Except as provided in para-*
2 *graph (2), for purposes of any civil action under sec-*
3 *tion 2333 of this title, a defendant shall be deemed to*
4 *have consented to personal jurisdiction in such civil*
5 *action if, regardless of the date of the occurrence of the*
6 *act of international terrorism upon which such civil*
7 *action was filed, the defendant—*

8 “(A) *after the date that is 120 days after*
9 *the date of the enactment of the Promoting Secu-*
10 *rity and Justice for Victims of Terrorism Act of*
11 *2019, makes any payment, directly or indi-*
12 *rectly—*

13 “(i) *to any payee designated by any*
14 *individual who, after being fairly tried or*
15 *pleading guilty, has been imprisoned for*
16 *committing any act of terrorism that in-*
17 *jured or killed a national of the United*
18 *States, if such payment is made by reason*
19 *of such imprisonment; or*

20 “(ii) *to any family member of any in-*
21 *dividual, following such individual’s death*
22 *while committing an act of terrorism that*
23 *injured or killed a national of the United*
24 *States, if such payment is made by reason*
25 *of the death of such individual; or*

1 “(B) after 15 days after the date of enact-
2 ment of the Promoting Security and Justice for
3 Victims of Terrorism Act of 2019—

4 “(i) continues to maintain any office,
5 headquarters, premises, or other facilities or
6 establishments in the United States;

7 “(ii) establishes or procures any office,
8 headquarters, premises, or other facilities or
9 establishments in the United States; or

10 “(iii) conducts any activity while
11 physically present in the United States on
12 behalf of the Palestine Liberation Organiza-
13 tion or the Palestinian Authority.”;

14 (B) in paragraph (2), by adding at the end
15 the following: “Except with respect to payments
16 described in paragraph (1)(A), no court may
17 consider the receipt of any assistance by a non-
18 governmental organization, whether direct or in-
19 direct, as a basis for consent to jurisdiction by
20 a defendant.”; and

21 (C) by adding at the end the following:

22 “(3) *EXCEPTION FOR CERTAIN ACTIVITIES AND*
23 *LOCATIONS.—In determining whether a defendant*
24 *shall be deemed to have consented to personal jurisdic-*

1 *tion under paragraph (1)(B), no court may con-*
2 *sider—*

3 *“(A) any office, headquarters, premises, or*
4 *other facility or establishment used exclusively*
5 *for the purpose of conducting official business of*
6 *the United Nations;*

7 *“(B) any activity undertaken exclusively for*
8 *the purpose of conducting official business of the*
9 *United Nations;*

10 *“(C) any activity involving officials of the*
11 *United States that the Secretary of State deter-*
12 *mines is in the national interest of the United*
13 *States if the Secretary reports to the appropriate*
14 *congressional committees annually on the use of*
15 *the authority under this subparagraph;*

16 *“(D) any activity undertaken exclusively*
17 *for the purpose of meetings with officials of the*
18 *United States or other foreign governments, or*
19 *participation in training and related activities*
20 *funded or arranged by the United States Govern-*
21 *ment;*

22 *“(E) any activity related to legal represen-*
23 *tation—*

24 *“(i) for matters related to activities de-*
25 *scribed in this paragraph;*

1 “(ii) for the purpose of adjudicating or
2 resolving claims filed in courts of the
3 United States; or

4 “(iii) to comply with this subsection;
5 or

6 “(F) any personal or official activities con-
7 ducted ancillary to activities listed under this
8 paragraph.

9 “(4) *RULE OF CONSTRUCTION.*—Notwithstanding
10 any other law (including any treaty), any office,
11 headquarters, premises, or other facility or establish-
12 ment within the territory of the United States that is
13 not specifically exempted by paragraph (3)(A) shall
14 be considered to be in the United States for purposes
15 of paragraph (1)(B).

16 “(5) *DEFINED TERM.*—In this subsection, the
17 term ‘defendant’ means—

18 “(A) the Palestinian Authority;

19 “(B) the Palestine Liberation Organization;

20 “(C) any organization or other entity that
21 is a successor to or affiliated with the Pales-
22 tinian Authority or the Palestine Liberation Or-
23 ganization; or

24 “(D) any organization or other entity
25 that—

1 “(i) is identified in subparagraph (A),
2 (B), or (C); and

3 “(ii) self identifies as, holds itself out
4 to be, or carries out conduct in the name of,
5 the ‘State of Palestine’ or ‘Palestine’ in con-
6 nection with official business of the United
7 Nations.”.

8 (2) *PRIOR CONSENT NOT ABROGATED.*—*The*
9 *amendments made by this subsection shall not abro-*
10 *gate any consent deemed to have been given under sec-*
11 *tion 2334(e) of title 18, United States Code, as in ef-*
12 *fect on the day before the date of enactment of this*
13 *Act.*

14 (d) *RULES OF CONSTRUCTION; APPLICABILITY; SEV-*
15 *ERABILITY.*—

16 (1) *RULES OF CONSTRUCTION.*—

17 (A) *IN GENERAL.*—*This section, and the*
18 *amendments made by this section, should be lib-*
19 *erally construed to carry out the purposes of*
20 *Congress to provide relief for victims of ter-*
21 *rorism.*

22 (B) *CASES AGAINST OTHER PERSONS.*—
23 *Nothing in this section may be construed to af-*
24 *fect any law or authority, as in effect on the day*
25 *before the date of enactment of this Act, relating*

1 to a case brought under section 2333(a) of title
2 18, United States Code, against a person who is
3 not a defendant, as defined in paragraph (5) of
4 section 2334(e) of title 18, United States Code,
5 as added by subsection (c)(1) of this section.

6 (2) *APPLICABILITY.*—This section, and the
7 amendments made by this section, shall apply to any
8 case pending on or after August 30, 2016.

9 (3) *SEVERABILITY.*—If any provision of this sec-
10 tion, an amendment made by this section, or the ap-
11 plication of such provision or amendment to any per-
12 son or circumstance is held to be unconstitutional, the
13 remainder of this section, the amendments made by
14 this section, and the application of such provisions to
15 any person or circumstance shall not be affected there-
16 by.

17 **SEC. 904. DEBT RELIEF FOR SOMALIA.**

18 (a) *DEBT RELIEF.*—(1) Of the funds appropriated
19 under titles III and IV of division G of this Act and under
20 such titles in prior Acts making appropriations for the De-
21 partment of State, foreign operations, and related pro-
22 grams, not to exceed \$35,000,000 may be transferred to the
23 “Department of the Treasury, Debt Restructuring” account
24 for the same purposes and under the same authorities and
25 conditions (other than the period of availability) as other

1 *funds provided under that heading for the cost, as defined*
2 *in section 502 of the Congressional Budget Act of 1974, of*
3 *modifying loans and loan guarantees, as the President may*
4 *determine, or for the cost of selling, reducing, or cancelling*
5 *amounts owed to the United States as a result of loans made*
6 *to Somalia, in the event that Somalia meets the domestic*
7 *and internationally-agreed conditions and the transfer is*
8 *consistent with United States law and foreign policy con-*
9 *siderations.*

10 (2) *For the purposes of this section, no amounts may*
11 *be transferred from amounts designated for Overseas Con-*
12 *tingency Operations/Global War on Terrorism or as emer-*
13 *gency requirements pursuant to a concurrent resolution on*
14 *the budget or section 251(b)(2)(A) of the Balanced Budget*
15 *and Emergency Deficit Control Act of 1985.*

16 (3) *Prior to the initial obligation of funds made avail-*
17 *able pursuant to this section, the Secretary of State shall*
18 *submit to the appropriate congressional committees a report*
19 *on the outcome of the Paris Club meeting on debt cancella-*
20 *tion for Somalia, the estimate of amounts needed and over*
21 *what time period, and the proposed sources of funds to be*
22 *transferred pursuant to this section: Provided, That such*
23 *funds shall also be subject to prior consultation with the*
24 *appropriate congressional committees and the regular noti-*
25 *fication procedures of such committees.*

1 (b) *DEBT RESTRUCTURING*.—Section 501(i) of title V
2 of H.R. 3425, as enacted into law by section 1000(a)(5)
3 of Public Law 106–113 (113 Stat. 1501A–313), as most re-
4 cently amended by section 699H(b)(1) of division J of the
5 Consolidated Appropriations Act, 2008 (Public Law 110–
6 161; 121 Stat. 2372), is further amended by striking
7 “2000–2010” and inserting “2000–2021”.

8 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
9 *FINED*.—In this section, the term “appropriate congres-
10 sional committees” means—

11 (1) the Committee on Foreign Relations and the
12 Committee on Appropriations of the Senate; and

13 (2) the Committee on Foreign Affairs and the
14 Committee on Appropriations of the House of Rep-
15 resentatives.

16 ***DIVISION K—NATIONAL LAW EN-***
17 ***FORCEMENT MUSEUM COM-***
18 ***MEMORATIVE COIN***

19 ***SEC. 101. SHORT TITLE.***

20 This division may be cited as the “National Law En-
21 forcement Museum Commemorative Coin Act”.

22 ***SEC. 102. FINDINGS.***

23 The Congress finds the following:

24 (1) In 2000, Congress passed and President Wil-
25 liam J. Clinton signed into law the National Law

1 *Enforcement Museum Act (Public Law 106–492),*
2 *which authorized the National Law Enforcement Offi-*
3 *cers Memorial Fund, Inc., to build the National Law*
4 *Enforcement Museum on Federal land in the District*
5 *of Columbia to honor and commemorate the service*
6 *and sacrifice of law enforcement officers in the United*
7 *States.*

8 *(2) In April 2016, construction began on the Na-*
9 *tional Law Enforcement Museum in the District of*
10 *Columbia across the street from the National Law*
11 *Enforcement Officers Memorial in Judiciary Square.*

12 *(3) The National Law Enforcement Museum for-*
13 *mally opened in October of 2018.*

14 *(4) The National Law Enforcement Museum’s*
15 *mission is—*

16 *(A) to honor and commemorate the extraor-*
17 *dinary service and sacrifice of America’s law en-*
18 *forcement officers;*

19 *(B) to serve as an important bridge between*
20 *law enforcement’s past and present, between the*
21 *heroes of yesteryear and those who have followed*
22 *in their footsteps, and between America’s peace*
23 *officers and the public they serve;*

1 (C) increase public understanding and sup-
2 port for law enforcement and to promote law en-
3 forcement safety; and

4 (D) strengthen the relationship between law
5 enforcement and the communities they serve with
6 thought-provoking programs at the Museum and
7 around the country that promote dialogue on
8 topics of current interest.

9 **SEC. 103. COIN SPECIFICATIONS.**

10 (a) *DENOMINATIONS.*—The Secretary of the Treasury
11 (hereafter in this Act referred to as the “Secretary”) shall
12 mint and issue the following coin:

13 (1) *\$5 GOLD COINS.*—Not more than 50,000 \$5
14 coins, which shall—

15 (A) weigh 8.359 grams;

16 (B) have a diameter of 0.850 inches; and

17 (C) contain not less than 90 percent gold.

18 (2) *\$1 SILVER COINS.*—Not more than 400,000
19 \$1 coins, which shall—

20 (A) weigh 26.73 grams;

21 (B) have a diameter of 1.500 inches; and

22 (C) contain not less than 90 percent silver.

23 (3) *HALF-DOLLAR CLAD COINS.*—Not more than
24 750,000 half-dollar coins which shall—

25 (A) weigh 11.34 grams;

1 (B) have a diameter of 1.205 inches; and
2 (C) be minted to the specifications for half-
3 dollar coins contained in section 5112(b) of title
4 31, United States Code.

5 (b) *LEGAL TENDER*.—The coins minted under this Act
6 shall be legal tender, as provided in section 5103 of title
7 31, United States Code.

8 (c) *NUMISMATIC ITEMS*.—For purposes of section 5134
9 of title 31, United States Code, all coins minted under this
10 Act shall be considered to be numismatic items.

11 **SEC. 104. DESIGN OF COINS.**

12 (a) *DESIGN REQUIREMENTS*.—

13 (1) *IN GENERAL*.—The design of the coins mint-
14 ed under this Act shall be emblematic of the National
15 Law Enforcement Museum and the service and sac-
16 rifice of law enforcement officers throughout the his-
17 tory of the United States.

18 (2) *DESIGNATION AND INSCRIPTIONS*.—On each
19 coin minted under this Act there shall be—

20 (A) a designation of the value of the coin;

21 (B) an inscription of the year “2021”; and

22 (C) inscriptions of the words “Liberty”, “In
23 God We Trust”, “United States of America”,
24 and “E Pluribus Unum”.

1 (b) *SELECTION.*—*The design for the coins minted*
2 *under this Act shall be—*

3 (1) *selected by the Secretary after consultation*
4 *with the Commission of Fine Arts and the National*
5 *Law Enforcement Officers Memorial Fund, Inc.; and*

6 (2) *reviewed by the Citizens Coinage Advisory*
7 *Committee.*

8 **SEC. 105. ISSUANCE OF COINS.**

9 (a) *QUALITY OF COINS.*—*Coins minted under this Act*
10 *shall be issued in uncirculated and proof qualities.*

11 (b) *MINT FACILITIES.*—*Only one facility of the United*
12 *States Mint may be used to strike any particular quality*
13 *of the coins minted under this Act.*

14 (c) *PERIOD FOR ISSUANCE.*—*The Secretary may issue*
15 *coins minted under this Act only during the 1-year period*
16 *beginning on January 1, 2021.*

17 **SEC. 106. SALE OF COINS.**

18 (a) *SALE PRICE.*—*The coins issued under this Act*
19 *shall be sold by the Secretary at a price equal to the sum*
20 *of—*

21 (1) *the face value of the coins;*

22 (2) *the surcharge provided in section 107(a) with*
23 *respect to such coins; and*

1 (3) *the cost of designing and issuing the coins*
2 *(including labor, materials, dies, use of machinery,*
3 *overhead expenses, marketing, and shipping).*

4 (b) *BULK SALES.*—*The Secretary shall make bulk sales*
5 *of the coins issued under this Act at a reasonable discount.*

6 (c) *PREPAID ORDERS.*—

7 (1) *IN GENERAL.*—*The Secretary shall accept*
8 *prepaid orders for the coins minted under this Act be-*
9 *fore the issuance of such coins.*

10 (2) *DISCOUNT.*—*Sale prices with respect to pre-*
11 *paid orders under paragraph (1) shall be at a reason-*
12 *able discount.*

13 **SEC. 107. SURCHARGES.**

14 (a) *IN GENERAL.*—*All sales of coins issued under this*
15 *Act shall include a surcharge of—*

16 (1) *\$35 per coin for the \$5 coin;*

17 (2) *\$10 per coin for the \$1 coin; and*

18 (3) *\$5 per coin for the half-dollar coin.*

19 (b) *DISTRIBUTION.*—*Subject to section 5134(f)(1) of*
20 *title 31, United States Code, all surcharges received by the*
21 *Secretary from the sale of coins issued under this Act shall*
22 *be promptly paid by the Secretary to the National Law En-*
23 *forcement Officers Memorial Fund, Inc., for educational*
24 *and outreach programs and exhibits.*

1 (c) *AUDITS.*—*The National Law Enforcement Officers*
2 *Memorial Fund, Inc., shall be subject to the audit require-*
3 *ments of section 5134(f)(2) of title 31, United States Code,*
4 *with regard to the amounts received under subsection (b).*

5 (d) *LIMITATION.*—*Notwithstanding subsection (a), no*
6 *surchARGE may be included with respect to the issuance*
7 *under this Act of any coin during a calendar year if, as*
8 *of the time of such issuance, the issuance of such coin would*
9 *result in the number of commemorative coin programs*
10 *issued during such year to exceed the annual two commemo-*
11 *rative coin program issuance limitation under section*
12 *5112(m)(1) of title 31, United States Code (as in effect on*
13 *the date of the enactment of this Act). The Secretary of the*
14 *Treasury may issue guidance to carry out this subsection.*

15 **SEC. 108. FINANCIAL ASSURANCES.**

16 *The Secretary shall take such actions as may be nec-*
17 *essary to ensure that—*

18 (1) *minting and issuing coins under this Act*
19 *will not result in any net cost to the United States*
20 *Government; and*

21 (2) *no funds, including applicable surcharges,*
22 *are disbursed to any recipient designated in section*
23 *107 until the total cost of designing and issuing all*
24 *of the coins authorized by this Act (including labor,*
25 *materials, dies, use of machinery, overhead expenses,*

1 marketing, and shipping) is recovered by the United
2 States Treasury, consistent with sections 5112(m) and
3 5134(f) of title 31, United States Code.

4 ***DIVISION L—DHS CYBER HUNT***
5 ***AND INCIDENT RESPONSE***
6 ***TEAMS***

7 ***SEC. 101. SHORT TITLE.***

8 *This division may be cited as the “DHS Cyber Hunt*
9 *and Incident Response Teams Act of 2019”.*

10 ***SEC. 102. DEPARTMENT OF HOMELAND SECURITY CYBER***
11 ***HUNT AND INCIDENT RESPONSE TEAMS.***

12 *(a) IN GENERAL.—Section 2209 of the Homeland Se-*
13 *curity Act of 2002 (6 U.S.C. 659) is amended—*

14 *(1) in subsection (d)(1)(B)(iv), by inserting “,*
15 *including cybersecurity specialists” after “entities”;*

16 *(2) by redesignating subsections (f) through (m)*
17 *as subsections (g) through (n), respectively;*

18 *(3) by inserting after subsection (e) the following:*

19 ***“(f) CYBER HUNT AND INCIDENT RESPONSE TEAMS.—***

20 ***“(1) IN GENERAL.—The Center shall maintain***
21 *cyber hunt and incident response teams for the pur-*
22 *pose of leading Federal asset response activities and*
23 *providing timely technical assistance to Federal and*
24 *non-Federal entities, including across all critical in-*
25 *frastructure sectors, regarding actual or potential se-*

1 *curity incidents, as appropriate and upon request, in-*
2 *cluding—*

3 *“(A) assistance to asset owners and opera-*
4 *tors in restoring services following a cyber inci-*
5 *dent;*

6 *“(B) identification and analysis of cyberse-*
7 *curity risk and unauthorized cyber activity;*

8 *“(C) mitigation strategies to prevent, deter,*
9 *and protect against cybersecurity risks;*

10 *“(D) recommendations to asset owners and*
11 *operators for improving overall network and con-*
12 *trol systems security to lower cybersecurity risks,*
13 *and other recommendations, as appropriate; and*

14 *“(E) such other capabilities as the Sec-*
15 *retary determines appropriate.*

16 *“(2) ASSOCIATED METRICS.—The Center shall—*

17 *“(A) define the goals and desired outcomes*
18 *for each cyber hunt and incident response team;*
19 *and*

20 *“(B) develop metrics—*

21 *“(i) to measure the effectiveness and ef-*
22 *iciency of each cyber hunt and incident re-*
23 *sponse team in achieving the goals and de-*
24 *sired outcomes defined under subparagraph*
25 *(A); and*

1 “(ii) that—

2 “(I) are quantifiable and action-
3 able; and

4 “(II) the Center shall use to im-
5 prove the effectiveness and account-
6 ability of, and service delivery by,
7 cyber hunt and incident response
8 teams.

9 “(3) *CYBERSECURITY SPECIALISTS*.—After notice
10 to, and with the approval of, the entity requesting ac-
11 tion by or technical assistance from the Center, the
12 Secretary may include cybersecurity specialists from
13 the private sector on a cyber hunt and incident re-
14 sponse team.”; and

15 (4) in subsection (g), as so redesignated—

16 (A) in paragraph (1), by inserting “, or
17 any team or activity of the Center,” after “Cen-
18 ter”; and

19 (B) in paragraph (2), by inserting “, or
20 any team or activity of the Center,” after “Cen-
21 ter”.

22 (b) *REPORT*.—

23 (1) *DEFINITIONS*.—In this subsection—

24 (A) the term “Center” means the national
25 cybersecurity and communications integration

1 center established under section 2209(b) of the
2 Homeland Security Act of 2002 (6 U.S.C.
3 659(b));

4 (B) the term “cyber hunt and incident re-
5 sponse team” means a cyber hunt and incident
6 response team maintained under section 2209(f)
7 of the Homeland Security Act of 2002 (6 U.S.C.
8 659(f)), as added by this Act; and

9 (C) the term “incident” has the meaning
10 given the term in section 2209(a) of the Home-
11 land Security Act of 2002 (6 U.S.C. 659(a)).

12 (2) *REPORT.*—At the conclusion of each of the
13 first 4 fiscal years after the date of enactment of the
14 DHS Cyber Hunt and Incident Response Teams Act
15 of 2019, the Center shall submit to the Committee on
16 Homeland Security and Governmental Affairs of the
17 Senate and the Committee on Homeland Security of
18 the House of Representatives a report that includes—

19 (A) information relating to the metrics used
20 for evaluation and assessment of the cyber hunt
21 and incident response teams and operations
22 under section 2209(f)(2) of the Homeland Secu-
23 rity Act of 2002 (6 U.S.C. 659(f)(2)), as added
24 by this Act, including the resources and staffing

1 *of those cyber hunt and incident response teams;*
2 *and*

3 *(B) for the period covered by the report—*

4 *(i) the total number of incident re-*
5 *sponse requests received;*

6 *(ii) the number of incident response*
7 *tickets opened; and*

8 *(iii) a statement of—*

9 *(I) all interagency staffing of*
10 *cyber hunt and incident response*
11 *teams; and*

12 *(II) the interagency collaborations*
13 *established to support cyber hunt and*
14 *incident response teams.*

15 *(c) NO ADDITIONAL FUNDS AUTHORIZED.—No addi-*
16 *tional funds are authorized to be appropriated to carry out*
17 *the requirements of this Act and the amendments made by*
18 *this Act. Such requirements shall be carried out using*
19 *amounts otherwise authorized to be appropriated.*

20 ***DIVISION M—BIPARTISAN***
21 ***AMERICAN MINERS***

22 ***SEC. 101. SHORT TITLE.***

23 *This division may be cited as the “Bipartisan Amer-*
24 *ican Miners Act of 2019”.*

1 **SEC. 102. TRANSFERS TO 1974 UMWA PENSION PLAN.**

2 (a) *IN GENERAL.*—Subsection (i) of section 402 of the
3 *Surface Mining Control and Reclamation Act of 1977* (30
4 *U.S.C. 1232*) is amended—

5 (1) in paragraph (3)(A), by striking
6 “\$490,000,000” and inserting “\$750,000,000”;

7 (2) by redesignating paragraph (4) as para-
8 graph (5); and

9 (3) by inserting after paragraph (3) the fol-
10 lowing:

11 “(4) *ADDITIONAL AMOUNTS.*—

12 “(A) *CALCULATION.*—If the dollar limita-
13 tion specified in paragraph (3)(A) exceeds the
14 aggregate amount required to be transferred
15 under paragraphs (1) and (2) for a fiscal year,
16 the Secretary of the Treasury shall transfer an
17 additional amount equal to the difference be-
18 tween such dollar limitation and such aggregate
19 amount to the trustees of the 1974 UMWA Pen-
20 sion Plan to pay benefits required under that
21 plan.

22 “(B) *CESSATION OF TRANSFERS.*—The
23 transfers described in subparagraph (A) shall
24 cease as of the first fiscal year beginning after
25 the first plan year for which the funded percent-
26 age (as defined in section 432(j)(2) of the Inter-

1 *nal Revenue Code of 1986) of the 1974 UMWA*
2 *Pension Plan is at least 100 percent.*

3 “(C) *PROHIBITION ON BENEFIT INCREASES,*
4 *ETC.—During a fiscal year in which the 1974*
5 *UMWA Pension Plan is receiving transfers*
6 *under subparagraph (A), no amendment of such*
7 *plan which increases the liabilities of the plan by*
8 *reason of any increase in benefits, any change in*
9 *the accrual of benefits, or any change in the rate*
10 *at which benefits become nonforfeitable under the*
11 *plan may be adopted unless the amendment is*
12 *required as a condition of qualification under*
13 *part I of subchapter D of chapter 1 of the Inter-*
14 *nal Revenue Code of 1986.*

15 “(D) *CRITICAL STATUS TO BE MAIN-*
16 *TAINED.—Until such time as the 1974 UMWA*
17 *Pension Plan ceases to be eligible for the trans-*
18 *fers described in subparagraph (A)—*

19 “(i) *the Plan shall be treated as if it*
20 *were in critical status for purposes of sec-*
21 *tions 412(b)(3), 432(e)(3), and*
22 *4971(g)(1)(A) of the Internal Revenue Code*
23 *of 1986 and sections 302(b)(3) and*
24 *305(e)(3) of the Employee Retirement In-*
25 *come Security Act;*

1 “(ii) the Plan shall maintain and com-
2 ply with its rehabilitation plan under sec-
3 tion 432(e) of such Code and section 305(e)
4 of such Act, including any updates thereto;
5 and

6 “(iii) the provisions of subsections (c)
7 and (d) of section 432 of such Code and
8 subsections (c) and (d) of section 305 of
9 such Act shall not apply.

10 “(E) *TREATMENT OF TRANSFERS FOR PUR-*
11 *POSES OF WITHDRAWAL LIABILITY UNDER*
12 *ERISA.—The amount of any transfer made under*
13 *subparagraph (A) (and any earnings attrib-*
14 *utable thereto) shall be disregarded in deter-*
15 *mining the unfunded vested benefits of the 1974*
16 *UMWA Pension Plan and the allocation of such*
17 *unfunded vested benefits to an employer for pur-*
18 *poses of determining the employer’s withdrawal*
19 *liability under section 4201 of the Employee Re-*
20 *irement Income Security Act of 1974.*

21 “(F) *REQUIREMENT TO MAINTAIN CON-*
22 *TRIBUTION RATE.—A transfer under subpara-*
23 *graph (A) shall not be made for a fiscal year un-*
24 *less the persons that are obligated to contribute*
25 *to the 1974 UMWA Pension Plan on the date of*

1 *the transfer are obligated to make the contribu-*
2 *tions at rates that are no less than those in effect*
3 *on the date which is 30 days before the date of*
4 *enactment of the Bipartisan American Miners*
5 *Act of 2019.*

6 “(G) *ENHANCED ANNUAL REPORTING.*—

7 “(i) *IN GENERAL.*—*Not later than the*
8 *90th day of each plan year beginning after*
9 *the date of enactment of the Bipartisan*
10 *American Miners Act of 2019, the trustees*
11 *of the 1974 UMWA Pension Plan shall file*
12 *with the Secretary of the Treasury or the*
13 *Secretary’s delegate and the Pension Benefit*
14 *Guaranty Corporation a report (including*
15 *appropriate documentation and actuarial*
16 *certifications from the plan actuary, as re-*
17 *quired by the Secretary of the Treasury or*
18 *the Secretary’s delegate) that contains—*

19 “(I) *whether the plan is in endan-*
20 *gered or critical status under section*
21 *305 of the Employee Retirement In-*
22 *come Security Act of 1974 and section*
23 *432 of the Internal Revenue Code of*
24 *1986 as of the first day of such plan*
25 *year;*

1 “(II) the funded percentage (as
2 defined in section 432(j)(2) of such
3 Code) as of the first day of such plan
4 year, and the underlying actuarial
5 value of assets and liabilities taken
6 into account in determining such per-
7 centage;

8 “(III) the market value of the as-
9 sets of the plan as of the last day of the
10 plan year preceding such plan year;

11 “(IV) the total value of all con-
12 tributions made during the plan year
13 preceding such plan year;

14 “(V) the total value of all benefits
15 paid during the plan year preceding
16 such plan year;

17 “(VI) cash flow projections for
18 such plan year and either the 6 or 10
19 succeeding plan years, at the election of
20 the trustees, and the assumptions relied
21 upon in making such projections;

22 “(VII) funding standard account
23 projections for such plan year and the
24 9 succeeding plan years, and the as-

1 *sumptions relied upon in making such*
2 *projections;*

3 *“(VIII) the total value of all in-*
4 *vestment gains or losses during the*
5 *plan year preceding such plan year;*

6 *“(IX) any significant reduction in*
7 *the number of active participants dur-*
8 *ing the plan year preceding such plan*
9 *year, and the reason for such reduc-*
10 *tion;*

11 *“(X) a list of employers that with-*
12 *drew from the plan in the plan year*
13 *preceding such plan year, and the re-*
14 *sulting reduction in contributions;*

15 *“(XI) a list of employers that*
16 *paid withdrawal liability to the plan*
17 *during the plan year preceding such*
18 *plan year and, for each employer, a*
19 *total assessment of the withdrawal li-*
20 *ability paid, the annual payment*
21 *amount, and the number of years re-*
22 *maining in the payment schedule with*
23 *respect to such withdrawal liability;*

24 *“(XII) any material changes to*
25 *benefits, accrual rates, or contribution*

1 *rates during the plan year preceding*
2 *such plan year;*

3 *“(XIII) any scheduled benefit in-*
4 *crease or decrease in the plan year pre-*
5 *ceding such plan year having a mate-*
6 *rial effect on liabilities of the plan;*

7 *“(XIV) details regarding any*
8 *funding improvement plan or rehabili-*
9 *tation plan and updates to such plan;*

10 *“(XV) the number of participants*
11 *and beneficiaries during the plan year*
12 *preceding such plan year who are ac-*
13 *tive participants, the number of par-*
14 *ticipants and beneficiaries in pay sta-*
15 *tus, and the number of terminated*
16 *vested participants and beneficiaries;*

17 *“(XVI) the information contained*
18 *on the most recent annual funding no-*
19 *tice submitted by the plan under sec-*
20 *tion 101(f) of the Employee Retirement*
21 *Income Security Act of 1974;*

22 *“(XVII) the information con-*
23 *tained on the most recent Department*
24 *of Labor Form 5500 of the plan; and*

1 “(XVIII) copies of the plan docu-
2 ment and amendments, other retire-
3 ment benefit or ancillary benefit plans
4 relating to the plan and contribution
5 obligations under such plans, a break-
6 down of administrative expenses of the
7 plan, participant census data and dis-
8 tribution of benefits, the most recent
9 actuarial valuation report as of the
10 plan year, copies of collective bar-
11 gaining agreements, and financial re-
12 ports, and such other information as
13 the Secretary of the Treasury or the
14 Secretary’s delegate, in consultation
15 with the Secretary of Labor and the
16 Director of the Pension Benefit Guar-
17 anty Corporation, may require.

18 “(ii) *ELECTRONIC SUBMISSION*.—The
19 report required under clause (i) shall be
20 submitted electronically.

21 “(iii) *INFORMATION SHARING*.—The
22 Secretary of the Treasury or the Secretary’s
23 delegate shall share the information in the
24 report under clause (i) with the Secretary of
25 Labor.

1 “(iv) *PENALTY.*—Any failure to file the
2 report required under clause (i) on or before
3 the date described in such clause shall be
4 treated as a failure to file a report required
5 to be filed under section 6058(a) of the In-
6 ternal Revenue Code of 1986, except that
7 section 6652(e) of such Code shall be ap-
8 plied with respect to any such failure by
9 substituting ‘\$100’ for ‘\$25’. The preceding
10 sentence shall not apply if the Secretary of
11 the Treasury or the Secretary’s delegate de-
12 termines that reasonable diligence has been
13 exercised by the trustees of such plan in at-
14 tempting to timely file such report.

15 “(H) *1974 UMWA PENSION PLAN DE-*
16 *FINED.*—For purposes of this paragraph, the
17 term ‘1974 UMWA Pension Plan’ has the mean-
18 ing given the term in section 9701(a)(3) of the
19 Internal Revenue Code of 1986, but without re-
20 gard to the limitation on participation to indi-
21 viduals who retired in 1976 and thereafter.”.

22 (b) *EFFECTIVE DATES.*—

23 (1) *IN GENERAL.*—The amendments made by
24 this section shall apply to fiscal years beginning after
25 September 30, 2016.

1 (2) *REPORTING REQUIREMENTS.*—Section
2 402(i)(4)(G) of the Surface Mining Control and Rec-
3 lamation Act of 1977 (30 U.S.C. 1232(i)(4)(G)), as
4 added by this section, shall apply to plan years begin-
5 ning after the date of the enactment of this Act.

6 **SEC. 103. INCLUSION IN MULTIEMPLOYER HEALTH BEN-**
7 **EFIT PLAN.**

8 Section 402(h)(2)(C) of the Surface Mining Control
9 and Reclamation Act of 1977 (30 U.S.C. 1232(h)(2)(C)) is
10 amended—

11 (1) by striking “the Health Benefits for Miners
12 Act of 2017” both places it appears in clause (ii) and
13 inserting “the Bipartisan American Miners Act of
14 2019”;

15 (2) by striking “, would be denied or reduced as
16 a result of a bankruptcy proceeding commenced in
17 2012 or 2015” in clause (ii)(II) and inserting “or a
18 related coal wage agreement, would be denied or re-
19 duced as a result of a bankruptcy proceeding com-
20 menced in 2012, 2015, 2018, or 2019”;

21 (3) by striking “and” at the end of clause (ii)(I),
22 by striking the period at the end of clause (ii)(II) and
23 inserting “; and”, and by inserting after clause
24 (ii)(II) the following new subclause:

1 “(III) the cost of administering
2 the resolution of disputes process ad-
3 ministered (as of the date of the enact-
4 ment of the Bipartisan American Min-
5 ers Act of 2019) by the Trustees of the
6 Plan.”,

7 (4) by striking “January 1, 2017” in clause (ii)
8 and inserting “January 1, 2019”; and

9 (5) by adding at the end the following new
10 clause:

11 “(vi) *RELATED COAL WAGE AGREE-*
12 *MENT.—For purposes of clause (ii), the*
13 *term ‘related coal wage agreement’ means*
14 *an agreement between the United Mine*
15 *Workers of America and an employer in the*
16 *bituminous coal industry that—*

17 “(I) is a signatory operator; or

18 “(II) is or was a debtor in a
19 bankruptcy proceeding that was con-
20 solidated, administratively or other-
21 wise, with the bankruptcy proceeding
22 of a signatory operator or a related
23 person to a signatory operator (as
24 those terms are defined in section

1 9701(c) of the Internal Revenue Code
2 of 1986).”.

3 **SEC. 104. REDUCTION IN MINIMUM AGE FOR ALLOWABLE**
4 **IN-SERVICE DISTRIBUTIONS.**

5 (a) *IN GENERAL.*—Section 401(a)(36) of the Internal
6 Revenue Code of 1986 is amended by striking “age 62” and
7 inserting “age 59½”.

8 (b) *APPLICATION TO GOVERNMENTAL SECTION 457(b)*
9 *PLANS.*—Clause (i) of section 457(d)(1)(A) of the Internal
10 Revenue Code of 1986 is amended by inserting “(in the case
11 of a plan maintained by an employer described in sub-
12 section (e)(1)(A), age 59½)” before the comma at the end.

13 (c) *EFFECTIVE DATE.*—The amendments made by this
14 section shall apply to plan years beginning after December
15 31, 2019.

16 **DIVISION N—HEALTH AND**
17 **HUMAN SERVICES EXTENDERS**
18 **TITLE I—HEALTH AND HUMAN**
19 **SERVICES EXTENDERS**

Subtitle A—Medicare Provisions

- Sec. 101. Extension of the work geographic index floor under the Medicare program.
- Sec. 102. Extension of funding for quality measure endorsement, input, and selection.
- Sec. 103. Extension of funding outreach and assistance for low-income programs.
- Sec. 104. Extension of appropriations to the Patient-Centered Outcomes Research Trust Fund; extension of certain health insurance fees.
- Sec. 105. Laboratory Access for Beneficiaries.

- Sec. 106. Exclusion of complex rehabilitative manual wheelchairs from medicare competitive acquisition program; non-application of medicare fee-schedule adjustments for certain wheelchair accessories and cushions.
- Sec. 107. Extending pass-through status for certain drugs under part B of the Medicare program.
- Sec. 108. Hematopoietic stem cell acquisition payments.

Subtitle B—Medicaid Provisions

- Sec. 201. Extension of Community Mental Health Services demonstration program.
- Sec. 202. Medicaid funding for the territories.
- Sec. 203. Delay of DSH reductions.
- Sec. 204. Extension of spousal impoverishment protections.
- Sec. 205. Extension of the Money Follows the Person rebalancing demonstration program.

Subtitle C—Human Services and Other Health Programs

- Sec. 301. Extension of demonstration projects to address health professions workforce needs.
- Sec. 302. Extension of the temporary assistance for needy families program and related programs.
- Sec. 303. Extension of sexual risk avoidance education program.
- Sec. 304. Extension of personal responsibility education program.

Subtitle D—Public Health Provisions

- Sec. 401. Extension for community health centers, the national health service corps, and teaching health centers that operate GME programs.
- Sec. 402. Diabetes programs.
- Sec. 403. Poison Center Network Enhancement.
- Sec. 404. Kay Hagan Tick Act.

Subtitle E—Revenue Provisions

- Sec. 501. Repeal of medical device excise tax.
- Sec. 502. Repeal of annual fee on health insurance providers.
- Sec. 503. Repeal of excise tax on high cost employer-sponsored health coverage.

Subtitle F—Miscellaneous Provisions

- Sec. 601. Alaska native regional health entities.
- Sec. 602. Addressing expiration of child welfare demonstration projects and supporting Family First implementation.
- Sec. 603. Minimum age of sale of tobacco products.
- Sec. 604. Sale of tobacco products to individuals under the age of 21.
- Sec. 605. Biological product definition.
- Sec. 606. Protecting access to biological products.
- Sec. 607. Streamlining the transition of biological products.
- Sec. 608. Reenrollment of certain individuals in qualified health plans in certain Exchanges.
- Sec. 609. Protection of silver loading practice.
- Sec. 610. Actions for delays of generic drugs and biosimilar biological products.

1 ***Subtitle A—Medicare Provisions***

2 ***SEC. 101. EXTENSION OF THE WORK GEOGRAPHIC INDEX***

3 ***FLOOR UNDER THE MEDICARE PROGRAM.***

4 *Section 1848(e)(1)(E) of the Social Security Act (42*
5 *U.S.C. 1395w-4(e)(1)(E)) is amended by striking “Janu-*
6 *ary 1, 2020” and inserting “May 23, 2020”.*

7 ***SEC. 102. EXTENSION OF FUNDING FOR QUALITY MEASURE***

8 ***ENDORSEMENT, INPUT, AND SELECTION.***

9 *(a) IN GENERAL.—Section 1890(d)(2) of the Social Se-*
10 *curity Act (42 U.S.C. 1395aaa(d)(2)) is amended—*

11 *(1) in the first sentence, by striking “\$1,665,000*
12 *for the period beginning on October 1, 2019, and end-*
13 *ing on December 20, 2019” and inserting “\$4,830,000*
14 *for the period beginning on October 1, 2019, and end-*
15 *ing on May 22, 2020”; and*

16 *(2) in the third sentence, by striking “December*
17 *20, 2019,” and inserting “May 22, 2020”.*

18 *(b) EFFECTIVE DATE.—The amendments made by sub-*
19 *section (a) shall take effect as if included in the enactment*
20 *of the Further Continuing Appropriations Act, 2020, and*
21 *Further Health Extenders Act of 2019 (Public Law 116-*
22 *69).*

1 **SEC. 103. EXTENSION OF FUNDING OUTREACH AND ASSIST-**
2 **ANCE FOR LOW-INCOME PROGRAMS.**

3 (a) *ADDITIONAL FUNDING FOR STATE HEALTH INSUR-*
4 *ANCE PROGRAMS.*—*Subsection (a)(1)(B) of section 119 of*
5 *the Medicare Improvements for Patients and Providers Act*
6 *of 2008 (42 U.S.C. 1395b–3 note), as amended by section*
7 *3306 of the Patient Protection and Affordable Care Act*
8 *(Public Law 111–148), section 610 of the American Tax-*
9 *payer Relief Act of 2012 (Public Law 112–240), section*
10 *1110 of the Pathway for SGR Reform Act of 2013 (Public*
11 *Law 113–67), section 110 of the Protecting Access to Medi-*
12 *care Act of 2014 (Public Law 113–93), section 208 of the*
13 *Medicare Access and CHIP Reauthorization Act of 2015*
14 *(Public Law 114–10), section 50207 of division E of the*
15 *Bipartisan Budget Act of 2018 (Public Law 115–123), sec-*
16 *tion 1402 of the Continuing Appropriations Act, 2020, and*
17 *Health Extenders Act of 2019 (Public Law 116–59), and*
18 *section 1402 of the Further Continuing Appropriations Act,*
19 *2020, and Further Health Extenders Act of 2019 (Public*
20 *Law 116–69), is amended—*

21 (1) *in clause (x), by striking “and” at the end;*

22 (2) *in clause (xi), by striking the period at the*
23 *end and inserting “; and”;* and

24 (3) *by inserting after clause (xi) the following*
25 *new clause:*

1 “(xii) for the period beginning on De-
2 cember 21, 2019, and ending on May 22,
3 2020, of \$5,485,000.”.

4 (b) *ADDITIONAL FUNDING FOR AREA AGENCIES ON*
5 *AGING*.—Subsection (b)(1)(B) of such section 119, as so
6 amended, is amended—

7 (1) in clause (x), by striking “and” at the end;

8 (2) in clause (xi), by striking the period at the
9 end and inserting “; and”; and

10 (3) by inserting after clause (xi) the following
11 new clause:

12 “(xii) for the period beginning on De-
13 cember 21, 2019, and ending on May 22,
14 2020, of \$3,165,000.”.

15 (c) *ADDITIONAL FUNDING FOR AGING AND DISABILITY*
16 *RESOURCE CENTERS*.—Subsection (c)(1)(B) of such section
17 119, as so amended, is amended—

18 (1) in clause (x), by striking “and” at the end;

19 (2) in clause (xi), by striking the period at the
20 end and inserting “; and”; and

21 (3) by inserting after clause (xi) the following
22 new clause:

23 “(xii) for the period beginning on De-
24 cember 21, 2019, and ending on May 22,
25 2020, of \$2,110,000.”.

1 (d) *ADDITIONAL FUNDING FOR CONTRACT WITH THE*
 2 *NATIONAL CENTER FOR BENEFITS AND OUTREACH EN-*
 3 *ROLLMENT.*—*Subsection (d)(2) of such section 119, as so*
 4 *amended, is amended—*

5 (1) *in clause (x), by striking “and” at the end;*

6 (2) *in clause (xi), by striking the period at the*
 7 *end and inserting “; and”; and*

8 (3) *by inserting after clause (xi) the following*
 9 *new clause:*

10 *“(xii) for the period beginning on De-*
 11 *cember 21, 2019, and ending on May 22,*
 12 *2020, of \$5,063,000.”.*

13 **SEC. 104. EXTENSION OF APPROPRIATIONS TO THE PA-**
 14 **TIENT-CENTERED OUTCOMES RESEARCH**
 15 **TRUST FUND; EXTENSION OF CERTAIN**
 16 **HEALTH INSURANCE FEES.**

17 (a) *IN GENERAL.*—*Section 9511 of the Internal Rev-*
 18 *enue Code of 1986 is amended—*

19 (1) *in subsection (b)—*

20 (A) *in paragraph (1)—*

21 (i) *by inserting after subparagraph (E)*
 22 *the following new subparagraph:*

23 “(F) *For each of fiscal years 2020 through*
 24 *2029—*

1 “(i) an amount equivalent to the net
2 revenues received in the Treasury from the
3 fees imposed under subchapter B of chapter
4 34 (relating to fees on health insurance and
5 self-insured plans) for such fiscal year; and

6 “(ii) the applicable amount (as defined
7 in paragraph (4)) for the fiscal year.”; and

8 (ii) by striking “and (E)(ii)” in the
9 last sentence and inserting “(E)(ii), and
10 (F)(ii)”;

11 (B) by adding at the end the following new
12 paragraph:

13 “(4) *APPLICABLE AMOUNT DEFINED.*—In para-
14 graph (1)(F)(ii), the term ‘applicable amount’
15 means—

16 “(A) for fiscal year 2020, \$275,500,000;

17 “(B) for fiscal year 2021, \$285,000,000;

18 “(C) for fiscal year 2022, \$293,500,000;

19 “(D) for fiscal year 2023, \$311,500,000;

20 “(E) for fiscal year 2024, \$320,000,000;

21 “(F) for fiscal year 2025, \$338,000,000;

22 “(G) for fiscal year 2026, \$355,500,000;

23 “(H) for fiscal year 2027, \$363,500,000;

24 “(I) for fiscal year 2028, \$381,000,000; and

25 “(J) for fiscal year 2029, \$399,000,000.”;

1 (2) in subsection (d)(2)(A), by striking “2019”
2 and inserting “2029”; and

3 (3) in subsection (f), by striking “December 20,
4 2019” and inserting “September 30, 2029”.

5 (b) *HEALTH INSURANCE POLICIES*.—Section 4375(e)
6 of the Internal Revenue Code of 1986 is amended by strik-
7 ing “2019” and inserting “2029”.

8 (c) *SELF-INSURED HEALTH PLANS*.—Section 4376(e)
9 of the Internal Revenue Code of 1986 is amended by strik-
10 ing “2019” and inserting “2029”.

11 (d) *IDENTIFICATION OF RESEARCH PRIORITIES*.—
12 Subsection (d)(1)(A) of section 1181 of the Social Security
13 Act (42 U.S.C. 1320e) is amended by adding at the end
14 the following: “Such national priorities shall include re-
15 search with respect to intellectual and developmental dis-
16 abilities and maternal mortality. Such priorities should re-
17 flect a balance between long-term priorities and short-term
18 priorities, and be responsive to changes in medical evidence
19 and in health care treatments.”.

20 (e) *CONSIDERATION OF FULL RANGE OF OUTCOMES*
21 *DATA*.—Subsection (d)(2) of such section 1181 is amended
22 by adding at the end the following subparagraph:

23 “(F) *CONSIDERATION OF FULL RANGE OF*
24 *OUTCOMES DATA*.—Research shall be designed, as
25 appropriate, to take into account and capture

1 *the full range of clinical and patient-centered*
2 *outcomes relevant to, and that meet the needs of,*
3 *patients, clinicians, purchasers, and policy-mak-*
4 *ers in making informed health decisions. In ad-*
5 *dition to the relative health outcomes and clin-*
6 *ical effectiveness, clinical and patient-centered*
7 *outcomes shall include the potential burdens and*
8 *economic impacts of the utilization of medical*
9 *treatments, items, and services on different stake-*
10 *holders and decision-makers respectively. These*
11 *potential burdens and economic impacts include*
12 *medical out-of-pocket costs, including health plan*
13 *benefit and formulary design, non-medical costs*
14 *to the patient and family, including caregiving,*
15 *effects on future costs of care, workplace produc-*
16 *tivity and absenteeism, and healthcare utiliza-*
17 *tion.”.*

18 *(f) BOARD COMPOSITION.—Subsection (f) of such sec-*
19 *tion 1181 is amended—*

20 *(1) in paragraph (1)—*

21 *(A) in subparagraph (C)—*

22 *(i) in the matter preceding clause (i)—*

23 *(I) by striking “Seventeen” and*
24 *inserting “At least nineteen, but no*
25 *more than twenty-one”; and*

1 (II) by striking “, not later than
2 6 months after the date of enactment of
3 this section,”; and

4 (ii) in clause (iii), by striking “3” and
5 inserting “at least 3, but no more than 5”;
6 and

7 (2) in paragraph (3)—

8 (A) in the first sentence—

9 (i) by striking the “the members” and
10 inserting “members”; and

11 (ii) by inserting the following before
12 the period at the end: “to the extent nec-
13 essary to preserve the evenly staggered terms
14 of the Board.”; and

15 (B) by inserting the following after the first
16 sentence: “Any member appointed to fill a va-
17 cancy occurring before the expiration of the term
18 for which the member’s predecessor was ap-
19 pointed shall be appointed for the remainder of
20 that term and thereafter may be eligible for re-
21 appointment to a full term. A member may serve
22 after the expiration of that member’s term until
23 a successor has been appointed.”.

24 (g) *METHODOLOGY COMMITTEE APPOINTMENTS.*—

25 Such section 1181 is amended—

1 (1) *in subsection (d)(6)(B), by striking “Comptroller General of the United States” and inserting*
2 *“Board”; and*

3 (2) *in subsection (h)(4)—*

4 (A) *in subparagraph (A)(ii), by striking*
5 *“Comptroller General” and inserting “Board”;*
6 *and*

7 (B) *in the first sentence of subparagraph*
8 *(B), by striking “and of the Government Ac-*
9 *countability Office”.*

10 (h) *REPORTS BY THE COMPTROLLER GENERAL OF*
11 *THE UNITED STATES.—Subsection (g)(2)(A) of such section*
12 *1181 is amended—*

13 (1) *by striking clause (iv) and inserting the fol-*
14 *lowing:*

15 *“(iv) Not less frequently than every 5*
16 *years, the overall effectiveness of activities*
17 *conducted under this section and the dis-*
18 *semination, training, and capacity building*
19 *activities conducted under section 937 of the*
20 *Public Health Service Act. Such review*
21 *shall include the following:*

22 *“(I) A description of those activi-*
23 *ties and the financial commitments re-*
24 *lated to research, training, data capac-*
25

1 *ity building, and dissemination and*
2 *uptake of research findings.*

3 *“(II) The extent to which the In-*
4 *stitute and the Agency for Healthcare*
5 *Research and Quality have collabo-*
6 *rated with stakeholders, including pro-*
7 *vider and payer organizations, to fa-*
8 *facilitate the dissemination and uptake*
9 *of research findings.*

10 *“(III) An analysis of available*
11 *data and performance metrics, such as*
12 *the estimated public availability and*
13 *dissemination of research findings and*
14 *uptake and utilization of research find-*
15 *ings in clinical guidelines and decision*
16 *support tools, on the extent to which*
17 *such research findings are used by*
18 *health care decision-makers, the effect*
19 *of the dissemination of such findings*
20 *on changes in medical practice and re-*
21 *ducing practice variation and dispari-*
22 *ties in health care, and the effect of the*
23 *research conducted and disseminated*
24 *on innovation and the health care*
25 *economy of the United States.”; and*

1 (2) *by adding at the end the following new*
2 *clause:*

3 “(vi) *Not less frequently than every 5*
4 *years, any barriers that researchers funded*
5 *by the Institute have encountered in con-*
6 *ducting studies or clinical trials, including*
7 *challenges covering the cost of any medical*
8 *treatments, services, and items described in*
9 *subsection (a)(2)(B) for purposes of the re-*
10 *search study.”.*

11 **SEC. 105. LABORATORY ACCESS FOR BENEFICIARIES.**

12 (a) *AMENDMENTS RELATING TO REPORTING RE-*
13 *QUIREMENTS WITH RESPECT TO CLINICAL DIAGNOSTIC*
14 *LABORATORY TESTS.—*

15 (1) *REVISED REPORTING PERIOD FOR REPORT-*
16 *ING OF PRIVATE SECTOR PAYMENT RATES FOR ESTAB-*
17 *LISHMENT OF MEDICARE PAYMENT RATES.—Section*
18 *1834A(a) of the Social Security Act (42 U.S.C.*
19 *1395m-1(a)) is amended—*

20 (A) *in paragraph (1)—*

21 (i) *by striking “Beginning January 1,*
22 *2016” and inserting the following:*

23 “(A) *GENERAL REPORTING REQUIRE-*
24 *MENTS.—Subject to subparagraph (B), beginning*
25 *January 1, 2016”;*

1 (ii) in subparagraph (A), as added by
2 subparagraph (A) of this paragraph, by in-
3 serting “(referred to in this subsection as
4 the ‘reporting period’)” after “at a time
5 specified by the Secretary”; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(B) *REVISED REPORTING PERIOD.*—In the
9 case of reporting with respect to clinical diag-
10 nostic laboratory tests that are not advanced di-
11 agnostic laboratory tests, the Secretary shall re-
12 vise the reporting period under subparagraph
13 (A) such that—

14 “(i) no reporting is required during
15 the period beginning January 1, 2020, and
16 ending December 31, 2020;

17 “(ii) reporting is required during the
18 period beginning January 1, 2021, and
19 ending March 31, 2021; and

20 “(iii) reporting is required every three
21 years after the period described in clause
22 (ii).”; and

23 (B) in paragraph (4)—

24 (i) by striking “In this section” and
25 inserting the following:

1 “(A) *IN GENERAL.*—Subject to subpara-
2 graph (B), in this section”; and

3 (ii) by adding at the end the following:

4 “(B) *EXCEPTION.*—In the case of the report-
5 ing period described in paragraph (1)(B)(ii)
6 with respect to clinical diagnostic laboratory
7 tests that are not advanced diagnostic laboratory
8 tests, the term ‘data collection period’ means the
9 period beginning January 1, 2019, and ending
10 June 30, 2019.”.

11 (2) *CORRECTIONS RELATING TO PHASE-IN OF*
12 *REDUCTIONS FROM PRIVATE PAYOR RATE IMPLEMEN-*
13 *TATION.*—Section 1834A(b)(3) of the Social Security
14 Act (42 U.S.C. 1395m–1(b)(3)) is amended—

15 (A) in subparagraph (A), by striking
16 “through 2022” and inserting “through 2023”;
17 and

18 (B) in subparagraph (B)—

19 (i) in clause (i), by striking “through
20 2019” and inserting “through 2020”; and

21 (ii) in clause (ii), by striking “2020
22 through 2022” and inserting “2021 through
23 2023”.

24 (b) *STUDY AND REPORT BY MEDPAC.*—

1 (1) *IN GENERAL.*—*The Medicare Payment Advi-*
2 *sory Commission (in this subsection referred to as the*
3 *“Commission”)* shall conduct a study to review the
4 *methodology the Administrator of the Centers for*
5 *Medicare & Medicaid Services has implemented for*
6 *the private payor rate-based clinical laboratory fee*
7 *schedule under the Medicare program under title*
8 *XVIII of the Social Security Act (42 U.S.C. 1395 et*
9 *seq.).*

10 (2) *SCOPE OF STUDY.*—*In carrying out the*
11 *study described in paragraph (1), the Commission*
12 *shall consider the following:*

13 (A) *How best to implement the least bur-*
14 *densome data collection process required under*
15 *section 1834A(a)(1) of such Act (42 U.S.C.*
16 *1395m–1(a)(1)) that would—*

17 (i) *result in a representative and sta-*
18 *tistically valid data sample of private mar-*
19 *ket rates from all laboratory market seg-*
20 *ments, including hospital outreach labora-*
21 *tories, physician office laboratories, and*
22 *independent laboratories; and*

23 (ii) *consider the variability of private*
24 *payor payment rates across market seg-*
25 *ments.*

1 (B) *Appropriate statistical methods for esti-*
2 *inating rates that are representative of the mar-*
3 *ket.*

4 (3) *REPORT TO CONGRESS.—Not later than 18*
5 *months after the date of the enactment of this Act, the*
6 *Commission shall submit to the Administrator, the*
7 *Committee on Finance of the Senate, and the Com-*
8 *mittees on Ways and Means and Energy and Com-*
9 *merce of the House of Representatives a report that*
10 *includes—*

11 (A) *conclusions about the methodology de-*
12 *scribed in paragraph (1); and*

13 (B) *any recommendations the Commission*
14 *deems appropriate.*

15 **SEC. 106. EXCLUSION OF COMPLEX REHABILITATIVE MAN-**
16 **UAL WHEELCHAIRS FROM MEDICARE COM-**
17 **PETITIVE ACQUISITION PROGRAM; NON-AP-**
18 **PLICATION OF MEDICARE FEE-SCHEDULE AD-**
19 **JUSTMENTS FOR CERTAIN WHEELCHAIR AC-**
20 **CESSORIES AND CUSHIONS.**

21 (a) *EXCLUSION OF COMPLEX REHABILITATIVE MAN-*
22 *UAL WHEELCHAIRS FROM COMPETITIVE ACQUISITION PRO-*
23 *GRAM.—Section 1847(a)(2)(A) of the Social Security Act*
24 *(42 U.S.C. 1395w-3(a)(2)(A)) is amended—*

1 (1) *by inserting “, complex rehabilitative man-*
2 *ual wheelchairs (as determined by the Secretary), and*
3 *certain manual wheelchairs (identified, as of October*
4 *1, 2018, by HCPCS codes E1235, E1236, E1237,*
5 *E1238, and K0008 or any successor to such codes)”*
6 *after “group 3 or higher”; and*

7 (2) *by striking “such wheelchairs” and inserting*
8 *“such complex rehabilitative power wheelchairs, com-*
9 *plex rehabilitative manual wheelchairs, and certain*
10 *manual wheelchairs”.*

11 ***(b) NON-APPLICATION OF MEDICARE FEE SCHEDULE***
12 ***ADJUSTMENTS FOR WHEELCHAIR ACCESSORIES AND SEAT***
13 ***AND BACK CUSHIONS WHEN FURNISHED IN CONNECTION***
14 ***WITH COMPLEX REHABILITATIVE MANUAL WHEEL-***
15 ***CHAIRS.—***

16 (1) ***IN GENERAL.—****Notwithstanding any other*
17 *provision of law, the Secretary of Health and Human*
18 *Services shall not, during the period beginning on*
19 *January 1, 2020, and ending on June 30, 2021, use*
20 *information on the payment determined under the*
21 *competitive acquisition programs under section 1847*
22 *of the Social Security Act (42 U.S.C. 1395w–3) to ad-*
23 *just the payment amount that would otherwise be rec-*
24 *ognized under section 1834(a)(1)(B)(i) of such Act*
25 *(42 U.S.C. 1395m(a)(1)(B)(i)) for wheelchair acces-*

1 *sories (including seating systems) and seat and back*
2 *cushions when furnished in connection with complex*
3 *rehabilitative manual wheelchairs (as determined by*
4 *the Secretary), and certain manual wheelchairs (iden-*
5 *tified, as of October 1, 2018, by HCPCS codes E1235,*
6 *E1236, E1237, E1238, and K0008 or any successor*
7 *to such codes).*

8 (2) *IMPLEMENTATION.—Notwithstanding any*
9 *other provision of law, the Secretary may implement*
10 *this subsection by program instruction or otherwise.*

11 **SEC. 107. EXTENDING PASS-THROUGH STATUS FOR CER-**
12 **TAIN DRUGS UNDER PART B OF THE MEDI-**
13 **CARE PROGRAM.**

14 (a) *IN GENERAL.—Section 1833(t)(6) of the Social Se-*
15 *curity Act (42 U.S.C. 1395l(t)(6)) is amended—*

16 (1) *in subparagraph (E)(i), by striking “2018”*
17 *and inserting “2018 or 2020”; and*

18 (2) *by adding at the end the following new sub-*
19 *paragraph:*

20 “(J) *ADDITIONAL PASS-THROUGH EXTEN-*
21 *SION AND SPECIAL PAYMENT ADJUSTMENT RULE*
22 *FOR CERTAIN DIAGNOSTIC RADIOPHARMA-*
23 *CEUTICALS.—In the case of a drug or biological*
24 *furnished in the context of a clinical study on*
25 *diagnostic imaging tests approved under a cov-*

1 *erage with evidence development determination*
2 *whose period of pass-through status under this*
3 *paragraph concluded on December 31, 2018, and*
4 *for which payment under this subsection was*
5 *packaged into a payment for a covered OPD*
6 *service (or group of services) furnished beginning*
7 *January 1, 2019, the Secretary shall—*

8 *“(i) extend such pass-through status for*
9 *such drug or biological for the 9-month pe-*
10 *riod beginning on January 1, 2020;*

11 *“(ii) remove, during such period, the*
12 *packaged costs of such drug or biological (as*
13 *determined by the Secretary) from the pay-*
14 *ment amount under this subsection for the*
15 *covered OPD service (or group of services)*
16 *with which it is packaged; and*

17 *“(iii) not make any adjustments to*
18 *payment amounts under this subsection for*
19 *a covered OPD service (or group of services)*
20 *for which no costs were removed under*
21 *clause (i).”.*

22 *(b) IMPLEMENTATION.—Notwithstanding any other*
23 *provision of law, the Secretary of Health and Human Serv-*
24 *ice may implement the amendments made by subsection (a)*
25 *by program instruction or otherwise.*

1 **SEC. 108. HEMATOPOIETIC STEM CELL ACQUISITION PAY-**
2 **MENTS.**

3 *Section 1886 of the Social Security Act (42 U.S.C.*
4 *1395ww) is amended—*

5 *(1) in subsection (a)(4), in the second sentence,*
6 *by inserting “for cost reporting periods beginning on*
7 *or after October 1, 2020, costs related to hematopoietic*
8 *stem cell acquisition for the purpose of an allogeneic*
9 *hematopoietic stem cell transplant (as described in*
10 *subsection (d)(5)(M)),” after “October 1, 1987);”*

11 *(2) in subsection (d)—*

12 *(A) in paragraph (4)(C)(iii)—*

13 *(i) by inserting “or payments under*
14 *paragraph (5)(M) (beginning with fiscal*
15 *year 2021)” after “fiscal year 1991);” and*

16 *(ii) by inserting “or payments under*
17 *paragraph (5)(M)” before the period at the*
18 *end; and*

19 *(B) in paragraph (5), by adding at the end*
20 *the following new subparagraph:*

21 *“(M)(i) For cost reporting periods beginning on or*
22 *after October 1, 2020, in the case of a subsection (d) hospital*
23 *that furnishes an allogeneic hematopoietic stem cell trans-*
24 *plant to an individual during such a period, payment to*
25 *such hospital for hematopoietic stem cell acquisition shall*
26 *be made on a reasonable cost basis. The items included in*

1 *such hematopoietic stem cell acquisition shall be specified*
 2 *by the Secretary through rulemaking.*

3 “(ii) *For purposes of this subparagraph, the term*
 4 *‘allogeneic hematopoietic stem cell transplant’ means, with*
 5 *respect to an individual, the intravenous infusion of*
 6 *hematopoietic cells derived from bone marrow, peripheral*
 7 *blood stem cells, or cord blood, but not including embryonic*
 8 *stem cells, of a donor to an individual that are or may*
 9 *be used to restore hematopoietic function in such individual*
 10 *having an inherited or acquired deficiency or defect.”.*

11 ***Subtitle B—Medicaid Provisions***

12 ***SEC. 201. EXTENSION OF COMMUNITY MENTAL HEALTH*** 13 ***SERVICES DEMONSTRATION PROGRAM.***

14 *Section 223(d)(3) of the Protecting Access to Medicare*
 15 *Act of 2014 (42 U.S.C. 1396a note) is amended by striking*
 16 *“December 20, 2019” and inserting “May 22, 2020”.*

17 ***SEC. 202. MEDICAID FUNDING FOR THE TERRITORIES.***

18 *(a) TREATMENT OF CAP.—Section 1108(g) of the So-*
 19 *cial Security Act (42 U.S.C. 1308(g)) is amended—*

20 *(1) in paragraph (2)—*

21 *(A) in the matter preceding subparagraph*
 22 *(A), by striking “subject to and section*
 23 *1323(a)(2) of the Patient Protection and Afford-*
 24 *able Care Act paragraphs (3) and (5)” and in-*
 25 *serting “subject to section 1323(a)(2) of the Pa-*

1 *tient Protection and Affordable Care Act and*
2 *paragraphs (3) and (5)”;*

3 *(B) in subparagraph (A)—*

4 *(i) by striking “Puerto Rico shall not*
5 *exceed the sum of” and inserting “Puerto*
6 *Rico shall not exceed—*

7 *“(i) except as provided in clause (ii),*
8 *the sum of”;*

9 *(ii) by striking “\$100,000;” and in-*
10 *serting “\$100,000; and”; and*

11 *(iii) by adding at the end the following*
12 *new clause:*

13 *“(ii) for each of fiscal years 2020*
14 *through 2021, the amount specified in para-*
15 *graph (6) for each such fiscal year;”;*

16 *(C) in subparagraph (B)—*

17 *(i) by striking “the Virgin Islands*
18 *shall not exceed the sum of” and inserting*
19 *“the Virgin Islands shall not exceed—*

20 *“(i) except as provided in clause (ii),*
21 *the sum of”;*

22 *(ii) by striking “\$10,000;” and insert-*
23 *ing “\$10,000; and”; and*

24 *(iii) by adding at the end the following*
25 *new clause:*

1 “(i) for each of fiscal years 2020
2 through 2021, \$126,000,000;”;

3 (D) in subparagraph (C)—

4 (i) by striking “Guam shall not exceed
5 the sum of” and inserting “Guam shall not
6 exceed—

7 “(i) except as provided in clause (ii),
8 the sum of”;

9 (ii) by striking “\$10,000;” and insert-
10 ing “\$10,000; and”; and

11 (iii) by adding at the end the following
12 new clause:

13 “(i) for each of fiscal years 2020
14 through 2021, \$127,000,000;”;

15 (E) in subparagraph (D)—

16 (i) by striking “the Northern Mariana
17 Islands shall not exceed the sum of” and in-
18 sserting “the Northern Mariana Islands shall
19 not exceed—

20 “(i) except as provided in clause (ii),
21 the sum of”; and

22 (ii) by adding at the end the following
23 new clause:

24 “(i) for each of fiscal years 2020
25 through 2021, \$60,000,000; and”;

1 (F) in subparagraph (E)—

2 (i) by striking “American Samoa shall
3 not exceed the sum of” and inserting
4 “American Samoa shall not exceed—

5 “(i) except as provided in clause (ii),
6 the sum of”;

7 (ii) by striking “\$10,000.” and insert-
8 ing “\$10,000; and”; and

9 (iii) by adding at the end the following
10 new clause:

11 “(ii) for each of fiscal years 2020
12 through 2021, \$84,000,000.”; and

13 (G) by adding at the end the following flush
14 sentence:

15 “For each fiscal year after fiscal year 2021, the total
16 amount certified for Puerto Rico, the Virgin Islands,
17 Guam, the Northern Mariana Islands, and American
18 Samoa under subsection (f) and this subsection for the
19 fiscal year shall be determined as if the preceding
20 subparagraphs were applied to each of fiscal years
21 2020 through 2021 without regard to clause (ii) of
22 each such subparagraph.”; and

23 (2) by adding at the end the following new para-
24 graphs:

1 “(6) *APPLICATION TO PUERTO RICO FOR FISCAL*
2 *YEARS 2020 THROUGH 2021.*—

3 “(A) *IN GENERAL.*—*Subject to subpara-*
4 *graph (B), the amount specified in this para-*
5 *graph is—*

6 “(i) *for fiscal year 2020,*
7 *\$2,623,188,000; and*

8 “(ii) *for fiscal year 2021,*
9 *\$2,719,072,000.*

10 “(B) *ADDITIONAL INCREASE FOR PUERTO*
11 *RICO.*—

12 “(i) *IN GENERAL.*—*For each of fiscal*
13 *years 2020 through 2021, the amount speci-*
14 *fied in this paragraph for the fiscal year*
15 *shall be equal to the amount specified for*
16 *such fiscal year under subparagraph (A) in-*
17 *creased by \$200,000,000 if the Secretary*
18 *certifies that, with respect to such fiscal*
19 *year, Puerto Rico’s State plan under title*
20 *XIX (or a waiver of such plan) establishes*
21 *a reimbursement floor, implemented through*
22 *a directed payment arrangement plan, for*
23 *physician services that are covered under*
24 *the Medicare part B fee schedule in the*
25 *Puerto Rico locality established under sec-*

1 *tion 1848(b) that is not less than 70 percent*
2 *of the payment that would apply to such*
3 *services if they were furnished under part B*
4 *of title XVIII during such fiscal year.*

5 *“(i) APPLICATION TO MANAGED*
6 *CARE.—In certifying whether Puerto Rico*
7 *has established a reimbursement floor under*
8 *a directed payment arrangement plan that*
9 *satisfies the requirements of clause (i)—*

10 *“(I) for fiscal year 2020, the Sec-*
11 *retary shall apply such requirements to*
12 *payments for physician services under*
13 *a managed care contract entered into*
14 *or renewed after the date of enactment*
15 *of this paragraph and disregard pay-*
16 *ments for physician services under any*
17 *managed care contract that was en-*
18 *tered into prior to such date; and*

19 *“(II) for each of fiscal years 2020*
20 *through 2021—*

21 *“(aa) the Secretary shall dis-*
22 *regard payments made under sub-*
23 *capitated arrangements for serv-*
24 *ices such as primary care case*
25 *management; and*

1 “(bb) if the reimbursement
2 *floor for physician services appli-*
3 *cable under a managed care con-*
4 *tract satisfies the requirements of*
5 *clause (i) for the fiscal year in*
6 *which the contract is entered into*
7 *or renewed, such reimbursement*
8 *floor shall be deemed to satisfy*
9 *such requirements for the subse-*
10 *quent fiscal year.*

11 “(7) *PUERTO RICO PROGRAM INTEGRITY RE-*
12 *QUIREMENTS.—*

13 “(A) *IN GENERAL.—*

14 “(i) *PROGRAM INTEGRITY LEAD.—Not*
15 *later than 6 months after the date of enact-*
16 *ment of this paragraph, the agency respon-*
17 *sible for the administration of Puerto Rico’s*
18 *Medicaid program under title XIX shall*
19 *designate an officer (other than the director*
20 *of such agency) to serve as the Program In-*
21 *tegrity Lead for such program.*

22 “(ii) *PERM REQUIREMENT.—Not later*
23 *than 18 months after the date of enactment*
24 *of this paragraph, Puerto Rico shall publish*
25 *a plan, developed by Puerto Rico in coordi-*

1 *nation with the Administrator of the Cen-*
2 *ters for Medicare & Medicaid Services and*
3 *approved by the Administrator, for how*
4 *Puerto Rico will develop measures to satisfy*
5 *the payment error rate measurement*
6 *(PERM) requirements under subpart Q of*
7 *part 431 of title 42, Code of Federal Regu-*
8 *lations (or any successor regulation).*

9 “(iii) *CONTRACTING REFORM.*—Not
10 *later than 12 months after the date of enact-*
11 *ment of this paragraph, Puerto Rico shall*
12 *publish a contracting reform plan to combat*
13 *fraudulent, wasteful, or abusive contracts*
14 *under Puerto Rico’s Medicaid program*
15 *under title XIX that includes—*

16 “(I) *metrics for evaluating the*
17 *success of the plan; and*

18 “(II) *a schedule for publicly re-*
19 *leasing status reports on the plan.*

20 “(iv) *MEQC.*—Not later than 18
21 *months after the date of enactment of this*
22 *paragraph, Puerto Rico shall publish a*
23 *plan, developed by Puerto Rico in coordina-*
24 *tion with the Administrator of the Centers*
25 *for Medicare & Medicaid Services and ap-*

1 *proved by the Administrator, for how Puer-*
2 *to Rico will comply with the Medicaid eligi-*
3 *bility quality control (MEQC) requirements*
4 *of subpart P of part 431 of title 42, Code*
5 *of Federal Regulations (or any successor*
6 *regulation).*

7 “(B) *FMAP REDUCTION FOR FAILURE TO*
8 *MEET ADDITIONAL REQUIREMENTS.—*

9 “(i) *IN GENERAL.—For each fiscal*
10 *quarter during the period beginning on*
11 *January 1, 2020, and ending on September*
12 *30, 2021:*

13 “(I) *For every clause under sub-*
14 *paragraph (A) with respect to which*
15 *Puerto Rico does not fully satisfy the*
16 *requirements described in the clause*
17 *(including requirements imposed under*
18 *the terms of a plan described in the*
19 *clause) in the fiscal quarter, the Fed-*
20 *eral medical assistance percentage ap-*
21 *plicable to Puerto Rico under section*
22 *1905(ff) shall be reduced by the number*
23 *of percentage points determined for the*
24 *clause and fiscal quarter under sub-*
25 *clause (II).*

1 “(II) *The number of percentage*
2 *points determined under this subclause*
3 *with respect to a clause under subpara-*
4 *graph (A) and a fiscal quarter shall be*
5 *the number of percentage points (not to*
6 *exceed 2.5 percentage points) equal*
7 *to—*

8 “(aa) *0.25 percentage points;*
9 *multiplied by*

10 “(bb) *the total number of*
11 *consecutive fiscal quarters for*
12 *which Puerto Rico has not fully*
13 *satisfied the requirements de-*
14 *scribed in such clause.*

15 “(ii) *EXCEPTION FOR EXTENUATING*
16 *CIRCUMSTANCES OR REASONABLE*
17 *PROGRESS.—For purposes of clause (i),*
18 *Puerto Rico shall be deemed to have fully*
19 *satisfied the requirements of a clause under*
20 *subparagraph (A) (including requirements*
21 *imposed under the terms of a plan described*
22 *in the clause) for a fiscal quarter if—*

23 “(I) *the Secretary approves an*
24 *application from Puerto Rico describ-*
25 *ing extenuating circumstances that*

1 *prevented Puerto Rico from fully satis-*
2 *fying the requirements of the clause; or*

3 *“(II) in the case of a requirement*
4 *imposed under the terms of a plan de-*
5 *scribed in a clause under subpara-*
6 *graph (A), Puerto Rico has made objec-*
7 *tively reasonable progress towards sat-*
8 *isfying such terms and has submitted a*
9 *timely request for an exception to the*
10 *imposition of a penalty to the Sec-*
11 *retary.*

12 *“(8) PROGRAM INTEGRITY LEAD REQUIREMENT*
13 *FOR THE VIRGIN ISLANDS, GUAM, THE NORTHERN*
14 *MARIANA ISLANDS, AND AMERICAN SAMOA.—*

15 *“(A) PROGRAM INTEGRITY LEAD REQUIRE-*
16 *MENT.—Not later than October 1, 2020, the*
17 *agency responsible for the administration of the*
18 *Medicaid program under title XIX of each terri-*
19 *tory specified in subparagraph (C) shall des-*
20 *ignate an officer (other than the director of such*
21 *agency) to serve as the Program Integrity Lead*
22 *for such program.*

23 *“(B) FMAP REDUCTION.—For each fiscal*
24 *quarter during fiscal year 2021, if the territory*
25 *fails to satisfy the requirement of subparagraph*

1 (A) for the fiscal quarter, the Federal medical as-
2 sistance percentage applicable to the territory
3 under section 1905(ff) for such fiscal quarter
4 shall be reduced by the number of percentage
5 points (not to exceed 5 percentage points) equal
6 to—

7 “(i) 0.25 percentage points; multiplied
8 by
9 “(ii) the total number of fiscal quarters
10 during the fiscal year in which the territory
11 failed to satisfy such requirement.

12 “(C) SCOPE.—This paragraph shall apply
13 to the Virgin Islands, Guam, the Northern Mar-
14 iana Islands, and American Samoa.”.

15 (b) TREATMENT OF FUNDING UNDER ENHANCED AL-
16 LOTMENT PROGRAM.—Section 1935(e) of the Social Secu-
17 rity Act (42 U.S.C. 1396u–5(e)) is amended—

18 (1) in paragraph (1)(B), by striking “if the
19 State” and inserting “subject to paragraph (4), if the
20 State”;

21 (2) by redesignating paragraph (4) as para-
22 graph (5); and

23 (3) by inserting after paragraph (3) the fol-
24 lowing new paragraph:

1 “(4) *TREATMENT OF FUNDING FOR CERTAIN FIS-*
2 *CAL YEARS.—Notwithstanding paragraph (1)(B), in*
3 *the case that Puerto Rico, the Virgin Islands, Guam,*
4 *the Northern Mariana Islands, or American Samoa*
5 *establishes and submits to the Secretary a plan de-*
6 *scribed in paragraph (2) with respect to any of fiscal*
7 *years 2020 through 2021, the amount specified for*
8 *such a year in paragraph (3) for Puerto Rico, the*
9 *Virgin Islands, Guam, the Northern Mariana Islands,*
10 *or American Samoa, as the case may be, shall be*
11 *taken into account in applying, as applicable, sub-*
12 *paragraph (A)(ii), (B)(ii), (C)(ii), (D)(ii), or (E)(ii)*
13 *of section 1108(g)(2) for such year.”.*

14 (c) *INCREASED FMAP.—Subsection (ff) of section*
15 *1905 of the Social Security Act (42 U.S.C. 1396d) is*
16 *amended to read as follows:*

17 “(ff) *TEMPORARY INCREASE IN FMAP FOR TERRI-*
18 *TORIES FOR CERTAIN FISCAL YEARS.—Notwithstanding*
19 *subsection (b) or (z)(2)—*

20 “(1) *for the period beginning October 1, 2019,*
21 *and ending December 20, 2019, the Federal medical*
22 *assistance percentage for Puerto Rico, the Virgin Is-*
23 *lands, Guam, the Northern Mariana Islands, and*
24 *American Samoa shall be equal to 100 percent;*

1 “(2) *subject to section 1108(g)(7)(C), for the pe-*
2 *riod beginning December 21, 2019, and ending Sep-*
3 *tember 30, 2021, the Federal medical assistance per-*
4 *centage for Puerto Rico shall be equal to 76 percent;*
5 *and*

6 “(3) *subject to section 1108(g)(8)(B), for the pe-*
7 *riod beginning December 21, 2019, and ending Sep-*
8 *tember 30, 2021, the Federal medical assistance per-*
9 *centage for the Virgin Islands, Guam, the Northern*
10 *Mariana Islands, and American Samoa shall be equal*
11 *to 83 percent.”.*

12 *(d) ANNUAL REPORT.—Section 1108(g) of the Social*
13 *Security Act (42 U.S.C. 1308(g)), as amended by subsection*
14 *(a), is further amended by adding at the end the following*
15 *new paragraph:*

16 “(9) *ANNUAL REPORT.—*

17 “(A) *IN GENERAL.—Not later than the date*
18 *that is 30 days after the end of each fiscal year*
19 *(beginning with fiscal year 2020 and ending*
20 *with fiscal year 2021), in the case that a speci-*
21 *fied territory receives a Medicaid cap increase,*
22 *or an increase in the Federal medical assistance*
23 *percentage for such territory under section*
24 *1905(ff), for such fiscal year, such territory shall*
25 *submit to the Chair and Ranking Member of the*

1 *Committee on Energy and Commerce of the*
2 *House of Representatives and the Chair and*
3 *Ranking Member of the Committee on Finance of*
4 *the Senate a report, employing the most up-to-*
5 *date information available, that describes how*
6 *such territory has used such Medicaid cap in-*
7 *crease, or such increase in the Federal medical*
8 *assistance percentage, as applicable, to increase*
9 *access to health care under the State Medicaid*
10 *plan of such territory under title XIX (or a*
11 *waiver of such plan). Such report may include—*

12 *“(i) the extent to which such territory*
13 *has, with respect to such plan (or waiver)—*

14 *“(I) increased payments to health*
15 *care providers;*

16 *“(II) increased covered benefits;*

17 *“(III) expanded health care pro-*
18 *vider networks; or*

19 *“(IV) improved in any other*
20 *manner the carrying out of such plan*
21 *(or waiver); and*

22 *“(ii) any other information as deter-*
23 *mined necessary by such territory.*

24 *“(B) DEFINITIONS.—In this paragraph:*

1 “(i) *MEDICAID CAP INCREASE*.—The
 2 term ‘*Medicaid cap increase*’ means, with
 3 respect to a specified territory and fiscal
 4 year, any increase in the amounts otherwise
 5 determined under this subsection for such
 6 territory for such fiscal year by reason of
 7 the amendments made by section 202 of di-
 8 vision N of the *Further Consolidated Appro-*
 9 *propriations Act, 2020.*

10 “(ii) *SPECIFIED TERRITORY*.—The
 11 term ‘*specified territory*’ means *Puerto*
 12 *Rico, the Virgin Islands, Guam, the North-*
 13 *ern Mariana Islands, and American*
 14 *Samoa.*”.

15 (e) *APPLICATION OF CERTAIN DATA REPORTING AND*
 16 *PROGRAM INTEGRITY REQUIREMENTS TO NORTHERN MAR-*
 17 *IANA ISLANDS, AMERICAN SAMOA, AND GUAM.*—

18 (1) *IN GENERAL.*—Section 1902 of the *Social Se-*
 19 *curity Act (42 U.S.C. 1396a)* is amended by adding
 20 at the end the following new subsection:

21 “(qq) *APPLICATION OF CERTAIN DATA REPORTING*
 22 *AND PROGRAM INTEGRITY REQUIREMENTS TO NORTHERN*
 23 *MARIANA ISLANDS, AMERICAN SAMOA, AND GUAM.*—

1 “(1) *IN GENERAL.*—Not later than October 1,
2 2021, the Northern Mariana Islands, American
3 Samoa, and Guam shall—

4 “(A) demonstrate progress in implementing
5 methods, satisfactory to the Secretary, for the
6 collection and reporting of reliable data to the
7 Transformed Medicaid Statistical Information
8 System (T-MSIS) (or a successor system); and

9 “(B) demonstrate progress in establishing a
10 State medicaid fraud control unit described in
11 section 1903(q).

12 “(2) *DETERMINATION OF PROGRESS.*—For pur-
13 poses of paragraph (1), the Secretary shall deem that
14 a territory described in such paragraph has dem-
15 onstrated satisfactory progress in implementing meth-
16 ods for the collection and reporting of reliable data or
17 establishing a State medicaid fraud control unit if the
18 territory has made a good faith effort to implement
19 such methods or establish such a unit, given the cir-
20 cumstances of the territory.”.

21 (2) *CONFORMING AMENDMENT.*—Section 1902(j)
22 of the Social Security Act (42 U.S.C. 1396a(j)) is
23 amended—

24 (A) by striking “or the requirement” and
25 inserting “, the requirement”; and

1 (B) by inserting before the period at the end
2 the following: “, or the requirement under sub-
3 section (qq)(1) (relating to data reporting)”.

4 (3) *REEVALUATION OF WAIVERS OF MEDICAID*
5 *FRAUD CONTROL UNIT REQUIREMENT.*—

6 (A) *IN GENERAL.*—Not later than the date
7 that is 1 year after the date of enactment of this
8 Act, the Secretary of Health and Human Serv-
9 ices shall reevaluate any waiver approved (and
10 in effect as of the date of enactment of this Act)
11 for Guam, the Northern Mariana Islands, or
12 American Samoa under subsection (a)(61) or
13 subsection (j) of section 1902 of the Social Secu-
14 rity Act (42 U.S.C.1396a) with respect to the re-
15 quirement to establish a State medicaid fraud
16 control unit (as described in section 1903(q) of
17 such Act (42 U.S.C. 1396b(q))).

18 (B) *RULE OF CONSTRUCTION.*—Nothing in
19 this paragraph shall be construed as requiring
20 the Secretary of Health and Human Services to
21 terminate or refuse to extend a waiver described
22 in subparagraph (A).

23 (f) *ADDITIONAL PROGRAM INTEGRITY REQUIRE-*
24 *MENTS.*—

25 (1) *DEFINITIONS.*—In this subsection:

1 (A) *INSPECTOR GENERAL.*—*The term “In-*
2 *pector General” means the Inspector General of*
3 *the Department of Health and Human Services.*

4 (B) *PUERTO RICO’S MEDICAID PROGRAM.*—
5 *The term “Puerto Rico’s Medicaid program”*
6 *means, collectively, Puerto Rico’s State plan*
7 *under title XIX of the Social Security Act (42*
8 *U.S.C. 1396 et seq.) and any waiver of such*
9 *plan.*

10 (2) *REPORT ON CONTRACTING OVERSIGHT AND*
11 *APPROVAL.*—*Not later than 1 year after the date of*
12 *enactment of this Act, the Comptroller General of the*
13 *United States shall issue, and submit to the Chair*
14 *and Ranking Member of the Committee on Energy*
15 *and Commerce of the House of Representatives and*
16 *the Chair and Ranking Member of the Committee on*
17 *Finance of the Senate, a report on contracting over-*
18 *sight and approval with respect to Puerto Rico’s*
19 *State plan under title XIX of the Social Security Act*
20 *(42 U.S.C. 1396 et seq.) (or a waiver of such plan).*
21 *Such report shall—*

22 (A) *examine—*

23 (i) *the process used by Puerto Rico to*
24 *evaluate bids and award contracts under*
25 *such plan (or waiver);*

1 (ii) which contracts are not subject to
2 competitive bidding or requests for pro-
3 posals under such plan (or waiver); and

4 (iii) oversight by the Centers for Medi-
5 care & Medicaid Services of contracts
6 awarded under such plan (or waiver); and

7 (B) include any recommendations for Con-
8 gress, the Secretary of Health and Human Serv-
9 ices, or Puerto Rico relating to changes that the
10 Comptroller General determines necessary to im-
11 prove the program integrity of such plan (or
12 waiver).

13 (3) *AUDITS OF MANAGED CARE PAYMENTS.*—Not
14 later than the date that is 1 year after the date of en-
15 actment of this Act, the Inspector General shall de-
16 velop and submit to Congress—

17 (A) a report identifying payments made
18 under Puerto Rico’s Medicaid program to man-
19 aged care organizations that the Inspector Gen-
20 eral determines to be at high risk for waste,
21 fraud, or abuse; and

22 (B) a plan for auditing and investigating
23 such payments.

24 (4) *SYSTEM FOR TRACKING FEDERAL FUNDING*
25 *PROVIDED TO PUERTO RICO; MEDICAID AND CHIP*

1 *SCORECARD REPORTING.—Section 1902 of the Social*
2 *Security Act (42 U.S.C. 1396a), as amended by sub-*
3 *section (e), is further amended by adding at the end*
4 *the following new subsection:*

5 “(rr) *PROGRAM INTEGRITY REQUIREMENTS FOR*
6 *PUERTO RICO.—*

7 “(1) *SYSTEM FOR TRACKING FEDERAL MEDICAID*
8 *FUNDING PROVIDED TO PUERTO RICO.—*

9 “(A) *IN GENERAL.—Puerto Rico shall estab-*
10 *lish and maintain a system, which may include*
11 *the use of a quarterly Form CMS–64, for track-*
12 *ing any amounts paid by the Federal Govern-*
13 *ment to Puerto Rico with respect to the State*
14 *plan of Puerto Rico (or a waiver of such plan).*
15 *Under such system, Puerto Rico shall ensure that*
16 *information is available, with respect to each*
17 *quarter in a fiscal year (beginning with the first*
18 *quarter beginning on or after the date that is 1*
19 *year after the date of the enactment of this sub-*
20 *section), on the following:*

21 “(i) *In the case of a quarter other than*
22 *the first quarter of such fiscal year—*

23 “(I) *the total amount expended by*
24 *Puerto Rico during any previous quar-*
25 *ter of such fiscal year under the State*

1 *plan of Puerto Rico (or a waiver of*
2 *such plan); and*

3 *“(II) a description of how such*
4 *amount was so expended.*

5 *“(ii) The total amount that Puerto*
6 *Rico expects to expend during the quarter*
7 *under the State plan of Puerto Rico (or a*
8 *waiver of such plan), and a description of*
9 *how Puerto Rico expects to expend such*
10 *amount.*

11 *“(B) REPORT TO CMS.—For each quarter*
12 *with respect to which Puerto Rico is required*
13 *under subparagraph (A) to ensure that informa-*
14 *tion described in such subparagraph is available,*
15 *Puerto Rico shall submit to the Administrator of*
16 *the Centers for Medicare & Medicaid Services a*
17 *report on such information for such quarter,*
18 *which may include the submission of a quarterly*
19 *Form CMS–37.*

20 *“(2) SUBMISSION OF DOCUMENTATION ON CON-*
21 *TRACTS UPON REQUEST.—Puerto Rico shall, upon re-*
22 *quest, submit to the Administrator of the Centers for*
23 *Medicare & Medicaid Services all documentation re-*
24 *quested with respect to contracts awarded under the*
25 *State plan of Puerto Rico (or a waiver of such plan).*

1 *section 1902(a)(17) or 1924 of the Social Security Act (42*
2 *U.S.C. 1396a(a)(17), 1396r-5) shall be construed as prohib-*
3 *iting a State from—*

4 *(1) applying an income or resource disregard*
5 *under a methodology authorized under section*
6 *1902(r)(2) of such Act (42 U.S.C. 1396a(r)(2))—*

7 *(A) to the income or resources of an indi-*
8 *vidual described in section*
9 *1902(a)(10)(A)(ii)(VI) of such Act (42 U.S.C.*
10 *1396a(a)(10)(A)(ii)(VI)) (including a disregard*
11 *of the income or resources of such individual's*
12 *spouse); or*

13 *(B) on the basis of an individual's need for*
14 *home and community-based services authorized*
15 *under subsection (c), (d), (i), or (k) of section*
16 *1915 of such Act (42 U.S.C. 1396n) or under sec-*
17 *tion 1115 of such Act (42 U.S.C. 1315); or*

18 *(2) disregarding an individual's spousal income*
19 *and assets under a plan amendment to provide med-*
20 *ical assistance for home and community-based serv-*
21 *ices for individuals by reason of being determined eli-*
22 *gible under section 1902(a)(10)(C) of such Act (42*
23 *U.S.C. 1396a(a)(10)(C)) or by reason of section*
24 *1902(f) of such Act (42 U.S.C. 1396a(f)) or otherwise*
25 *on the basis of a reduction of income based on costs*

1 (B) by striking “paragraph (1)(F)” and in-
2 serting “subparagraphs (F) and (G) of para-
3 graph (1)”.

4 ***Subtitle C—Human Services and***
5 ***Other Health Programs***

6 ***SEC. 301. EXTENSION OF DEMONSTRATION PROJECTS TO***
7 ***ADDRESS HEALTH PROFESSIONS WORK-***
8 ***FORCE NEEDS.***

9 *Activities authorized by section 2008 of the Social Se-*
10 *curity Act shall continue through May 22, 2020, in the*
11 *manner authorized for fiscal year 2019, and out of any*
12 *money in the Treasury of the United States not otherwise*
13 *appropriated, there are hereby appropriated such sums as*
14 *may be necessary for such purpose. Grants and payments*
15 *may be made pursuant to this authority through the date*
16 *so specified at the pro rata portion of the total amount au-*
17 *thorized for such activities in fiscal year 2019.*

18 ***SEC. 302. EXTENSION OF THE TEMPORARY ASSISTANCE***
19 ***FOR NEEDY FAMILIES PROGRAM AND RE-***
20 ***LATED PROGRAMS.***

21 *Activities authorized by part A of title IV and section*
22 *1108(b) of the Social Security Act shall continue through*
23 *May 22, 2020, in the manner authorized for fiscal year*
24 *2019, and out of any money in the Treasury of the United*

1 *States not otherwise appropriated, there are hereby appro-*
2 *priated such sums as may be necessary for such purpose.*

3 **SEC. 303. EXTENSION OF SEXUAL RISK AVOIDANCE EDU-**
4 **CATION PROGRAM.**

5 *Section 510 of the Social Security Act (42 U.S.C. 710)*
6 *is amended—*

7 *(1) in subsection (a)—*

8 *(A) in paragraph (1), in the matter pre-*
9 *ceding subparagraph (A), by striking “December*
10 *20, 2019” and inserting “May 22, 2020”;*

11 *(B) in paragraph (2)(A), by striking “De-*
12 *cember 20, 2019” and inserting “May 22, 2020”;*
13 *and*

14 *(2) in subsection (f)(1), by striking “\$16,643,836*
15 *for the period beginning October 1, 2019, and ending*
16 *December 20, 2019” and inserting “\$48,287,671 for*
17 *the period beginning October 1, 2019, and ending*
18 *May 22, 2020”.*

19 **SEC. 304. EXTENSION OF PERSONAL RESPONSIBILITY EDU-**
20 **CATION PROGRAM.**

21 *Section 513 of the Social Security Act (42 U.S.C. 713)*
22 *is amended—*

23 *(1) in subsection (a)(1)—*

1 (A) in subparagraph (A), in the matter pre-
2 ceding clause (i), by striking “December 20,
3 2019” and inserting “May 22, 2020”;

4 (B) in subparagraph (B)(i), by striking by
5 striking “December 20, 2019” and inserting
6 “May 22, 2020”; and

7 (2) in subsection (f), by striking “\$16,643,836
8 for the period beginning October 1, 2019, and ending
9 December 20, 2019” and inserting “\$48,287,671 for
10 the period beginning October 1, 2019, and ending
11 May 22, 2020”.

12 **Subtitle D—Public Health** 13 **Provisions**

14 **SEC. 401. EXTENSION FOR COMMUNITY HEALTH CENTERS,** 15 **THE NATIONAL HEALTH SERVICE CORPS, AND** 16 **TEACHING HEALTH CENTERS THAT OPERATE** 17 **GME PROGRAMS.**

18 (a) *COMMUNITY HEALTH CENTERS.*—Section
19 10503(b)(1)(F) of the Patient Protection and Affordable
20 Care Act (42 U.S.C. 254b–2(b)(1)(F)) is amended by—

21 (1) striking “\$887,671,223” and inserting
22 “\$2,575,342,466”; and

23 (2) striking “December 20, 2019” and inserting
24 “May 22, 2020”.

1 (b) *NATIONAL HEALTH SERVICE CORPS.*—Section
2 *10503(b)(2)(G) of the Patient Protection and Affordable*
3 *Care Act (42 U.S.C. 254b–2(b)(2)(G)) is amended—*

4 (1) *by striking “\$68,794,521” and inserting*
5 *“\$199,589,041”; and*

6 (2) *by striking “December 20, 2019” and insert-*
7 *ing “May 22, 2020”.*

8 (c) *TEACHING HEALTH CENTERS THAT OPERATE*
9 *GRADUATE MEDICAL EDUCATION PROGRAMS.*—Section
10 *340H(g)(1) of the Public Health Service Act (42 U.S.C.*
11 *256h(g)(1)) is amended—*

12 (1) *by striking “\$28,072,603” and inserting*
13 *“\$81,445,205”; and*

14 (2) *by striking “December 20, 2019” and insert-*
15 *ing “May 22, 2020”.*

16 (d) *APPLICATION OF PROVISIONS.*—Amounts appro-
17 *priated pursuant to the amendments made by this section*
18 *for the period beginning on October 1, 2019, and ending*
19 *on May 22, 2020, shall be subject to the requirements con-*
20 *tained in Public Law 115–245 for funds for programs au-*
21 *thorized under sections 330 through 340 of the Public*
22 *Health Service Act (42 U.S.C. 254 through 256).*

23 (e) *CONFORMING AMENDMENT.*—Paragraph (4) of sec-
24 *tion 3014(h) of title 18, United States Code, as amended*
25 *by section 1101(e) of division B of Public Law 116–69, is*

1 *amended by striking “section 1101(d) of division B of the*
2 *Continuing Appropriations Act, 2020, and Health Extend-*
3 *ers Act of 2019, and section 1101(d) of the Further Con-*
4 *tinuing Appropriations Act, 2020, and Further Health Ex-*
5 *tenders Act of 2019” and inserting “, and section 401(d)*
6 *of division N of the Further Consolidated Appropriations*
7 *Act, 2020”.*

8 **SEC. 402. DIABETES PROGRAMS.**

9 (a) *TYPE I.*—Section 330B(b)(2)(D) of the Public
10 *Health Service Act (42 U.S.C. 254c–2(b)(2)(D)) is amend-*
11 *ed—*

12 (1) *by striking “\$33,287,671” and inserting*
13 *“\$96,575,342”; and*

14 (2) *by striking “December 20, 2019” and insert-*
15 *ing “May 22, 2020”.*

16 (b) *INDIANS.*—Section 330C(c)(2)(D) of the Public
17 *Health Service Act (42 U.S.C. 254c–3(c)(2)(D)) is amend-*
18 *ed—*

19 (1) *by striking “\$33,287,671” and inserting*
20 *“\$96,575,342”; and*

21 (2) *by striking “December 20, 2019” and insert-*
22 *ing “May 22, 2020”.*

1 **SEC. 403. POISON CENTER NETWORK ENHANCEMENT.**

2 (a) *NATIONAL TOLL-FREE NUMBER.*—Section 1271 of
3 the *Public Health Service Act* (42 U.S.C. 300d–71) is
4 amended—

5 (1) in the section heading, by inserting before the
6 period the following: “**AND OTHER COMMUNICA-**
7 **TION CAPABILITIES**”; and

8 (2) by striking subsection (a) and inserting the
9 following:

10 “(a) *IN GENERAL.*—The Secretary—

11 “(1) shall provide coordination and assistance to
12 poison control centers for the establishment and main-
13 tenance of a nationwide toll-free phone number, to be
14 used to access such centers; and

15 “(2) may provide coordination and assistance to
16 poison control centers and consult with professional
17 organizations for the establishment, implementation,
18 and maintenance of other communication technologies
19 to be used to access such centers.”;

20 (3) by redesignating subsection (b) as subsection
21 (c);

22 (4) by inserting after subsection (a) the fol-
23 lowing:

24 “(b) *ROUTING CONTACTS WITH POISON CONTROL*
25 *CENTERS.*—Not later than 18 months after the date of en-
26 actment of this subsection, the Secretary shall coordinate

1 *with the Chairman of the Federal Communications Com-*
2 *mission, to the extent technically and economically feasible,*
3 *to ensure that communications with the national toll-free*
4 *number are routed to the appropriate poison control center*
5 *based on the physical location of the contact rather than*
6 *the area code of the contact device.”; and*

7 (5) *in subsection (c), as so redesignated—*

8 (A) *by striking “2015 through 2019” and*
9 *inserting “2020 through 2024”; and*

10 (B) *by striking “maintenance of the nation-*
11 *wide toll free phone number under subsection*
12 *(a)” and inserting “establishment, implementa-*
13 *tion, and maintenance activities carried out*
14 *under subsections (a) and (b)”.*

15 (b) *NATIONWIDE MEDIA CAMPAIGN.—Section 1272 of*
16 *the Public Health Service Act (42 U.S.C. 300d–72) is*
17 *amended—*

18 (1) *in the section heading, by striking “NA-*
19 *TIONWIDE MEDIA CAMPAIGN TO PROMOTE” and*
20 *inserting “PROMOTING”;*

21 (2) *in subsection (a)—*

22 (A) *by inserting “and support outreach to”*
23 *after “educate”;*

1 (B) by striking “poison prevention” and in-
2 serting “poisoning and toxic exposure preven-
3 tion”; and

4 (C) by striking “established under” and in-
5 serting “and other available communication
6 technologies established, implemented, or main-
7 tained under”;

8 (3) in subsection (b)—

9 (A) in the matter preceding paragraph (1),
10 by striking “nationwide poison prevention” and
11 inserting “nationwide poisoning and toxic expo-
12 sure prevention”; and

13 (B) in paragraph (1), by striking “poison
14 prevention and poison control center” and in-
15 serting “poisoning and toxic exposure prevention
16 awareness materials, applicable public health
17 emergency preparedness and response informa-
18 tion, and poison control center” after “distribu-
19 tion of”; and

20 (4) by striking subsection (c);

21 (5) by redesignating subsection (d) as subsection
22 (c); and

23 (6) in subsection (c) (as so redesignated), by
24 striking “2015 through 2019” and inserting “2020
25 through 2024”.

1 (c) *MAINTENANCE OF PROGRAM.*—Section 1273 of the
2 *Public Health Service Act (42 U.S.C. 300d–73)* is amend-
3 *ed—*

4 (1) *in subsection (a), by inserting “and toxic ex-*
5 *posures” after “poisonings”; and*

6 (2) *in subsection (b)—*

7 (A) *in paragraph (1)—*

8 (i) *by striking “for poison” and insert-*
9 *ing “for poisoning and toxic exposure”; and*

10 (ii) *by striking “and preparedness”*
11 *and inserting “preparedness and response”;*

12 (B) *in paragraph (3)—*

13 (i) *by striking “United States and”*
14 *and inserting “United States,”; and*

15 (ii) *by inserting before the semicolon*
16 *the following: “, and other government*
17 *agencies as determined to be appropriate*
18 *and nonduplicative by the Secretary”; and*

19 (C) *in paragraph (8), by striking “calls”*
20 *and inserting “contacts”;*

21 (3) *in subsection (d) , by striking paragraph (3)*
22 *and inserting the following:*

23 “(3) *LIMITATION.*—

24 “(A) *IN GENERAL.*—*The sum of the number*
25 *of years for a waiver under paragraph (1) and*

1 *a renewal under paragraph (2) may not exceed*
2 *5 years.*

3 “(B) *PUBLIC HEALTH EMERGENCY.*—*Not-*
4 *withstanding any previous waivers, in the case*
5 *of a poison control center whose accreditation is*
6 *affected by a public health emergency declared*
7 *pursuant to section 319, the Secretary may, as*
8 *the circumstances of the emergency reasonably*
9 *require, provide a waiver under paragraph (1)*
10 *or a renewal under paragraph (2), not to exceed*
11 *2 years. The Secretary may require quarterly re-*
12 *ports and other information related to such a*
13 *waiver or renewal under this paragraph.”;*

14 (4) *by striking subsection (f) and inserting the*
15 *following:*

16 “(f) *MAINTENANCE OF EFFORT.*—*With respect to ac-*
17 *tivities for which a grant is awarded under this section,*
18 *the Secretary may require that poison control centers agree*
19 *to maintain the expenditures of the center for such activities*
20 *at a level that is not less than the level of expenditures*
21 *maintained by the center for the fiscal year preceding the*
22 *fiscal year for which the grant is received.”;*

23 (5) *In subsection (g), by striking “2015 through*
24 *2019” and inserting “2020 through 2024”; and*

25 (6) *by adding at the end the following:*

1 “(h) *BIENNIAL REPORT TO CONGRESS.*—Not later
2 *than 2 years after the date of enactment of this subsection,*
3 *and every 2 years thereafter, the Secretary shall submit to*
4 *the Committee on Health, Education, Labor, and Pensions*
5 *of the Senate and Committee on Energy and Commerce of*
6 *the House of Representatives a report concerning the oper-*
7 *ations of, and trends identified by, the Poison Control Net-*
8 *work. Such report shall include—*

9 “(1) *descriptions of the activities carried out*
10 *pursuant to sections 1271, 1272, and 1273, and the*
11 *alignment of such activities with the purposes pro-*
12 *vided under subsection (a);*

13 “(2) *a description of trends in volume of contacts*
14 *to poison control centers;*

15 “(3) *a description of trends in poisonings and*
16 *toxic exposures reported to poison control centers, as*
17 *applicable and appropriate;*

18 “(4) *an assessment of the impact of the public*
19 *awareness campaign, including any geographic vari-*
20 *ations;*

21 “(5) *a description of barriers, if any, preventing*
22 *poison control centers from achieving the purposes*
23 *and programs under this section and sections 1271*
24 *and 1272;*

1 “(6) a description of the standards for accredita-
2 tion described in subsection (c), including any vari-
3 ations in those standards, and any efforts to create
4 and maintain consistent standards across organiza-
5 tions that accredit poison control centers; and

6 “(7) the number of and reason for any waivers
7 provided under subsection (d).”.

8 **SEC. 404. KAY HAGAN TICK ACT.**

9 (a) *SHORT TITLE.*—This section may be cited as the
10 “*Kay Hagan Tick Act*”.

11 (b) *COMBATING VECTOR-BORNE DISEASES.*—Title III
12 of the Public Health Service Act is amended by inserting
13 after section 317T (42 U.S.C. 247b–22) the following:

14 **“SEC. 317U. NATIONAL STRATEGY AND REGIONAL CENTERS**
15 **OF EXCELLENCE IN VECTOR-BORNE DIS-**
16 **EASES.**

17 “(a) *IN GENERAL.*—The Secretary shall—

18 “(1)(A) ensure the development and implementa-
19 tion of a national strategy to address vector-borne
20 diseases, including tick-borne diseases, that—

21 “(i) identifies and assesses gaps and any
22 unnecessary duplication in federally-funded pro-
23 grams; and

24 “(ii) identifies strategic goals to address
25 such diseases and appropriate benchmarks to

1 *measure progress toward achieving such goals;*
2 *and*

3 “(B) *update such strategy, as appropriate; and*

4 “(2) *coordinate programs and activities, includ-*
5 *ing related to data collection, research, and the devel-*
6 *opment of diagnostics, treatments, vaccines, and other*
7 *related activities, to address vector-borne diseases, in-*
8 *cluding tick-borne diseases, across the Department of*
9 *Health and Human Services and with other Federal*
10 *agencies or departments, as appropriate.*

11 “(b) *CONSULTATION.—In carrying out subsection*
12 *(a)(1), the Secretary shall consult with the Tick-Borne Dis-*
13 *ease Working Group established under section 2062 of the*
14 *21st Century Cures Act (42 U.S.C. 284s) and other individ-*
15 *uals, as appropriate, such as—*

16 “(1) *epidemiologists with experience in vector-*
17 *borne diseases;*

18 “(2) *representatives of patient advocacy and re-*
19 *search organizations that focus on vector-borne dis-*
20 *eases, including such organizations that have dem-*
21 *onstrated experience in related research, public health,*
22 *data collection, or patient access to care;*

23 “(3) *health information technology experts or*
24 *other information management specialists;*

1 “(4) *clinicians, entomologists, vector manage-*
2 *ment professionals, public health professionals, and*
3 *others with expertise in vector-borne diseases; and*

4 “(5) *researchers, including researchers with expe-*
5 *rience conducting translational research.*

6 “(c) *CENTERS OF EXCELLENCE.—The Secretary, in*
7 *coordination with the Director of the Centers for Disease*
8 *Control and Prevention, shall award grants, contracts, or*
9 *cooperative agreements to institutions of higher education*
10 *for the establishment or continued support of regional cen-*
11 *ters of excellence in vector-borne diseases to address vector-*
12 *borne diseases, including tick-borne diseases, by—*

13 “(1) *facilitating collaboration between academia*
14 *and public health organizations for public health sur-*
15 *veillance, prevention, and response activities related*
16 *to vector-borne diseases, including tick-borne diseases;*

17 “(2) *providing training for public health ento-*
18 *mologists and other health care professionals, as ap-*
19 *propriate, to address vector-borne diseases, including*
20 *tick-borne diseases;*

21 “(3) *conducting research to develop and validate*
22 *prevention and control tools and methods, including*
23 *evidence-based and innovative, evidence-informed*
24 *tools and methods to anticipate and respond to dis-*
25 *ease outbreaks; or*

1 “(4) *preparing for and responding to outbreaks*
2 *of vector-borne diseases, including tick-borne diseases.*

3 “(d) *ELIGIBILITY.—To be eligible to receive a grant,*
4 *contract, or cooperative agreement under subsection (c), an*
5 *entity shall submit to the Secretary an application at such*
6 *time, in such manner, and containing such information as*
7 *the Secretary may require, including a description of how*
8 *the entity will conduct the activities described in such sub-*
9 *section.*

10 “(e) *REPORTS.—*

11 “(1) *PROGRAM SUMMARY.—An entity receiving*
12 *an award under subsection (c) shall, not later than*
13 *one year after receiving such award, and annually*
14 *thereafter, submit to the Secretary a summary of pro-*
15 *grams and activities funded under the award.*

16 “(2) *PROGRESS REPORT.—Not later than 4 years*
17 *after the date of enactment of this section, the Sec-*
18 *retary shall submit to the Committee on Health, Edu-*
19 *cation, Labor, and Pensions of the Senate and the*
20 *Committee on Energy and Commerce of the House of*
21 *Representatives, a report on the progress made in ad-*
22 *dresssing vector-borne diseases, including tick-borne*
23 *diseases, through activities carried out under this sec-*
24 *tion.*

1 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—For the
2 *purpose of carrying out this section, there are authorized*
3 *to be appropriated \$10,000,000 for each of fiscal years 2021*
4 *through 2025.*”.

5 (c) *ENHANCING CAPACITY TO ADDRESS VECTOR-*
6 *BORNE DISEASES.*—Subtitle C of title XXVIII of the Public
7 *Health Service Act (42 U.S.C. 300hh-31 et seq.) is amended*
8 *by adding at the end the following:*

9 “**SEC. 2822. ENHANCED SUPPORT TO ASSIST HEALTH DE-**
10 **PARTMENTS IN ADDRESSING VECTOR-BORNE**
11 **DISEASES.**”

12 “(a) *IN GENERAL.*—The Secretary, acting through the
13 *Director of the Centers for Disease Control and Prevention,*
14 *may enter into cooperative agreements with health depart-*
15 *ments of States, political subdivisions of States, and Indian*
16 *Tribes and Tribal organizations in areas at high risk of*
17 *vector-borne diseases in order to increase capacity to iden-*
18 *tify, report, prevent, and respond to such diseases and re-*
19 *lated outbreaks.*

20 “(b) *ELIGIBILITY.*—To be eligible to enter into a coop-
21 *erative agreement under this section, an entity described in*
22 *subsection (a) shall prepare and submit to the Secretary*
23 *an application at such time, in such manner, and con-*
24 *taining such information as the Secretary may require, in-*
25 *cluding a plan that describes—*

1 “(1) how the applicant proposes to develop or ex-
2 pand programs to address vector-borne disease risks,
3 including through—

4 “(A) related training and workforce devel-
5 opment;

6 “(B) programmatic efforts to improve ca-
7 pacity to identify, report, prevent, and respond
8 to such disease and related outbreaks; and

9 “(C) other relevant activities identified by
10 the Director of the Centers for Disease Control
11 and Prevention, as appropriate;

12 “(2) the manner in which the applicant will co-
13 ordinate with other Federal, Tribal, and State agen-
14 cies and programs, as applicable, related to vector-
15 borne diseases, as well as other relevant public and
16 private organizations or agencies; and

17 “(3) the manner in which the applicant will
18 evaluate the effectiveness of any program carried out
19 under the cooperative agreement.

20 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—For the
21 purposes of carrying out this section, there are authorized
22 to be appropriated \$20,000,000 for each of fiscal years 2021
23 through 2025.”.

1 ***Subtitle E—Revenue Provisions***

2 ***SEC. 501. REPEAL OF MEDICAL DEVICE EXCISE TAX.***

3 *(a) IN GENERAL.—Chapter 32 of the Internal Revenue*
4 *Code of 1986 is amended by striking subchapter E.*

5 *(b) CONFORMING AMENDMENTS.—*

6 *(1) Subsection (a) of section 4221 of the Internal*
7 *Revenue Code of 1986 is amended by striking the last*
8 *sentence.*

9 *(2) Paragraph (2) of section 6416(b) of such*
10 *Code is amended by striking the last sentence.*

11 *(c) CLERICAL AMENDMENT.—The table of subchapters*
12 *for chapter 32 of the Internal Revenue Code of 1986 is*
13 *amended by striking the item relating to subchapter E.*

14 *(d) EFFECTIVE DATE.—The amendments made by this*
15 *section shall apply to sales after December 31, 2019.*

16 ***SEC. 502. REPEAL OF ANNUAL FEE ON HEALTH INSURANCE***
17 ***PROVIDERS.***

18 *(a) IN GENERAL.—Subtitle A of title IX of the Patient*
19 *Protection and Affordable Care Act is amended by striking*
20 *section 9010.*

21 *(b) EFFECTIVE DATE.—The amendment made by this*
22 *section shall apply to calendar years beginning after De-*
23 *cember 31, 2020.*

1 **SEC. 503. REPEAL OF EXCISE TAX ON HIGH COST EM-**
2 **LOYER-SPONSORED HEALTH COVERAGE.**

3 (a) *IN GENERAL.*—Chapter 43 of the Internal Revenue
4 Code of 1986 is amended by striking section 4980I.

5 (b) *CONFORMING AMENDMENTS.*—

6 (1) Section 6051 of such Code is amended—

7 (A) by striking “section 4980I(d)(1)” in
8 subsection (a)(14) and inserting “subsection (g)”,
9 and

10 (B) by adding at the end the following new
11 subsection:

12 “(g) *APPLICABLE EMPLOYER-SPONSORED COV-*
13 *ERAGE.*—For purposes of subsection (a)(14)—

14 “(1) *IN GENERAL.*—The term ‘applicable em-
15 ployer-sponsored coverage’ means, with respect to any
16 employee, coverage under any group health plan made
17 available to the employee by an employer which is ex-
18 cludable from the employee’s gross income under sec-
19 tion 106, or would be so excludable if it were em-
20 ployer-provided coverage (within the meaning of such
21 section 106).

22 “(2) *EXCEPTIONS.*—The term ‘applicable em-
23 ployer-sponsored coverage’ shall not include—

24 “(A) any coverage (whether through insur-
25 ance or otherwise) described in section 9832(c)(1)

1 *(other than subparagraph (G) thereof) or for*
2 *long-term care,*

3 *“(B) any coverage under a separate policy,*
4 *certificate, or contract of insurance which pro-*
5 *vides benefits substantially all of which are for*
6 *treatment of the mouth (including any organ or*
7 *structure within the mouth) or for treatment of*
8 *the eye, or*

9 *“(C) any coverage described in section*
10 *9832(c)(3) the payment for which is not exclud-*
11 *able from gross income and for which a deduc-*
12 *tion under section 162(l) is not allowable.*

13 *“(3) COVERAGE INCLUDES EMPLOYEE PAID POR-*
14 *TION.—Coverage shall be treated as applicable em-*
15 *ployer-sponsored coverage without regard to whether*
16 *the employer or employee pays for the coverage.*

17 *“(4) GOVERNMENTAL PLANS INCLUDED.—Appli-*
18 *cable employer-sponsored coverage shall include cov-*
19 *erage under any group health plan established and*
20 *maintained primarily for its civilian employees by*
21 *the Government of the United States, by the govern-*
22 *ment of any State or political subdivision thereof, or*
23 *by any agency or instrumentality of any such govern-*
24 *ment.”.*

1 (2) *Section 9831(d)(1) of such Code is amended*
 2 *by striking “except as provided in section*
 3 *4980I(f)(4)”.*

4 (3) *The table of sections for chapter 43 of such*
 5 *Code is amended by striking the item relating to sec-*
 6 *tion 4980I.*

7 (c) *EFFECTIVE DATE.—The amendments made by this*
 8 *section shall apply to taxable years beginning after Decem-*
 9 *ber 31, 2019.*

10 ***Subtitle F—Miscellaneous***
 11 ***Provisions***

12 ***SEC. 601. ALASKA NATIVE REGIONAL HEALTH ENTITIES.***

13 *Section 424(a) of the Consolidated Appropriations Act,*
 14 *2014 (Public Law 113–76), as amended by section 428 of*
 15 *the Consolidated Appropriations Act, 2018 (Public Law*
 16 *115–141), shall be applied by substituting “May 22, 2020”*
 17 *for “October 1, 2019”.*

18 ***SEC. 602. ADDRESSING EXPIRATION OF CHILD WELFARE***
 19 ***DEMONSTRATION PROJECTS AND SUP-***
 20 ***PORTING FAMILY FIRST IMPLEMENTATION.***

21 (a) *SHORT TITLE.—This section may be cited as the*
 22 *“Family First Transition Act”.*

23 (b) *EVIDENCE STANDARD TRANSITION.—*

24 (1) *TEMPORARY SUSPENSION OF REQUIREMENT*
 25 *THAT AT LEAST 50 PERCENT OF A STATE’S REIM-*

1 *BURSEMENT FOR PREVENTION AND FAMILY SERVICES*
2 *AND PROGRAMS BE FOR PROGRAMS AND SERVICES*
3 *THAT MEET THE WELL-SUPPORTED PRACTICE RE-*
4 *QUIREMENT.—With respect to quarters in fiscal years*
5 *2020 and 2021, section 474(a)(6)(A) of the Social Se-*
6 *curity Act (42 U.S.C. 674(a)(6)(A)) shall be applied*
7 *without regard to clause (ii) of such section.*

8 (2) *SUPPORTED PRACTICES TEMPORARILY*
9 *TREATED AS WELL-SUPPORTED PRACTICES.—With re-*
10 *spect to quarters in fiscal years 2022 and 2023, prac-*
11 *tices that meet the criteria specified for supported*
12 *practices in section 471(e)(4)(C) of the Social Secu-*
13 *rity Act (42 U.S.C. 671(e)(4)(C)) shall be considered*
14 *well-supported practices for purposes of section*
15 *474(a)(6)(A)(ii) of such Act (42 U.S.C.*
16 *674(a)(6)(A)(ii)).*

17 (c) *ENHANCED FUNDING FOR TRANSITION ACTIVI-*
18 *TIES.—*

19 (1) *TRANSITION FUNDING.—*

20 (A) *APPROPRIATION.—Out of any money in*
21 *the Treasury of the United States not otherwise*
22 *appropriated, there are appropriated to the Sec-*
23 *retary of Health and Human Services (in this*
24 *section referred to as the “Secretary”) to carry*
25 *out this subsection \$500,000,000 for fiscal year*

1 2020, which shall remain available through fiscal
2 year 2021.

3 (B) *DISTRIBUTION OF FUNDS.*—

4 (i) *IN GENERAL.*—The Secretary shall
5 allot the amount appropriated by subpara-
6 graph (A) of this paragraph in accordance
7 with section 423 of the Social Security Act
8 (42 U.S.C. 623), and shall pay each State
9 to which an allotment is so made, the total
10 amount so allotted, subject to clause (ii) of
11 this subparagraph.

12 (ii) *RESERVATION OF FUNDS FOR IN-*
13 *DIAN TRIBES AND TRIBAL ORGANIZA-*
14 *TIONS.*—Before applying clause (i) of this
15 subparagraph, the Secretary shall reserve 3
16 percent of the amount appropriated by sub-
17 paragraph (A) of this paragraph for allot-
18 ment to the Indian tribes and tribal organi-
19 zations with a plan approved under subpart
20 1 of part B of title IV of the Social Security
21 Act, based on each tribe or tribal organiza-
22 tion's share of the total tribal child popu-
23 lation among all such tribes and tribal or-
24 ganizations.

1 (2) *FUNDING CERTAINTY FOR STATES WITH EX-*
2 *PIRING DEMONSTRATION PROJECTS.—*

3 (A) *IN GENERAL.—Out of any money in the*
4 *Treasury of the United States not otherwise ap-*
5 *propriated, there are appropriated to the Sec-*
6 *retary, for payment to each State that was oper-*
7 *ating a demonstration project approved under*
8 *section 1130 of the Social Security Act on Sep-*
9 *tember 30, 2019, for each fiscal year specified in*
10 *subparagraph (B) of this paragraph, an amount*
11 *equal to the amount (if any) by which—*

12 (i)(I) *the applicable percentage for the*
13 *fiscal year so specified of the maximum*
14 *capped allocation due to the State or sub-*
15 *State jurisdiction for fiscal year 2019 for*
16 *foster care maintenance, administration, or*
17 *training costs, under the demonstration*
18 *project, as specified in section 4.3 of the*
19 *State waiver terms and conditions docu-*
20 *ment capped allocation payment table in ef-*
21 *fect on August 31, 2019; or*

22 (II) *if the terms and conditions do not*
23 *specify a maximum amount payable for fis-*
24 *cal year 2019 for the State or sub-State ju-*
25 *risdiction (due to the use of a comparison*

1 *jurisdiction to ensure cost neutrality), the*
2 *final cost neutrality limit for the State or*
3 *sub-State jurisdiction for fiscal year 2018,*
4 *as most recently reported by the State or*
5 *sub-State jurisdiction as of September 30,*
6 *2019, for foster care maintenance, adminis-*
7 *tration, or training costs under the dem-*
8 *onstration project that were included in the*
9 *waiver; exceeds*

10 *(ii) the total amount payable to the*
11 *State or sub-State jurisdiction under part*
12 *E of title IV of such Act for the fiscal year*
13 *so specified for foster care expenditures*
14 *(whether payable under paragraph (1) or*
15 *(3) of section 474(a) of such Act) that were*
16 *maintenance, administration, or training*
17 *costs of the demonstration project taken into*
18 *account by the Secretary in determining the*
19 *total amount referred to in clause (i) of this*
20 *subparagraph.*

21 *(B) APPLICABLE PERCENTAGE DEFINED.—*

22 *In this subparagraph, the term “applicable per-*
23 *centage” means—*

24 *(i) 90 percent, in the case of fiscal year*
25 *2020; or*

1 (ii) 75 percent, in the case of fiscal
2 year 2021.

3 (C) *SPECIAL RULE.*—*The calculation under*
4 *subparagraph (A) with respect to a State shall*
5 *be made without regard to—*

6 (i) *any change approved after August*
7 *31, 2019, in the capped allocation or the*
8 *terms and conditions referred to in clause*
9 *(i) of subparagraph (A) with respect to the*
10 *State; or*

11 (ii) *any change made after such date*
12 *to the financial form submitted by the State*
13 *that is used in determining the capped allo-*
14 *cation.*

15 (D) *DISTRIBUTION OF FUNDS.*—*Each State*
16 *that receives funds under this paragraph shall*
17 *distribute the funds to jurisdictions in the State*
18 *that were operating demonstration projects under*
19 *section 1130 of the Social Security Act in a*
20 *manner consistent with each sub-State jurisdic-*
21 *tion’s proportionate loss as compared with fiscal*
22 *year 2019.*

23 (E) *RECONCILIATION PROCESS.*—*Each*
24 *State seeking a payment under this paragraph*
25 *shall report expenditures pursuant to part E of*

1 *title IV of the Social Security Act (42 U.S.C.*
2 *670 et seq.) in a manner determined by the Sec-*
3 *retary and the Secretary shall account for any*
4 *revisions to spending for fiscal years 2020 and*
5 *2021 after the end of the respective fiscal year*
6 *that are reported by the State agency admin-*
7 *istering the State plan approved under such*
8 *part, and received by the Department of Health*
9 *and Human Services, within 2 years after the*
10 *last day of the fiscal quarter in which the ex-*
11 *penditure was made.*

12 *(F) AVAILABILITY OF FUNDS.—The amounts*
13 *made available for payments to States under this*
14 *paragraph for a fiscal year shall remain avail-*
15 *able through the end of the third succeeding fiscal*
16 *year.*

17 *(3) USE OF FUNDS.—*

18 *(A) IN GENERAL.—In addition to the pur-*
19 *poses specified in part B of title IV of the Social*
20 *Security Act (42 U.S.C. 671 et seq.), a State*
21 *may use funds provided under this subsection for*
22 *activities previously funded under a demonstra-*
23 *tion project under section 1130 of such Act (42*
24 *U.S.C. 1320a–9) to reduce any adverse fiscal im-*
25 *pacts as jurisdictions transition funding sources*

1 *for the projects, and for activities directly associ-*
2 *ated with the implementation of title VII of divi-*
3 *sion E of Public Law 115–123 (also known as*
4 *the Family First Prevention Services Act).*

5 *(B) LIMITATION.—None of the funds pro-*
6 *vided under this subsection may be used to*
7 *match Federal funds under any program.*

8 *(d) REPORTING ON ENHANCED FUNDING FOR TRANSI-*
9 *TION ACTIVITIES.—*

10 *(1) IN GENERAL.—Each State to which funds*
11 *are paid under subsection (c) of this section shall sub-*
12 *mit to the Secretary, in a manner specified by the*
13 *Secretary, a written report on—*

14 *(A) how the grant is used to implement*
15 *each part of title VII of division E of Public*
16 *Law 115–123 (also known as the Family First*
17 *Prevention Services Act), with a separate state-*
18 *ment with respect to each such part;*

19 *(B) all programs, services, and operational*
20 *costs to which the grant is put;*

21 *(C) the characteristics of the families and*
22 *children served by use of the grant; and*

23 *(D)(i) the use by the State of amounts pro-*
24 *vided for each fiscal year to continue activities*
25 *previously funded under a waiver provided*

1 *under section 1130 of the Social Security Act (42*
2 *U.S.C. 1320a-9); and*

3 *(ii)(I) the plan of the State to transition the*
4 *activities so that needed activities can be pro-*
5 *vided under the State plan approved under part*
6 *E of title IV of the Social Security Act (42*
7 *U.S.C. 670 et seq.); or*

8 *(II) if expenditures for the activities would*
9 *not be eligible for payment under the State plan*
10 *approved under such part E—*

11 *(aa) the reason therefor; and*

12 *(bb) the funding sources the State*
13 *plans to use to cover the costs of needed ac-*
14 *tivities.*

15 (2) *APPLICABILITY OF OTHER LAWS.—For pur-*
16 *poses of subpart 2 of part B of title IV of the Social*
17 *Security Act (42 U.S.C. 629 et seq.), each report re-*
18 *quired by paragraph (1) of this subsection shall be*
19 *considered to be required by section 432(a)(8) of such*
20 *Act (42 U.S.C. 629b(a)(8)), and shall contain such*
21 *additional information as the Secretary may require.*

22 (e) *DEFINITION OF STATE.—In this section, the term*
23 *“State” has the meaning given the term in section 431(a)(4)*
24 *of the Social Security Act (42 U.S.C. 629a(a)(4)).*

1 (f) *RENAMING OF TITLE IV–B–2 OF THE SOCIAL SE-*
2 *CURITY ACT.*—*The subpart heading for subpart 2 of part*
3 *B of title IV of the Social Security Act is amended by strik-*
4 *ing “Promoting Safe and Stable Families” and*
5 *inserting “MaryLee Allen Promoting Safe and*
6 *Stable Families Program”.*

7 (g) *EFFECTIVE DATE.*—*This section and the amend-*
8 *ments made by this section shall take effect as if included*
9 *in the Bipartisan Budget Act of 2018 on the date of the*
10 *enactment of such Act.*

11 (h) *TECHNICAL CORRECTION.*—*Section 50701 of the*
12 *Bipartisan Budget Act of 2018 (42 U.S.C. 1305 note; Public*
13 *Law 115–123) is amended by striking “Bipartisan Budget*
14 *Act of 2018” and inserting “Family First Prevention Serv-*
15 *ices Act”.*

16 **SEC. 603. MINIMUM AGE OF SALE OF TOBACCO PRODUCTS.**

17 (a) *IN GENERAL.*—*Section 906(d) of the Federal Food,*
18 *Drug, and Cosmetic Act (21 U.S.C. 387f(d)) is amended—*

19 (1) *in paragraph (3)(A)(ii), by striking “18*
20 *years” and inserting “21 years”; and*

21 (2) *by adding at the end the following:*

22 “(5) *MINIMUM AGE OF SALE.*—*It shall be unlaw-*
23 *ful for any retailer to sell a tobacco product to any*
24 *person younger than 21 years of age.”.*

25 (b) *REGULATIONS.*—

1 (1) *IN GENERAL.*—Not later than 180 days after
2 the date of enactment of this Act, the Secretary of
3 Health and Human Services (referred to in this sec-
4 tion as the “Secretary”) shall publish in the Federal
5 Register a final rule to update the regulations issued
6 under chapter IX of the Federal Food, Drug, and Cos-
7 metic Act (21 U.S.C. 387 et seq.) as appropriate, only
8 to carry out the amendments made by subsection (a),
9 including to update all references to persons younger
10 than 18 years of age in subpart B of part 1140 of
11 title 21, Code of Federal Regulations, and to update
12 the relevant age verification requirements under such
13 part 1140 to require age verification for individuals
14 under the age of 30. Such final rule shall—

15 (A) take full effect not later than 90 days
16 after the date on which such final rule is pub-
17 lished; and

18 (B) be deemed to be in compliance with all
19 applicable provisions of chapter 5 of title 5,
20 United States Code and all other provisions of
21 law relating to rulemaking procedures.

22 (2) *OTHER REGULATIONS.*—Prior to making
23 amendments to part 1140 of title 21, Code of Federal
24 Regulations other than the amendments described in
25 paragraph (1), the Secretary shall promulgate a pro-

1 *posed rule in accordance with chapter 5 of title 5,*
2 *United States Code.*

3 (c) *NOTIFICATION.*—*Not later than 90 days after the*
4 *date of enactment of this Act, the Secretary shall provide*
5 *written notification to the Committee on Health, Edu-*
6 *cation, Labor, and Pensions of the Senate and the Com-*
7 *mittee on Energy and Commerce of the House of Represent-*
8 *atives regarding the progress of the Department of Health*
9 *and Human Services towards promulgating the final rule*
10 *under subsection (b). If, 180 days after the date of enact-*
11 *ment of this Act, such rule has not been promulgated in*
12 *accordance with subsection (b), the Secretary shall provide*
13 *a written notification and a justification for the delay in*
14 *rulemaking to such committees.*

15 (d) *PENALTIES FOR VIOLATIONS.*—

16 (1) *IN GENERAL.*—*Section 103(q)(2) of the Fam-*
17 *ily Smoking Prevention and Tobacco Control Act*
18 *(Public Law 111–31) is amended—*

19 (A) *in subparagraph (A), in the matter pre-*
20 *ceding clause (i), by inserting “section 906(d)(5)*
21 *or of” after “violations of”; and*

22 (B) *in subparagraph (C), by inserting “sec-*
23 *tion 906(d)(5) or of” after “a retailer of”.*

24 (2) *REPEATED VIOLATIONS.*—*Section 303(f)(8)*
25 *of the Federal Food, Drug, and Cosmetic Act (21*

1 U.S.C. 333(f)(8)) is amended by inserting “section
2 906(d)(5) or of” after “repeated violations of”.

3 (3) MISBRANDED PRODUCTS.—Section
4 903(a)(7)(B) of the Federal Food, Drug, and Cosmetic
5 Act (21 U.S.C. 387c) is amended by inserting “sec-
6 tion 906(d)(5) or of” after “violation of”.

7 **SEC. 604. SALE OF TOBACCO PRODUCTS TO INDIVIDUALS**
8 **UNDER THE AGE OF 21.**

9 (a) IN GENERAL.—Section 1926 of the Public Health
10 Service Act (42 U.S.C. 300x–26) is amended—

11 (1) in the heading—

12 (A) by striking “**STATE LAW REGARD-**
13 **ING**”; and

14 (B) by striking “**18**” and inserting “**21**”;

15 (2) by striking subsections (a) and (d);

16 (3) by redesignating subsections (b) and (c) as
17 subsections (a) and (b), respectively;

18 (4) by amending subsection (a), as so redesign-
19 ated, to read as follows:

20 “(a) IN GENERAL.—A funding agreement for a grant
21 under section 1921 is that the State involved will—

22 “(1) annually conduct random, unannounced in-
23 spections to ensure that retailers do not sell tobacco
24 products to individuals under the age of 21; and

1 “(2) annually submit to the Secretary a report
2 describing—

3 “(A) the activities carried out by the State
4 to ensure that retailers do not sell tobacco prod-
5 ucts to individuals under the age of 21;

6 “(B) the extent of success the State has
7 achieved in ensuring that retailers do not sell to-
8 bacco products to individuals under the age of
9 21; and

10 “(C) the strategies to be utilized by the
11 State to ensure that retailers do not sell tobacco
12 products to individuals under the age of 21 dur-
13 ing the fiscal year for which the grant is
14 sought.”;

15 (5) in subsection (b), as so redesignated—

16 (A) by striking paragraphs (1), (2), (3),
17 and (4);

18 (B) by striking “Before making” and in-
19 serting the following:

20 “(1) IN GENERAL.—Before making”;

21 (C) by striking “for the first applicable fis-
22 cal year or any subsequent fiscal year”;

23 (D) by striking “subsections (a) and (b)”
24 and inserting “subsection (a)”;

1 (E) by striking “equal to—” and inserting
2 “up to 10 percent of the amount determined
3 under section 1933 for the State for the applica-
4 ble fiscal year.”; and

5 (F) by adding at the end the following:

6 “(2) LIMITATION.—

7 “(A) IN GENERAL.—A State shall not have
8 funds withheld pursuant to paragraph (1) if
9 such State for which the Secretary has made a
10 determination of noncompliance under such
11 paragraph—

12 “(i) certifies to the Secretary by May
13 1 of the fiscal year for which the funds are
14 appropriated, consistent with subparagraph
15 (B), that the State will commit additional
16 State funds, in accordance with paragraph
17 (1), to ensure that retailers do not sell to-
18 bacco products to individuals under 21
19 years of age;

20 “(ii) agrees to comply with a nego-
21 tiated agreement for a corrective action
22 plan that is approved by the Secretary and
23 carried out in accordance with guidelines
24 issued by the Secretary; or

1 “(iii) is a territory that receives less
2 than \$1,000,000 for a fiscal year under sec-
3 tion 1921.

4 “(B) CERTIFICATION.—

5 “(i) IN GENERAL.—The amount of
6 funds to be committed by a State pursuant
7 to subparagraph (A)(i) shall be equal to 1
8 percent of such State’s substance abuse allo-
9 cation determined under section 1933 for
10 each percentage point by which the State
11 misses the retailer compliance rate goal es-
12 tablished by the Secretary.

13 “(ii) STATE EXPENDITURES.—For a
14 fiscal year in which a State commits funds
15 as described in clause (i), such State shall
16 maintain State expenditures for tobacco
17 prevention programs and for compliance ac-
18 tivities at a level that is not less than the
19 level of such expenditures maintained by the
20 State for the preceding fiscal year, plus the
21 additional funds for tobacco compliance ac-
22 tivities required under clause (i). The State
23 shall submit a report to the Secretary on all
24 State obligations of funds for such fiscal
25 year and all State expenditures for the pre-

1 *ceding fiscal year for tobacco prevention*
 2 *and compliance activities by program activ-*
 3 *ity by July 31 of such fiscal year.*

4 “(iii) *DISCRETION.*—*The Secretary*
 5 *shall exercise discretion in enforcing the*
 6 *timing of the State obligation of the addi-*
 7 *tional funds required by the certification*
 8 *described in subparagraph (A)(i) as late as*
 9 *July 31 of such fiscal year.*

10 “(C) *FAILURE TO CERTIFY.*—*If a State de-*
 11 *scribed in subparagraph (A) fails to certify to*
 12 *the Secretary pursuant to subparagraph (A)(i)*
 13 *or enter into, or comply with, a negotiated agree-*
 14 *ment under subparagraph (A)(ii), the Secretary*
 15 *may take action pursuant to paragraph (1).”;*
 16 *and*

17 *(6) by adding at the end the following:*

18 “(c) *IMPLEMENTATION OF REPORTING REQUIRE-*
 19 *MENTS.*—

20 “(1) *TRANSITION PERIOD.*—*The Secretary*
 21 *shall—*

22 “(A) *not withhold amounts under subsection*
 23 *(b) for the 3-year period immediately following*
 24 *the date of enactment of division N of the Fur-*
 25 *ther Consolidated Appropriations Act, 2020; and*

1 “(B) use discretion in exercising its author-
2 ity under subsection (b) during the 2-year period
3 immediately following the 3-year period de-
4 scribed in subparagraph (A), to allow for a tran-
5 sition period for implementation of the reporting
6 requirements under subsection (a)(2).

7 “(2) REGULATIONS OR GUIDANCE.—Not later
8 than 180 days after the date of enactment of division
9 N of the Further Consolidated Appropriations Act,
10 2020, the Secretary shall update regulations under
11 part 96 of title 45, Code of Federal Regulations or
12 guidance on the retailer compliance rate goal under
13 subsection (b), the use of funds provided under section
14 1921 for purposes of meeting the requirements of this
15 section, and reporting requirements under subsection
16 (a)(2).

17 “(3) COORDINATION.—The Secretary shall ensure
18 the Assistant Secretary for Mental Health and Sub-
19 stance Use coordinates, as appropriate, with the Com-
20 missioner of Food and Drugs to ensure that the tech-
21 nical assistance provided to States under subsection
22 (e) is consistent with applicable regulations for retail-
23 ers issued under part 1140 of title 21, Code of Federal
24 Regulations.

25 “(d) TRANSITIONAL GRANTS.—

1 “(1) *IN GENERAL.*—*The Secretary shall award*
2 *grants under this subsection to each State that re-*
3 *ceives funding under section 1921 to ensure compli-*
4 *ance of each such State with this section.*

5 “(2) *USE OF FUNDS.*—*A State receiving a grant*
6 *under this subsection—*

7 “(A) *shall use amounts received under such*
8 *grant for activities to plan for or ensure compli-*
9 *ance in the State with subsection (a); and*

10 “(B) *in the case of a State for which the*
11 *Secretary has made a determination under sub-*
12 *section (b) that the State is prepared to meet, or*
13 *has met, the requirements of subsection (a), may*
14 *use such funds for tobacco cessation activities,*
15 *strategies to prevent the use of tobacco products*
16 *by individuals under the age of 21, or allowable*
17 *uses under section 1921.*

18 “(3) *SUPPLEMENT NOT SUPPLANT.*—*Grants*
19 *under this subsection shall be used to supplement and*
20 *not supplant other Federal, State, and local public*
21 *funds provided for activities under paragraph (2).*

22 “(4) *AUTHORIZATION OF APPROPRIATIONS.*—*To*
23 *carry out this subsection, there are authorized to be*
24 *appropriated \$18,580,790 for each of fiscal years*
25 *2020 through 2024.*

1 “(5) *SUNSET*.—*This subsection shall have no*
2 *force or effect after September 30, 2024.*”

3 “(e) *TECHNICAL ASSISTANCE*.—*The Secretary shall*
4 *provide technical assistance to States related to the activi-*
5 *ties required under this section.*”

6 (b) *REPORT TO CONGRESS*.—*Not later than 3 years*
7 *after the date of enactment of this Act, the Secretary shall*
8 *submit to the Committee on Health, Education, Labor, and*
9 *Pensions of the Senate and the Committee on Energy and*
10 *Commerce of the House of Representatives a report on the*
11 *status of implementing the requirements of section 1926 of*
12 *the Public Health Service Act (42 U.S.C. 300x–26), as*
13 *amended by subsection (a), and a description of any tech-*
14 *nical assistance provided under subsection (e) of such sec-*
15 *tion, including the number of meetings requested and held*
16 *related to technical assistance.*

17 (c) *CONFORMING AMENDMENT*.—*Section 212 of divi-*
18 *sion D of the Consolidated Appropriations Act, 2010 (Pub-*
19 *lic Law 111–117) is repealed.*

20 **SEC. 605. BIOLOGICAL PRODUCT DEFINITION.**

21 Section 351(i)(1) of the Public Health Service Act (42
22 U.S.C. 262(i)(1)) is amended by striking “(except any
23 chemically synthesized polypeptide)”.

1 **SEC. 606. PROTECTING ACCESS TO BIOLOGICAL PRODUCTS.**

2 *Section 351(k)(7) of the Public Health Service Act (42*
3 *U.S.C. 262(k)(7)) is amended by adding at the end the fol-*
4 *lowing:*

5 “(D) *DEEMED LICENSES.*—

6 “(i) *NO ADDITIONAL EXCLUSIVITY*
7 *THROUGH DEEMING.*—*An approved appli-*
8 *cation that is deemed to be a license for a*
9 *biological product under this section pursu-*
10 *ant to section 7002(e)(4) of the Biologics*
11 *Price Competition and Innovation Act of*
12 *2009 shall not be treated as having been*
13 *first licensed under subsection (a) for pur-*
14 *poses of subparagraphs (A) and (B).*

15 “(ii) *APPLICATION OF LIMITATIONS ON*
16 *EXCLUSIVITY.*—*Subparagraph (C) shall*
17 *apply with respect to a reference product re-*
18 *ferred to in such subparagraph that was the*
19 *subject of an approved application that was*
20 *deemed to be a license pursuant to section*
21 *7002(e)(4) of the Biologics Price Competi-*
22 *tion and Innovation Act of 2009.*

23 “(iii) *APPLICABILITY.*—*The exclusivity*
24 *periods described in section 527, section*
25 *505A(b)(1)(A)(ii), and section*
26 *505A(c)(1)(A)(ii) of the Federal Food,*

1 *Drug, and Cosmetic Act shall continue to*
2 *apply to a biological product after an ap-*
3 *proved application for the biological prod-*
4 *uct is deemed to be a license for the biologi-*
5 *cal product under subsection (a) pursuant*
6 *to section 7002(e)(4) of the Biologics Price*
7 *Competition and Innovation Act of 2009.”.*

8 **SEC. 607. STREAMLINING THE TRANSITION OF BIOLOGICAL**
9 **PRODUCTS.**

10 *Section 7002(e)(4) of the Biologics Price Competition*
11 *and Innovation Act of 2009 (Public Law 111–148) is*
12 *amended—*

13 *(1) by striking “An approved application” and*
14 *inserting the following:*

15 *“(A) IN GENERAL.—An approved applica-*
16 *tion”;* and

17 *(2) by adding at the end the following:*

18 **“(B) TREATMENT OF CERTAIN APPLICA-**
19 **TIONS.—**

20 *“(i) IN GENERAL.—With respect to an*
21 *application for a biological product sub-*
22 *mitted under subsection (b) or (j) of section*
23 *505 of the Federal Food, Drug, and Cos-*
24 *metic Act (21 U.S.C. 355) that is filed not*
25 *later than March 23, 2019, and is not ap-*

1 *proved as of March 23, 2020, the Secretary*
2 *shall continue to review such application*
3 *under such section 505 after March 23,*
4 *2020.*

5 “(i) *EFFECT ON LISTED DRUGS.—*
6 *Only for purposes of carrying out clause (i),*
7 *with respect to any applicable listed drug*
8 *with respect to such application, the fol-*
9 *lowing shall apply:*

10 “(I) *Any drug that is a biological*
11 *product that has been deemed licensed*
12 *under section 351 of the Public Health*
13 *Service Act (42 U.S.C. 262) pursuant*
14 *to subparagraph (A) and that is ref-*
15 *erenced in an application described in*
16 *clause (i), shall continue to be identi-*
17 *fied as a listed drug on the list pub-*
18 *lished pursuant to section 505(j)(7) of*
19 *the Federal Food, Drug, and Cosmetic*
20 *Act, and the information for such drug*
21 *on such list shall not be revised after*
22 *March 20, 2020, until—*

23 “(aa) *such drug is removed*
24 *from such list in accordance with*

1 *subclause (III) or subparagraph*
2 *(C) of such section 505(j)(7); or*

3 *“(bb) this subparagraph no*
4 *longer has force or effect.*

5 *“(II) Any drug that is a biologi-*
6 *cal product that has been deemed li-*
7 *censed under section 351 of the Public*
8 *Health Service Act (42 U.S.C. 262)*
9 *pursuant to subparagraph (A) and*
10 *that is referenced in an application de-*
11 *scribed in clause (i) shall be subject*
12 *only to requirements applicable to bio-*
13 *logical products licensed under such*
14 *section.*

15 *“(III) Upon approval under sub-*
16 *section (c) or (j) of section 505 of the*
17 *Federal Food, Drug, and Cosmetic Act*
18 *of an application described in clause*
19 *(i), the Secretary shall remove from the*
20 *list published pursuant to section*
21 *505(j)(7) of the Federal Food, Drug,*
22 *and Cosmetic Act any listed drug that*
23 *is a biological product that has been*
24 *deemed licensed under section 351 of*
25 *the Public Health Service Act pursuant*

1 to subparagraph (A) and that is ref-
2 erenced in such approved application,
3 unless such listed drug is referenced in
4 one or more additional applications
5 described in clause (i).

6 “(iii) *DEEMED LICENSURE*.—Upon ap-
7 proval of an application described in clause
8 (i), such approved application shall be
9 deemed to be a license for the biological
10 product under section 351 of the Public
11 Health Service Act.

12 “(iv) *RULE OF CONSTRUCTION*.—

13 “(I) *APPLICATION OF CERTAIN*
14 *PROVISIONS*.—

15 “(aa) *PATENT CERTIFI-*
16 *CATION OR STATEMENT*.—An ap-
17 plication described in clause (i)
18 shall contain a patent certifi-
19 cation or statement described in,
20 as applicable, section 505(b)(2) of
21 the Federal Food, Drug, and Cos-
22 metic Act or clauses (vii) and
23 (viii) of section 505(j)(2)(A) of
24 such Act and, with respect to any
25 listed drug referenced in such ap-

1 *plication, comply with related re-*
2 *quirements concerning any timely*
3 *filed patent information listed*
4 *pursuant to section 505(j)(7) of*
5 *such Act.*

6 “(bb) *DATE OF APPROVAL.*—
7 *The earliest possible date on*
8 *which any pending application*
9 *described in clause (i) may be ap-*
10 *proved shall be determined based*
11 *on—*

12 “(AA) *the last expira-*
13 *tion date of any applicable*
14 *period of exclusivity that*
15 *would prevent such approval*
16 *and that is described in sec-*
17 *tion 505(c)(3)(E),*
18 *505(j)(5)(B)(iv),*
19 *505(j)(5)(F), 505A, 505E, or*
20 *527 of the Federal Food,*
21 *Drug, and Cosmetic Act; and*

22 “(BB) *if the application*
23 *was submitted pursuant to*
24 *section 505(b)(2) of the Fed-*
25 *eral Food, Drug, and Cos-*

1 *metic Act and references any*
2 *listed drug, the last applica-*
3 *ble date determined under*
4 *subparagraph (A), (B), or*
5 *(C) of section 505(c)(3) of*
6 *such Act, or, if the applica-*
7 *tion was submitted under*
8 *section 505(j) of such Act, the*
9 *last applicable date deter-*
10 *mined under clause (i), (ii),*
11 *or (iii) of section*
12 *505(j)(5)(B) of such Act.*

13 *“(II) EXCLUSIVITY.—Nothing in*
14 *this subparagraph shall be construed to*
15 *affect section 351(k)(7)(D) of the Pub-*
16 *lic Health Service Act.*

17 *“(v) LISTING.—The Secretary may*
18 *continue to review an application after*
19 *March 23, 2020, pursuant to clause (i), and*
20 *continue to identify any applicable listed*
21 *drug pursuant to clause (ii) on the list pub-*
22 *lished pursuant to section 505(j)(7) of the*
23 *Federal Food, Drug, and Cosmetic Act, even*
24 *if such review or listing may reveal the ex-*
25 *istence of such application and the identity*

1 of any listed drug for which the investiga-
2 tions described in section 505(b)(1)(A) of
3 the Federal Food, Drug, and Cosmetic Act
4 are relied upon by the applicant for ap-
5 proval of the pending application. Nothing
6 in this subparagraph shall be construed as
7 authorizing the Secretary to disclose any
8 other information that is a trade secret or
9 confidential information described in sec-
10 tion 552(b)(4) of title 5, United States
11 Code.

12 “(vi) SUNSET.—Beginning on October
13 1, 2022, this subparagraph shall have no
14 force or effect and any applications de-
15 scribed in clause (i) that have not been ap-
16 proved shall be deemed withdrawn.”.

17 **SEC. 608. REENROLLMENT OF CERTAIN INDIVIDUALS IN**
18 **QUALIFIED HEALTH PLANS IN CERTAIN EX-**
19 **CHANGES.**

20 Section 1311(c) of the Patient Protection and Afford-
21 able Care Act (42 U.S.C. 18031(c)) is amended by adding
22 the end the following new paragraph:

23 “(7) REENROLLMENT OF CERTAIN INDIVIDUALS
24 IN QUALIFIED HEALTH PLANS IN CERTAIN EX-
25 CHANGES.—

1 “(A) *IN GENERAL.*—*In the case of an Ex-*
2 *change that the Secretary operates pursuant to*
3 *section 1321(c)(1), the Secretary shall establish a*
4 *process under which an individual described in*
5 *subparagraph (B) is reenrolled for plan year*
6 *2021 in a qualified health plan offered through*
7 *such Exchange. Such qualified health plan under*
8 *which such individual is so reenrolled shall be—*

9 “(i) *if available for plan year 2021,*
10 *the qualified health plan under which such*
11 *individual is enrolled during the annual*
12 *open enrollment period for such plan year;*
13 *and*

14 “(ii) *if such qualified health plan is*
15 *not available for plan year 2021, a quali-*
16 *fied health plan offered through such Ex-*
17 *change determined appropriate by the Sec-*
18 *retary.*

19 “(B) *INDIVIDUAL DESCRIBED.*—*An indi-*
20 *vidual described in this subsection is an indi-*
21 *vidual who, with respect to plan year 2020—*

22 “(i) *resides in a State with an Ex-*
23 *change described in subparagraph (A);*

24 “(ii) *is enrolled in a qualified health*
25 *plan during such plan year and does not*

1 enroll in a qualified health plan for plan
2 year 2021 during the annual open enroll-
3 ment period for such plan year 2021; and
4 “(iii) does not elect to disenroll under
5 a qualified health plan for plan year 2021
6 during such annual open enrollment pe-
7 riod.”.

8 **SEC. 609. PROTECTION OF SILVER LOADING PRACTICE.**

9 With respect to plan year 2021, the Secretary of
10 Health and Human Services may not take any action to
11 prohibit or otherwise restrict the practice commonly known
12 as “silver loading” (as described in the rule entitled “Pa-
13 tient Protection and Affordable Care Act; HHS Notice of
14 Benefit and Payment Parameters for 2020” published on
15 April 25, 2019 (84 Fed. Reg. 17533)).

16 **SEC. 610. ACTIONS FOR DELAYS OF GENERIC DRUGS AND**
17 **BIOSIMILAR BIOLOGICAL PRODUCTS.**

18 (a) *DEFINITIONS.*—In this section—

19 (1) the term “commercially reasonable, market-
20 based terms” means—

21 (A) a nondiscriminatory price for the sale
22 of the covered product at or below, but not great-
23 er than, the most recent wholesale acquisition
24 cost for the drug, as defined in section

1 1847A(c)(6)(B) of the Social Security Act (42
2 U.S.C. 1395w–3a(c)(6)(B));

3 (B) a schedule for delivery that results in
4 the transfer of the covered product to the eligible
5 product developer consistent with the timing
6 under subsection (b)(2)(A)(iv); and

7 (C) no additional conditions are imposed
8 on the sale of the covered product;

9 (2) the term “covered product”—

10 (A) means—

11 (i) any drug approved under sub-
12 section (c) or (j) of section 505 of the Fed-
13 eral Food, Drug, and Cosmetic Act (21
14 U.S.C. 355) or biological product licensed
15 under subsection (a) or (k) of section 351 of
16 the Public Health Service Act (42 U.S.C.
17 262);

18 (ii) any combination of a drug or bio-
19 logical product described in clause (i); or

20 (iii) when reasonably necessary to sup-
21 port approval of an application under sec-
22 tion 505 of the Federal Food, Drug, and
23 Cosmetic Act (21 U.S.C. 355), or section
24 351 of the Public Health Service Act (42
25 U.S.C. 262), as applicable, or otherwise

1 *meet the requirements for approval under*
2 *either such section, any product, including*
3 *any device, that is marketed or intended for*
4 *use with such a drug or biological product;*
5 *and*

6 *(B) does not include any drug or biological*
7 *product that appears on the drug shortage list in*
8 *effect under section 506E of the Federal Food,*
9 *Drug, and Cosmetic Act (21 U.S.C. 356e), un-*
10 *less—*

11 *(i) the drug or biological product has*
12 *been on the drug shortage list in effect*
13 *under such section 506E continuously for*
14 *more than 6 months; or*

15 *(ii) the Secretary determines that in-*
16 *clusion of the drug or biological product as*
17 *a covered product is likely to contribute to*
18 *alleviating or preventing a shortage.*

19 *(3) the term “device” has the meaning given the*
20 *term in section 201 of the Federal Food, Drug, and*
21 *Cosmetic Act (21 U.S.C. 321);*

22 *(4) the term “eligible product developer” means*
23 *a person that seeks to develop a product for approval*
24 *pursuant to an application for approval under sub-*
25 *section (b)(2) or (j) of section 505 of the Federal*

1 *Food, Drug, and Cosmetic Act (21 U.S.C. 355) or for*
2 *licensing pursuant to an application under section*
3 *351(k) of the Public Health Service Act (42 U.S.C.*
4 *262(k));*

5 *(5) the term “license holder” means the holder of*
6 *an application approved under subsection (c) or (j) of*
7 *section 505 of the Federal Food, Drug, and Cosmetic*
8 *Act (21 U.S.C. 355) or the holder of a license under*
9 *subsection (a) or (k) of section 351 of the Public*
10 *Health Service Act (42 U.S.C. 262) for a covered*
11 *product;*

12 *(6) the term “REMS” means a risk evaluation*
13 *and mitigation strategy under section 505–1 of the*
14 *Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
15 *355–1);*

16 *(7) the term “REMS with ETASU” means a*
17 *REMS that contains elements to assure safe use under*
18 *section 505–1(f) of the Federal Food, Drug, and Cos-*
19 *metic Act (21 U.S.C. 355–1(f));*

20 *(8) the term “Secretary” means the Secretary of*
21 *Health and Human Services;*

22 *(9) the term “single, shared system of elements to*
23 *assure safe use” means a single, shared system of ele-*
24 *ments to assure safe use under section 505–1(f) of the*

1 *Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
2 *355–1(f)); and*

3 *(10) the term “sufficient quantities” means an*
4 *amount of a covered product that the eligible product*
5 *developer determines allows it to—*

6 *(A) conduct testing to support an applica-*
7 *tion under—*

8 *(i) subsection (b)(2) or (j) of section*
9 *505 of the Federal Food, Drug, and Cos-*
10 *metic Act (21 U.S.C. 355); or*

11 *(ii) section 351(k) of the Public Health*
12 *Service Act (42 U.S.C. 262(k)); and*

13 *(B) fulfill any regulatory requirements re-*
14 *lating to approval of such an application.*

15 *(b) CIVIL ACTION FOR FAILURE TO PROVIDE SUFFI-*
16 *CIENT QUANTITIES OF A COVERED PRODUCT.—*

17 *(1) IN GENERAL.—An eligible product developer*
18 *may bring a civil action against the license holder for*
19 *a covered product seeking relief under this subsection*
20 *in an appropriate district court of the United States*
21 *alleging that the license holder has declined to provide*
22 *sufficient quantities of the covered product to the eli-*
23 *gible product developer on commercially reasonable,*
24 *market-based terms.*

25 *(2) ELEMENTS.—*

1 (A) *IN GENERAL.*—*To prevail in a civil ac-*
2 *tion brought under paragraph (1), an eligible*
3 *product developer shall prove, by a preponder-*
4 *ance of the evidence—*

5 (i) *that—*

6 (I) *the covered product is not sub-*
7 *ject to a REMS with ETASU; or*

8 (II) *if the covered product is sub-*
9 *ject to a REMS with ETASU—*

10 (aa) *the eligible product de-*
11 *veloper has obtained a covered*
12 *product authorization from the*
13 *Secretary in accordance with sub-*
14 *paragraph (B); and*

15 (bb) *the eligible product de-*
16 *veloper has provided a copy of the*
17 *covered product authorization to*
18 *the license holder;*

19 (ii) *that, as of the date on which the*
20 *civil action is filed, the eligible product de-*
21 *veloper has not obtained sufficient quan-*
22 *tities of the covered product on commer-*
23 *cially reasonable, market-based terms;*

24 (iii) *that the eligible product developer*
25 *has submitted a written request to purchase*

1 *sufficient quantities of the covered product*
2 *to the license holder, and such request—*

3 *(I) was sent to a named corporate*
4 *officer of the license holder;*

5 *(II) was made by certified or reg-*
6 *istered mail with return receipt re-*
7 *quested;*

8 *(III) specified an individual as*
9 *the point of contact for the license*
10 *holder to direct communications re-*
11 *lated to the sale of the covered product*
12 *to the eligible product developer and a*
13 *means for electronic and written com-*
14 *munications with that individual; and*

15 *(IV) specified an address to which*
16 *the covered product was to be shipped*
17 *upon reaching an agreement to trans-*
18 *fer the covered product; and*

19 *(iv) that the license holder has not de-*
20 *livered to the eligible product developer suf-*
21 *ficient quantities of the covered product on*
22 *commercially reasonable, market-based*
23 *terms—*

24 *(I) for a covered product that is*
25 *not subject to a REMS with ETASU,*

1 *by the date that is 31 days after the*
2 *date on which the license holder re-*
3 *ceived the request for the covered prod-*
4 *uct; and*

5 *(II) for a covered product that is*
6 *subject to a REMS with ETASU, by*
7 *31 days after the later of—*

8 *(aa) the date on which the li-*
9 *cence holder received the request*
10 *for the covered product; or*

11 *(bb) the date on which the li-*
12 *cence holder received a copy of the*
13 *covered product authorization*
14 *issued by the Secretary in accord-*
15 *ance with subparagraph (B).*

16 *(B) AUTHORIZATION FOR COVERED PROD-*
17 *UCT SUBJECT TO A REMS WITH ETASU.—*

18 *(i) REQUEST.—An eligible product de-*
19 *veloper may submit to the Secretary a writ-*
20 *ten request for the eligible product developer*
21 *to be authorized to obtain sufficient quan-*
22 *tities of an individual covered product sub-*
23 *ject to a REMS with ETASU.*

24 *(ii) AUTHORIZATION.—Not later than*
25 *120 days after the date on which a request*

1 under clause (i) is received, the Secretary
2 shall, by written notice, authorize the eligi-
3 ble product developer to obtain sufficient
4 quantities of an individual covered product
5 subject to a REMS with ETASU for pur-
6 poses of—

7 (I) development and testing that
8 does not involve human clinical trials,
9 if the eligible product developer has
10 agreed to comply with any conditions
11 the Secretary determines necessary; or

12 (II) development and testing that
13 involves human clinical trials, if the
14 eligible product developer has—

15 (aa)(AA) submitted protocols,
16 informed consent documents, and
17 informational materials for test-
18 ing that include protections that
19 provide safety protections com-
20 parable to those provided by the
21 REMS for the covered product; or

22 (BB) otherwise satisfied the
23 Secretary that such protections
24 will be provided; and

1 *(bb) met any other require-*
2 *ments the Secretary may estab-*
3 *lish.*

4 *(iii) NOTICE.—A covered product au-*
5 *thorization issued under this subparagraph*
6 *shall state that the provision of the covered*
7 *product by the license holder under the*
8 *terms of the authorization will not be a vio-*
9 *lation of the REMS for the covered product.*

10 *(3) AFFIRMATIVE DEFENSE.—In a civil action*
11 *brought under paragraph (1), it shall be an affirma-*
12 *tive defense, on which the defendant has the burden*
13 *of persuasion by a preponderance of the evidence—*

14 *(A) that, on the date on which the eligible*
15 *product developer requested to purchase sufficient*
16 *quantities of the covered product from the license*
17 *holder—*

18 *(i) neither the license holder nor any of*
19 *its agents, wholesalers, or distributors was*
20 *engaged in the manufacturing or commer-*
21 *cial marketing of the covered product; and*

22 *(ii) neither the license holder nor any*
23 *of its agents, wholesalers, or distributors*
24 *otherwise had access to inventory of the cov-*
25 *ered product to supply to the eligible prod-*

1 *uct developer on commercially reasonable,*
2 *market-based terms;*

3 *(B) that—*

4 *(i) the license holder sells the covered*
5 *product through agents, distributors, or*
6 *wholesalers;*

7 *(ii) the license holder has placed no re-*
8 *strictions, explicit or implicit, on its agents,*
9 *distributors, or wholesalers to sell covered*
10 *products to eligible product developers; and*

11 *(iii) the covered product can be pur-*
12 *chased by the eligible product developer in*
13 *sufficient quantities on commercially rea-*
14 *sonable, market-based terms from the*
15 *agents, distributors, or wholesalers of the li-*
16 *cence holder; or*

17 *(C) that the license holder made an offer to*
18 *the individual specified pursuant to paragraph*
19 *(2)(A)(iii)(III), by a means of communication*
20 *(electronic, written, or both) specified pursuant*
21 *to such paragraph, to sell sufficient quantities of*
22 *the covered product to the eligible product devel-*
23 *oper at commercially reasonable market-based*
24 *terms—*

1 (i) for a covered product that is not
2 subject to a REMS with ETASU, by the
3 date that is 14 days after the date on which
4 the license holder received the request for the
5 covered product, and the eligible product de-
6 veloper did not accept such offer by the date
7 that is 7 days after the date on which the
8 eligible product developer received such offer
9 from the license holder; or

10 (ii) for a covered product that is sub-
11 ject to a REMS with ETASU, by the date
12 that is 20 days after the date on which the
13 license holder received the request for the
14 covered product, and the eligible product de-
15 veloper did not accept such offer by the date
16 that is 10 days after the date on which the
17 eligible product developer received such offer
18 from the license holder.

19 (4) REMEDIES.—

20 (A) IN GENERAL.—If an eligible product de-
21 veloper prevails in a civil action brought under
22 paragraph (1), the court shall—

23 (i) order the license holder to provide
24 to the eligible product developer without
25 delay sufficient quantities of the covered

1 *product on commercially reasonable, mar-*
2 *ket-based terms;*

3 *(ii) award to the eligible product devel-*
4 *oper reasonable attorney's fees and costs of*
5 *the civil action; and*

6 *(iii) award to the eligible product de-*
7 *veloper a monetary amount sufficient to*
8 *deter the license holder from failing to pro-*
9 *vide eligible product developers with suffi-*
10 *cient quantities of a covered product on*
11 *commercially reasonable, market-based*
12 *terms, if the court finds, by a preponder-*
13 *ance of the evidence—*

14 *(I) that the license holder delayed*
15 *providing sufficient quantities of the*
16 *covered product to the eligible product*
17 *developer without a legitimate business*
18 *justification; or*

19 *(II) that the license holder failed*
20 *to comply with an order issued under*
21 *clause (i).*

22 *(B) MAXIMUM MONETARY AMOUNT.—A*
23 *monetary amount awarded under subparagraph*
24 *(A)(iii) shall not be greater than the revenue that*

1 *the license holder earned on the covered product*
2 *during the period—*

3 *(i) beginning on—*

4 *(I) for a covered product that is*
5 *not subject to a REMS with ETASU,*
6 *the date that is 31 days after the date*
7 *on which the license holder received the*
8 *request; or*

9 *(II) for a covered product that is*
10 *subject to a REMS with ETASU, the*
11 *date that is 31 days after the later of—*

12 *(aa) the date on which the li-*
13 *cence holder received the request;*
14 *or*

15 *(bb) the date on which the li-*
16 *cence holder received a copy of the*
17 *covered product authorization*
18 *issued by the Secretary in accord-*
19 *ance with paragraph (2)(B); and*

20 *(ii) ending on the date on which the el-*
21 *igible product developer received sufficient*
22 *quantities of the covered product.*

23 *(C) AVOIDANCE OF DELAY.—The court may*
24 *issue an order under subparagraph (A)(i) before*
25 *conducting further proceedings that may be nec-*

1 *essary to determine whether the eligible product*
2 *developer is entitled to an award under clause*
3 *(ii) or (iii) of subparagraph (A), or the amount*
4 *of any such award.*

5 *(c) LIMITATION OF LIABILITY.—A license holder for a*
6 *covered product shall not be liable for any claim under Fed-*
7 *eral, State, or local law arising out of the failure of an*
8 *eligible product developer to follow adequate safeguards to*
9 *assure safe use of the covered product during development*
10 *or testing activities described in this section, including*
11 *transportation, handling, use, or disposal of the covered*
12 *product by the eligible product developer.*

13 *(d) NO VIOLATION OF REMS.—Section 505–1 of the*
14 *Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1)*
15 *is amended by adding at the end the following new sub-*
16 *section:*

17 *“(l) PROVISION OF SAMPLES NOT A VIOLATION OF*
18 *STRATEGY.—The provision of samples of a covered product*
19 *to an eligible product developer (as those terms are defined*
20 *in section 610(a) of division N of the Further Consolidated*
21 *Appropriations Act, 2020) shall not be considered a viola-*
22 *tion of the requirements of any risk evaluation and mitiga-*
23 *tion strategy that may be in place under this section for*
24 *such drug.”.*

25 *(e) RULE OF CONSTRUCTION.—*

1 (1) *DEFINITION.*—*In this subsection, the term*
2 *“antitrust laws”*—

3 (A) *has the meaning given the term in sub-*
4 *section (a) of the first section of the Clayton Act*
5 *(15 U.S.C. 12); and*

6 (B) *includes section 5 of the Federal Trade*
7 *Commission Act (15 U.S.C. 45) to the extent that*
8 *such section applies to unfair methods of com-*
9 *petition.*

10 (2) *ANTITRUST LAWS.*—*Nothing in this section*
11 *shall be construed to limit the operation of any provi-*
12 *sion of the antitrust laws.*

13 (f) *REMS APPROVAL PROCESS FOR SUBSEQUENT FIL-*
14 *ERS.*—*Section 505–1 of the Federal Food, Drug, and Cos-*
15 *metic Act (21 U.S.C. 355–1), as amended by subsection (d),*
16 *is further amended—*

17 (1) *in subsection (g)(4)(B)—*

18 (A) *in clause (i) by striking “or” after the*
19 *semicolon;*

20 (B) *in clause (ii) by striking the period at*
21 *the end and inserting “; or”; and*

22 (C) *by adding at the end the following:*

23 “*(iii) accommodate different, com-*
24 *parable aspects of the elements to assure*
25 *safe use for a drug that is the subject of an*

1 application under section 505(j), and the
2 applicable listed drug.”;

3 (2) in subsection (i)(1), by striking subpara-
4 graph (C) and inserting the following:

5 “(C)(i) Elements to assure safe use, if re-
6 quired under subsection (f) for the listed drug,
7 which, subject to clause (ii), for a drug that is
8 the subject of an application under section 505(j)
9 may use—

10 “(I) a single, shared system with the
11 listed drug under subsection (f); or

12 “(II) a different, comparable aspect of
13 the elements to assure safe use under sub-
14 section (f).

15 “(ii) The Secretary may require a drug that
16 is the subject of an application under section
17 505(j) and the listed drug to use a single, shared
18 system under subsection (f), if the Secretary de-
19 termines that no different, comparable aspect of
20 the elements to assure safe use could satisfy the
21 requirements of subsection (f).”;

22 (3) in subsection (i), by adding at the end the
23 following:

24 “(3) SHARED REMS.—If the Secretary approves,
25 in accordance with paragraph (1)(C)(i)(II), a dif-

1 *ferent, comparable aspect of the elements to assure*
2 *safe use under subsection (f) for a drug that is the*
3 *subject of an abbreviated new drug application under*
4 *section 505(j), the Secretary may require that such*
5 *different comparable aspect of the elements to assure*
6 *safe use can be used with respect to any other drug*
7 *that is the subject of an application under section*
8 *505(j) or 505(b) that references the same listed drug.”;*
9 *and*

10 (4) *by adding at the end the following:*

11 “(m) *SEPARATE REMS.*—*When used in this section,*
12 *the term ‘different, comparable aspect of the elements to as-*
13 *sure safe use’ means a risk evaluation and mitigation strat-*
14 *egy for a drug that is the subject of an application under*
15 *section 505(j) that uses different methods or operational*
16 *means than the strategy required under subsection (a) for*
17 *the applicable listed drug, or other application under sec-*
18 *tion 505(j) with the same such listed drug, but achieves the*
19 *same level of safety as such strategy.”.*

20 (g) *RULE OF CONSTRUCTION.*—*Nothing in this section,*
21 *the amendments made by this section, or in section 505–*
22 *1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
23 *355–1), shall be construed as—*

24 (1) *prohibiting a license holder from providing*
25 *an eligible product developer access to a covered prod-*

1 *uct in the absence of an authorization under this sec-*
 2 *tion; or*

3 *(2) in any way negating the applicability of a*
 4 *REMS with ETASU, as otherwise required under*
 5 *such section 505–1, with respect to such covered prod-*
 6 *uct.*

7 ***DIVISION O—SETTING EVERY***
 8 ***COMMUNITY UP FOR RETIRE-***
 9 ***MENT ENHANCEMENT***

10 ***SEC. 1. SHORT TITLE, ETC.***

11 *(a) SHORT TITLE.—This Act may be cited as the “Set-*
 12 *ting Every Community Up for Retirement Enhancement*
 13 *Act of 2019”.*

14 *(b) TABLE OF CONTENTS.—The table of contents of this*
 15 *Act is as follows:*

Sec. 1. Short title, etc.

TITLE I—EXPANDING AND PRESERVING RETIREMENT SAVINGS

Sec. 101. Multiple employer plans; pooled employer plans.

*Sec. 102. Increase in 10 percent cap for automatic enrollment safe harbor after
 1st plan year.*

Sec. 103. Rules relating to election of safe harbor 401(k) status.

*Sec. 104. Increase in credit limitation for small employer pension plan startup
 costs.*

Sec. 105. Small employer automatic enrollment credit.

*Sec. 106. Certain taxable non-tuition fellowship and stipend payments treated as
 compensation for IRA purposes.*

Sec. 107. Repeal of maximum age for traditional IRA contributions.

*Sec. 108. Qualified employer plans prohibited from making loans through credit
 cards and other similar arrangements.*

Sec. 109. Portability of lifetime income options.

Sec. 110. Treatment of custodial accounts on termination of section 403(b) plans.

*Sec. 111. Clarification of retirement income account rules relating to church-con-
 trolled organizations.*

*Sec. 112. Qualified cash or deferred arrangements must allow long-term employ-
 ees working more than 500 but less than 1,000 hours per year
 to participate.*

- Sec. 113. Penalty-free withdrawals from retirement plans for individuals in case of birth of child or adoption.*
- Sec. 114. Increase in age for required beginning date for mandatory distributions.*
- Sec. 115. Special rules for minimum funding standards for community newspaper plans.*
- Sec. 116. Treating excluded difficulty of care payments as compensation for determining retirement contribution limitations.*

TITLE II—ADMINISTRATIVE IMPROVEMENTS

- Sec. 201. Plan adopted by filing due date for year may be treated as in effect as of close of year.*
- Sec. 202. Combined annual report for group of plans.*
- Sec. 203. Disclosure regarding lifetime income.*
- Sec. 204. Fiduciary safe harbor for selection of lifetime income provider.*
- Sec. 205. Modification of nondiscrimination rules to protect older, longer service participants.*
- Sec. 206. Modification of PBGC premiums for CSEC plans.*

TITLE III—OTHER BENEFITS

- Sec. 301. Benefits provided to volunteer firefighters and emergency medical responders.*
- Sec. 302. Expansion of section 529 plans.*

TITLE IV—REVENUE PROVISIONS

- Sec. 401. Modification of required distribution rules for designated beneficiaries.*
- Sec. 402. Increase in penalty for failure to file.*
- Sec. 403. Increased penalties for failure to file retirement plan returns.*
- Sec. 404. Increase information sharing to administer excise taxes.*

TITLE V—TAX RELIEF FOR CERTAIN CHILDREN

- Sec. 501. Modification of rules relating to the taxation of unearned income of certain children.*

TITLE VI—ADMINISTRATIVE PROVISIONS

- Sec. 601. Provisions relating to plan amendments.*

1 **TITLE I—EXPANDING AND PRE-**
 2 **SERVING RETIREMENT SAV-**
 3 **INGS**

4 **SEC. 101. MULTIPLE EMPLOYER PLANS; POOLED EMPLOYER**
 5 **PLANS.**

6 (a) **QUALIFICATION REQUIREMENTS.—**

1 (1) *IN GENERAL.*—Section 413 of the Internal
2 Revenue Code of 1986 is amended by adding at the
3 end the following new subsection:

4 “(e) *APPLICATION OF QUALIFICATION REQUIREMENTS*
5 *FOR CERTAIN MULTIPLE EMPLOYER PLANS WITH POOLED*
6 *PLAN PROVIDERS.*—

7 “(1) *IN GENERAL.*—Except as provided in para-
8 graph (2), if a defined contribution plan to which
9 subsection (c) applies—

10 “(A) is maintained by employers which
11 have a common interest other than having adopt-
12 ed the plan, or

13 “(B) in the case of a plan not described in
14 subparagraph (A), has a pooled plan provider,
15 then the plan shall not be treated as failing to meet
16 the requirements under this title applicable to a plan
17 described in section 401(a) or to a plan that consists
18 of individual retirement accounts described in section
19 408 (including by reason of subsection (c) thereof),
20 whichever is applicable, merely because one or more
21 employers of employees covered by the plan fail to
22 take such actions as are required of such employers
23 for the plan to meet such requirements.

24 “(2) *LIMITATIONS.*—

1 “(A) *IN GENERAL.*—Paragraph (1) shall
2 *not apply to any plan unless the terms of the*
3 *plan provide that in the case of any employer in*
4 *the plan failing to take the actions described in*
5 *paragraph (1)—*

6 “(i) *the assets of the plan attributable*
7 *to employees of such employer (or bene-*
8 *ficiaries of such employees) will be trans-*
9 *ferred to a plan maintained only by such*
10 *employer (or its successor), to an eligible re-*
11 *tirement plan as defined in section*
12 *402(c)(8)(B) for each individual whose ac-*
13 *count is transferred, or to any other ar-*
14 *rangement that the Secretary determines is*
15 *appropriate, unless the Secretary deter-*
16 *mines it is in the best interests of the em-*
17 *ployees of such employer (and the bene-*
18 *ficiaries of such employees) to retain the as-*
19 *sets in the plan, and*

20 “(ii) *such employer (and not the plan*
21 *with respect to which the failure occurred or*
22 *any other employer in such plan) shall, ex-*
23 *cept to the extent provided by the Secretary,*
24 *be liable for any liabilities with respect to*
25 *such plan attributable to employees of such*

1 *employer (or beneficiaries of such employ-*
2 *ees).*

3 “(B) *FAILURES BY POOLED PLAN PRO-*
4 *VIDERS.—If the pooled plan provider of a plan*
5 *described in paragraph (1)(B) does not perform*
6 *substantially all of the administrative duties*
7 *which are required of the provider under para-*
8 *graph (3)(A)(i) for any plan year, the Secretary*
9 *may provide that the determination as to wheth-*
10 *er the plan meets the requirements under this*
11 *title applicable to a plan described in section*
12 *401(a) or to a plan that consists of individual*
13 *retirement accounts described in section 408 (in-*
14 *cluding by reason of subsection (c) thereof),*
15 *whichever is applicable, shall be made in the*
16 *same manner as would be made without regard*
17 *to paragraph (1).*

18 “(3) *POOLED PLAN PROVIDER.—*

19 “(A) *IN GENERAL.—For purposes of this*
20 *subsection, the term ‘pooled plan provider’*
21 *means, with respect to any plan, a person who—*

22 “(i) *is designated by the terms of the*
23 *plan as a named fiduciary (within the*
24 *meaning of section 402(a)(2) of the Em-*
25 *ployee Retirement Income Security Act of*

1 1974), as the plan administrator, and as
2 the person responsible to perform all admin-
3 istrative duties (including conducting prop-
4 er testing with respect to the plan and the
5 employees of each employer in the plan)
6 which are reasonably necessary to ensure
7 that—

8 “(I) the plan meets any require-
9 ment applicable under the *Employee*
10 *Retirement Income Security Act of*
11 1974 or this title to a plan described in
12 section 401(a) or to a plan that con-
13 sists of individual retirement accounts
14 described in section 408 (including by
15 reason of subsection (c) thereof), which-
16 ever is applicable, and

17 “(II) each employer in the plan
18 takes such actions as the Secretary or
19 such person determines are necessary
20 for the plan to meet the requirements
21 described in subclause (I), including
22 providing to such person any disclo-
23 sures or other information which the
24 Secretary may require or which such
25 person otherwise determines are nec-

1 *essary to administer the plan or to*
2 *allow the plan to meet such require-*
3 *ments,*

4 *“(ii) registers as a pooled plan pro-*
5 *vider with the Secretary, and provides such*
6 *other information to the Secretary as the*
7 *Secretary may require, before beginning op-*
8 *erations as a pooled plan provider,*

9 *“(iii) acknowledges in writing that*
10 *such person is a named fiduciary (within*
11 *the meaning of section 402(a)(2) of the Em-*
12 *ployee Retirement Income Security Act of*
13 *1974), and the plan administrator, with re-*
14 *spect to the plan, and*

15 *“(iv) is responsible for ensuring that*
16 *all persons who handle assets of, or who are*
17 *fiduciaries of, the plan are bonded in ac-*
18 *cordance with section 412 of the Employee*
19 *Retirement Income Security Act of 1974.*

20 *“(B) AUDITS, EXAMINATIONS AND INVES-*
21 *TIGATIONS.—The Secretary may perform audits,*
22 *examinations, and investigations of pooled plan*
23 *providers as may be necessary to enforce and*
24 *carry out the purposes of this subsection.*

1 “(C) *AGGREGATION RULES.*—*For purposes*
2 *of this paragraph, in determining whether a per-*
3 *son meets the requirements of this paragraph to*
4 *be a pooled plan provider with respect to any*
5 *plan, all persons who perform services for the*
6 *plan and who are treated as a single employer*
7 *under subsection (b), (c), (m), or (o) of section*
8 *414 shall be treated as one person.*

9 “(D) *TREATMENT OF EMPLOYERS AS PLAN*
10 *SPONSORS.*—*Except with respect to the adminis-*
11 *trative duties of the pooled plan provider de-*
12 *scribed in subparagraph (A)(i), each employer in*
13 *a plan which has a pooled plan provider shall*
14 *be treated as the plan sponsor with respect to the*
15 *portion of the plan attributable to employees of*
16 *such employer (or beneficiaries of such employ-*
17 *ees).*

18 “(4) *GUIDANCE.*—

19 “(A) *IN GENERAL.*—*The Secretary shall*
20 *issue such guidance as the Secretary determines*
21 *appropriate to carry out this subsection, includ-*
22 *ing guidance—*

23 “(i) *to identify the administrative du-*
24 *ties and other actions required to be per-*

1 formed by a pooled plan provider under this
2 subsection,

3 “(ii) which describes the procedures to
4 be taken to terminate a plan which fails to
5 meet the requirements to be a plan described
6 in paragraph (1), including the proper
7 treatment of, and actions needed to be taken
8 by, any employer in the plan and the assets
9 and liabilities of the plan attributable to
10 employees of such employer (or beneficiaries
11 of such employees), and

12 “(iii) identifying appropriate cases to
13 which the rules of paragraph (2)(A) will
14 apply to employers in the plan failing to
15 take the actions described in paragraph (1).

16 The Secretary shall take into account under
17 clause (iii) whether the failure of an employer or
18 pooled plan provider to provide any disclosures
19 or other information, or to take any other action,
20 necessary to administer a plan or to allow a
21 plan to meet requirements applicable to the plan
22 under section 401(a) or 408, whichever is appli-
23 cable, has continued over a period of time that
24 demonstrates a lack of commitment to compli-
25 ance.

1 “(B) *GOOD FAITH COMPLIANCE WITH LAW*
2 *BEFORE GUIDANCE.*—An employer or pooled
3 plan provider shall not be treated as failing to
4 meet a requirement of guidance issued by the
5 Secretary under this paragraph if, before the
6 issuance of such guidance, the employer or pooled
7 plan provider complies in good faith with a rea-
8 sonable interpretation of the provisions of this
9 subsection to which such guidance relates.

10 “(5) *MODEL PLAN.*—The Secretary shall publish
11 model plan language which meets the requirements of
12 this subsection and of paragraphs (43) and (44) of
13 section 3 of the *Employee Retirement Income Security*
14 *Act of 1974* and which may be adopted in order for
15 a plan to be treated as a plan described in paragraph
16 (1)(B).”.

17 (2) *CONFORMING AMENDMENT.*—Section
18 413(c)(2) of such Code is amended by striking “sec-
19 tion 401(a)” and inserting “sections 401(a) and
20 408(c)”.

21 (3) *TECHNICAL AMENDMENT.*—Section 408(c) of
22 such Code is amended by inserting after paragraph
23 (2) the following new paragraph:

1 “(3) *There is a separate accounting for any in-*
 2 *terest of an employee or member (or spouse of an em-*
 3 *ployee or member) in a Roth IRA.*”.

4 **(b) NO COMMON INTEREST REQUIRED FOR POOLED**
 5 **EMPLOYER PLANS.**—*Section 3(2) of the Employee Retire-*
 6 *ment Income Security Act of 1974 (29 U.S.C. 1002(2)) is*
 7 *amended by adding at the end the following:*

8 “(C) *A pooled employer plan shall be treat-*
 9 *ed as—*

10 “(i) *a single employee pension benefit*
 11 *plan or single pension plan; and*

12 “(ii) *a plan to which section 210(a)*
 13 *applies.*”.

14 **(c) POOLED EMPLOYER PLAN AND PROVIDER DE-**
 15 **FINED.**—

16 **(1) IN GENERAL.**—*Section 3 of the Employee Re-*
 17 *tirement Income Security Act of 1974 (29 U.S.C.*
 18 *1002) is amended by adding at the end the following:*

19 “(43) **POOLED EMPLOYER PLAN.**—

20 “(A) **IN GENERAL.**—*The term ‘pooled em-*
 21 *ployer plan’ means a plan—*

22 “(i) *which is an individual account*
 23 *plan established or maintained for the pur-*
 24 *pose of providing benefits to the employees*
 25 *of 2 or more employers;*

1 “(ii) which is a plan described in sec-
2 tion 401(a) of the Internal Revenue Code of
3 1986 which includes a trust exempt from
4 tax under section 501(a) of such Code or a
5 plan that consists of individual retirement
6 accounts described in section 408 of such
7 Code (including by reason of subsection (c)
8 thereof); and

9 “(iii) the terms of which meet the re-
10 quirements of subparagraph (B).

11 *Such term shall not include a plan maintained*
12 *by employers which have a common interest*
13 *other than having adopted the plan.*

14 “(B) *REQUIREMENTS FOR PLAN TERMS.—*
15 *The requirements of this subparagraph are met*
16 *with respect to any plan if the terms of the*
17 *plan—*

18 “(i) *designate a pooled plan provider*
19 *and provide that the pooled plan provider is*
20 *a named fiduciary of the plan;*

21 “(ii) *designate one or more trustees*
22 *meeting the requirements of section*
23 *408(a)(2) of the Internal Revenue Code of*
24 *1986 (other than an employer in the plan)*
25 *to be responsible for collecting contributions*

1 to, and holding the assets of, the plan and
2 require such trustees to implement written
3 contribution collection procedures that are
4 reasonable, diligent, and systematic;

5 “(iii) provide that each employer in
6 the plan retains fiduciary responsibility
7 for—

8 “(I) the selection and monitoring
9 in accordance with section 404(a) of
10 the person designated as the pooled
11 plan provider and any other person
12 who, in addition to the pooled plan
13 provider, is designated as a named fi-
14 duciary of the plan; and

15 “(II) to the extent not otherwise
16 delegated to another fiduciary by the
17 pooled plan provider and subject to the
18 provisions of section 404(c), the invest-
19 ment and management of the portion
20 of the plan’s assets attributable to the
21 employees of the employer (or bene-
22 ficiaries of such employees);

23 “(iv) provide that employers in the
24 plan, and participants and beneficiaries,
25 are not subject to unreasonable restrictions,

1 *fees, or penalties with regard to ceasing*
2 *participation, receipt of distributions, or*
3 *otherwise transferring assets of the plan in*
4 *accordance with section 208 or paragraph*
5 *(44)(C)(i)(II);*

6 “(v) require—

7 “(I) the pooled plan provider to
8 provide to employers in the plan any
9 disclosures or other information which
10 the Secretary may require, including
11 any disclosures or other information to
12 facilitate the selection or any moni-
13 toring of the pooled plan provider by
14 employers in the plan; and

15 “(II) each employer in the plan to
16 take such actions as the Secretary or
17 the pooled plan provider determines
18 are necessary to administer the plan or
19 for the plan to meet any requirement
20 applicable under this Act or the Inter-
21 nal Revenue Code of 1986 to a plan de-
22 scribed in section 401(a) of such Code
23 or to a plan that consists of individual
24 retirement accounts described in sec-
25 tion 408 of such Code (including by

1 *reason of subsection (c) thereof), which-*
2 *ever is applicable, including providing*
3 *any disclosures or other information*
4 *which the Secretary may require or*
5 *which the pooled plan provider other-*
6 *wise determines are necessary to ad-*
7 *minister the plan or to allow the plan*
8 *to meet such requirements; and*

9 *“(vi) provide that any disclosure or*
10 *other information required to be provided*
11 *under clause (v) may be provided in elec-*
12 *tronic form and will be designed to ensure*
13 *only reasonable costs are imposed on pooled*
14 *plan providers and employers in the plan.*

15 “(C) *EXCEPTIONS.—The term ‘pooled em-*
16 *ployer plan’ does not include—*

17 “(i) *a multiemployer plan; or*

18 “(ii) *a plan established before the date*
19 *of the enactment of the Setting Every Com-*
20 *munity Up for Retirement Enhancement*
21 *Act of 2019 unless the plan administrator*
22 *elects that the plan will be treated as a*
23 *pooled employer plan and the plan meets*
24 *the requirements of this title applicable to a*

1 *pooled employer plan established on or after*
2 *such date.*

3 “(D) *TREATMENT OF EMPLOYERS AS PLAN*
4 *SPONSORS.—Except with respect to the adminis-*
5 *trative duties of the pooled plan provider de-*
6 *scribed in paragraph (44)(A)(i), each employer*
7 *in a pooled employer plan shall be treated as the*
8 *plan sponsor with respect to the portion of the*
9 *plan attributable to employees of such employer*
10 *(or beneficiaries of such employees).*

11 “(44) *POOLED PLAN PROVIDER.—*

12 “(A) *IN GENERAL.—The term ‘pooled plan*
13 *provider’ means a person who—*

14 “(i) *is designated by the terms of a*
15 *pooled employer plan as a named fiduciary,*
16 *as the plan administrator, and as the per-*
17 *son responsible for the performance of all*
18 *administrative duties (including conducting*
19 *proper testing with respect to the plan and*
20 *the employees of each employer in the plan)*
21 *which are reasonably necessary to ensure*
22 *that—*

23 “(I) *the plan meets any require-*
24 *ment applicable under this Act or the*
25 *Internal Revenue Code of 1986 to a*

1 *plan described in section 401(a) of*
2 *such Code or to a plan that consists of*
3 *individual retirement accounts de-*
4 *scribed in section 408 of such Code (in-*
5 *cluding by reason of subsection (c)*
6 *thereof), whichever is applicable; and*

7 *“(II) each employer in the plan*
8 *takes such actions as the Secretary or*
9 *pooled plan provider determines are*
10 *necessary for the plan to meet the re-*
11 *quirements described in subclause (I),*
12 *including providing the disclosures and*
13 *information described in paragraph*
14 *(43)(B)(v)(II);*

15 *“(ii) registers as a pooled plan pro-*
16 *vider with the Secretary, and provides to*
17 *the Secretary such other information as the*
18 *Secretary may require, before beginning op-*
19 *erations as a pooled plan provider;*

20 *“(iii) acknowledges in writing that*
21 *such person is a named fiduciary, and the*
22 *plan administrator, with respect to the*
23 *pooled employer plan; and*

24 *“(iv) is responsible for ensuring that*
25 *all persons who handle assets of, or who are*

1 *fiduciaries of, the pooled employer plan are*
2 *bonded in accordance with section 412.*

3 “(B) *AUDITS, EXAMINATIONS AND INVESTIGATIONS.*—*The Secretary may perform audits,*
4 *examinations, and investigations of pooled plan*
5 *providers as may be necessary to enforce and*
6 *carry out the purposes of this paragraph and*
7 *paragraph (43).*

8 “(C) *GUIDANCE.*—*The Secretary shall issue*
9 *such guidance as the Secretary determines ap-*
10 *propriate to carry out this paragraph and para-*
11 *graph (43), including guidance—*

12 “(i) *to identify the administrative du-*
13 *ties and other actions required to be per-*
14 *formed by a pooled plan provider under ei-*
15 *ther such paragraph; and*

16 “(ii) *which requires in appropriate*
17 *cases that if an employer in the plan fails*
18 *to take the actions required under subpara-*
19 *graph (A)(i)(II)—*

20 “(I) *the assets of the plan attrib-*
21 *utable to employees of such employer*
22 *(or beneficiaries of such employees) are*
23 *transferred to a plan maintained only*
24 *by such employer (or its successor), to*
25

1 *an eligible retirement plan as defined*
2 *in section 402(c)(8)(B) of the Internal*
3 *Revenue Code of 1986 for each indi-*
4 *vidual whose account is transferred, or*
5 *to any other arrangement that the Sec-*
6 *retary determines is appropriate in*
7 *such guidance; and*

8 *“(II) such employer (and not the*
9 *plan with respect to which the failure*
10 *occurred or any other employer in such*
11 *plan) shall, except to the extent pro-*
12 *vided in such guidance, be liable for*
13 *any liabilities with respect to such*
14 *plan attributable to employees of such*
15 *employer (or beneficiaries of such em-*
16 *ployees).*

17 *The Secretary shall take into account under*
18 *clause (ii) whether the failure of an em-*
19 *ployer or pooled plan provider to provide*
20 *any disclosures or other information, or to*
21 *take any other action, necessary to admin-*
22 *ister a plan or to allow a plan to meet re-*
23 *quirements described in subparagraph*
24 *(A)(i)(II) has continued over a period of*
25 *time that demonstrates a lack of commit-*

1 *ment to compliance. The Secretary may*
2 *waive the requirements of subclause (ii)(I)*
3 *in appropriate circumstances if the Sec-*
4 *retary determines it is in the best interests*
5 *of the employees of the employer referred to*
6 *in such clause (and the beneficiaries of such*
7 *employees) to retain the assets in the plan*
8 *with respect to which the employer's failure*
9 *occurred.*

10 “(D) *GOOD FAITH COMPLIANCE WITH LAW*
11 *BEFORE GUIDANCE.—An employer or pooled*
12 *plan provider shall not be treated as failing to*
13 *meet a requirement of guidance issued by the*
14 *Secretary under subparagraph (C) if, before the*
15 *issuance of such guidance, the employer or pooled*
16 *plan provider complies in good faith with a rea-*
17 *sonable interpretation of the provisions of this*
18 *paragraph, or paragraph (43), to which such*
19 *guidance relates.*

20 “(E) *AGGREGATION RULES.—For purposes*
21 *of this paragraph, in determining whether a per-*
22 *son meets the requirements of this paragraph to*
23 *be a pooled plan provider with respect to any*
24 *plan, all persons who perform services for the*
25 *plan and who are treated as a single employer*

1 under subsection (b), (c), (m), or (o) of section
2 414 of the Internal Revenue Code of 1986 shall
3 be treated as one person.”.

4 (2) *BONDING REQUIREMENTS FOR POOLED EM-*
5 *PLOYER PLANS.*—The last sentence of section 412(a)
6 of the Employee Retirement Income Security Act of
7 1974 (29 U.S.C. 1112(a)) is amended by inserting
8 “or in the case of a pooled employer plan (as defined
9 in section 3(43))” after “section 407(d)(1)”.

10 (3) *CONFORMING AND TECHNICAL AMEND-*
11 *MENTS.*—Section 3 of the Employee Retirement In-
12 come Security Act of 1974 (29 U.S.C. 1002) is
13 amended—

14 (A) in paragraph (16)(B)—

15 (i) by striking “or” at the end of clause

16 (ii); and

17 (ii) by striking the period at the end
18 and inserting “, or (iv) in the case of a
19 pooled employer plan, the pooled plan pro-
20 vider.”; and

21 (B) by striking the second paragraph (41).

22 (d) *POOLED EMPLOYER AND MULTIPLE EMPLOYER*
23 *PLAN REPORTING.*—

1 (1) *ADDITIONAL INFORMATION.*—Section 103 of
2 *the Employee Retirement Income Security Act of*
3 *1974 (29 U.S.C. 1023) is amended—*

4 (A) *in subsection (a)(1)(B), by striking*
5 *“applicable subsections (d), (e), and (f)” and in-*
6 *serting “applicable subsections (d), (e), (f), and*
7 *(g)”;* and

8 (B) *by amending subsection (g) to read as*
9 *follows:*

10 “(g) *ADDITIONAL INFORMATION WITH RESPECT TO*
11 *POOLED EMPLOYER AND MULTIPLE EMPLOYER PLANS.*—

12 *An annual report under this section for a plan year shall*
13 *include—*

14 “(1) *with respect to any plan to which section*
15 *210(a) applies (including a pooled employer plan), a*
16 *list of employers in the plan and a good faith esti-*
17 *mate of the percentage of total contributions made by*
18 *such employers during the plan year and the aggre-*
19 *gate account balances attributable to each employer in*
20 *the plan (determined as the sum of the account bal-*
21 *ances of the employees of such employer (and the*
22 *beneficiaries of such employees)); and*

23 “(2) *with respect to a pooled employer plan, the*
24 *identifying information for the person designated*

1 *under the terms of the plan as the pooled plan pro-*
2 *vider.”.*

3 (2) *SIMPLIFIED ANNUAL REPORTS.*—*Section*
4 *104(a) of the Employee Retirement Income Security*
5 *Act of 1974 (29 U.S.C. 1024(a)) is amended by strik-*
6 *ing paragraph (2)(A) and inserting the following:*

7 “(2)(A) *With respect to annual reports required to be*
8 *filed with the Secretary under this part, the Secretary may*
9 *by regulation prescribe simplified annual reports for any*
10 *pension plan that—*

11 “(i) *covers fewer than 100 participants; or*

12 “(ii) *is a plan described in section 210(a) that*
13 *covers fewer than 1,000 participants, but only if no*
14 *single employer in the plan has 100 or more partici-*
15 *pants covered by the plan.”.*

16 (e) *EFFECTIVE DATE.*—

17 (1) *IN GENERAL.*—*The amendments made by*
18 *this section shall apply to plan years beginning after*
19 *December 31, 2020.*

20 (2) *RULE OF CONSTRUCTION.*—*Nothing in the*
21 *amendments made by subsection (a) shall be con-*
22 *strued as limiting the authority of the Secretary of*
23 *the Treasury or the Secretary’s delegate (determined*
24 *without regard to such amendment) to provide for the*
25 *proper treatment of a failure to meet any requirement*

1 applicable under the Internal Revenue Code of 1986
2 with respect to one employer (and its employees) in
3 a multiple employer plan.

4 **SEC. 102. INCREASE IN 10 PERCENT CAP FOR AUTOMATIC**
5 **ENROLLMENT SAFE HARBOR AFTER 1ST PLAN**
6 **YEAR.**

7 (a) *IN GENERAL.*—Section 401(k)(13)(C)(iii) of the
8 Internal Revenue Code of 1986 is amended by striking “does
9 not exceed 10 percent” and inserting “does not exceed 15
10 percent (10 percent during the period described in subclause
11 (I))”.

12 (b) *EFFECTIVE DATE.*—The amendments made by this
13 section shall apply to plan years beginning after December
14 31, 2019.

15 **SEC. 103. RULES RELATING TO ELECTION OF SAFE HARBOR**
16 **401(k) STATUS.**

17 (a) *LIMITATION OF ANNUAL SAFE HARBOR NOTICE TO*
18 *MATCHING CONTRIBUTION PLANS.*—

19 (1) *IN GENERAL.*—Subparagraph (A) of section
20 401(k)(12) of the Internal Revenue Code of 1986 is
21 amended by striking “if such arrangement” and all
22 that follows and inserting “if such arrangement—
23 “(i) meets the contribution require-
24 ments of subparagraph (B) and the notice
25 requirements of subparagraph (D), or

1 “(ii) meets the contribution require-
2 ments of subparagraph (C).”.

3 (2) *AUTOMATIC CONTRIBUTION ARRANGE-*
4 *MENTS.—Subparagraph (B) of section 401(k)(13) of*
5 *such Code is amended by striking “means” and all*
6 *that follows and inserting “means a cash or deferred*
7 *arrangement—*

8 “(i) which is described in subpara-
9 graph (D)(i)(I) and meets the applicable re-
10 quirements of subparagraphs (C) through
11 (E), or

12 “(ii) which is described in subpara-
13 graph (D)(i)(II) and meets the applicable
14 requirements of subparagraphs (C) and
15 (D).”.

16 (b) *NONELECTIVE CONTRIBUTIONS.—Section*
17 *401(k)(12) of the Internal Revenue Code of 1986 is amended*
18 *by redesignating subparagraph (F) as subparagraph (G),*
19 *and by inserting after subparagraph (E) the following new*
20 *subparagraph:*

21 “(F) *TIMING OF PLAN AMENDMENT FOR EM-*
22 *PLOYER MAKING NONELECTIVE CONTRIBU-*
23 *TIONS.—*

24 “(i) *IN GENERAL.—Except as provided*
25 *in clause (ii), a plan may be amended after*

1 *the beginning of a plan year to provide that*
2 *the requirements of subparagraph (C) shall*
3 *apply to the arrangement for the plan year,*
4 *but only if the amendment is adopted—*

5 “(I) *at any time before the 30th*
6 *day before the close of the plan year, or*

7 “(II) *at any time before the last*
8 *day under paragraph (8)(A) for dis-*
9 *tributing excess contributions for the*
10 *plan year.*

11 “(ii) *EXCEPTION WHERE PLAN PRO-*
12 *VIDED FOR MATCHING CONTRIBUTIONS.—*
13 *Clause (i) shall not apply to any plan year*
14 *if the plan provided at any time during the*
15 *plan year that the requirements of subpara-*
16 *graph (B) or paragraph (13)(D)(i)(I) ap-*
17 *plied to the plan year.*

18 “(iii) *4-PERCENT CONTRIBUTION RE-*
19 *QUIREMENT.—Clause (i)(II) shall not apply*
20 *to an arrangement unless the amount of the*
21 *contributions described in subparagraph (C)*
22 *which the employer is required to make*
23 *under the arrangement for the plan year*
24 *with respect to any employee is an amount*

1 *equal to at least 4 percent of the employee's*
2 *compensation."*

3 (c) *AUTOMATIC CONTRIBUTION ARRANGEMENTS.—*
4 *Section 401(k)(13) of the Internal Revenue Code of 1986*
5 *is amended by adding at the end the following:*

6 “(F) *TIMING OF PLAN AMENDMENT FOR EM-*
7 *PLOYER MAKING NONELECTIVE CONTRIBU-*
8 *TIONS.—*

9 “(i) *IN GENERAL.—Except as provided*
10 *in clause (ii), a plan may be amended after*
11 *the beginning of a plan year to provide that*
12 *the requirements of subparagraph (D)(i)(II)*
13 *shall apply to the arrangement for the plan*
14 *year, but only if the amendment is adopt-*
15 *ed—*

16 “(I) *at any time before the 30th*
17 *day before the close of the plan year, or*

18 “(II) *at any time before the last*
19 *day under paragraph (8)(A) for dis-*
20 *tributing excess contributions for the*
21 *plan year.*

22 “(ii) *EXCEPTION WHERE PLAN PRO-*
23 *VIDED FOR MATCHING CONTRIBUTIONS.—*
24 *Clause (i) shall not apply to any plan year*
25 *if the plan provided at any time during the*

1 *plan year that the requirements of subpara-*
 2 *graph (D)(i)(I) or paragraph (12)(B) ap-*
 3 *plied to the plan year.*

4 *“(iii) 4-PERCENT CONTRIBUTION RE-*
 5 *QUIREMENT.—Clause (i)(II) shall not apply*
 6 *to an arrangement unless the amount of the*
 7 *contributions described in subparagraph*
 8 *(D)(i)(II) which the employer is required to*
 9 *make under the arrangement for the plan*
 10 *year with respect to any employee is an*
 11 *amount equal to at least 4 percent of the*
 12 *employee’s compensation.”.*

13 *(d) EFFECTIVE DATE.—The amendments made by this*
 14 *section shall apply to plan years beginning after December*
 15 *31, 2019.*

16 **SEC. 104. INCREASE IN CREDIT LIMITATION FOR SMALL EM-**
 17 **PLOYER PENSION PLAN STARTUP COSTS.**

18 *(a) IN GENERAL.—Paragraph (1) of section 45E(b) of*
 19 *the Internal Revenue Code of 1986 is amended to read as*
 20 *follows:*

21 *“(1) for the first credit year and each of the 2*
 22 *taxable years immediately following the first credit*
 23 *year, the greater of—*

24 *“(A) \$500, or*

25 *“(B) the lesser of—*

1 “(b) *CREDIT PERIOD.*—For purposes of subsection
2 (a)—

3 “(1) *IN GENERAL.*—The credit period with re-
4 spect to any eligible employer is the 3-taxable-year
5 period beginning with the first taxable year for which
6 the employer includes an eligible automatic contribu-
7 tion arrangement (as defined in section 414(w)(3)) in
8 a qualified employer plan (as defined in section
9 4972(d)) sponsored by the employer.

10 “(2) *MAINTENANCE OF ARRANGEMENT.*—No tax-
11 able year with respect to an employer shall be treated
12 as occurring within the credit period unless the ar-
13 rangement described in paragraph (1) is included in
14 the plan for such year.

15 “(c) *ELIGIBLE EMPLOYER.*—For purposes of this sec-
16 tion, the term ‘eligible employer’ has the meaning given
17 such term in section 408(p)(2)(C)(i).”.

18 (b) *CREDIT TO BE PART OF GENERAL BUSINESS*
19 *CREDIT.*—Subsection (b) of section 38 of the Internal Rev-
20 enue Code of 1986 is amended by striking “plus” at the
21 end of paragraph (31), by striking the period at the end
22 of paragraph (32) and inserting “, plus”, and by adding
23 at the end the following new paragraph:

1 “(33) in the case of an eligible employer (as de-
2 fined in section 45T(c)), the retirement auto-enroll-
3 ment credit determined under section 45T(a).”.

4 (c) *CLERICAL AMENDMENT.*—The table of sections for
5 subpart D of part IV of subchapter A of chapter 1 of the
6 Internal Revenue Code of 1986 is amended by inserting
7 after the item relating to section 45S the following new
8 item:

“Sec. 45T. Auto-enrollment option for retirement savings options provided by
small employers.”.

9 (d) *EFFECTIVE DATE.*—The amendments made by this
10 section shall apply to taxable years beginning after Decem-
11 ber 31, 2019.

12 **SEC. 106. CERTAIN TAXABLE NON-TUITION FELLOWSHIP**
13 **AND STIPEND PAYMENTS TREATED AS COM-**
14 **PENSATION FOR IRA PURPOSES.**

15 (a) *IN GENERAL.*—Paragraph (1) of section 219(f) of
16 the Internal Revenue Code of 1986 is amended by adding
17 at the end the following: “The term ‘compensation’ shall in-
18 clude any amount which is included in the individual’s
19 gross income and paid to the individual to aid the indi-
20 vidual in the pursuit of graduate or postdoctoral study.”.

21 (b) *EFFECTIVE DATE.*—The amendment made by this
22 section shall apply to taxable years beginning after Decem-
23 ber 31, 2019.

1 **SEC. 107. REPEAL OF MAXIMUM AGE FOR TRADITIONAL IRA**
2 **CONTRIBUTIONS.**

3 (a) *IN GENERAL.*—Paragraph (1) of section 219(d) of
4 *the Internal Revenue Code of 1986 is repealed.*

5 (b) *COORDINATION WITH QUALIFIED CHARITABLE*
6 *DISTRIBUTIONS.*—Add at the end of section 408(d)(8)(A)
7 *of such Code the following: “The amount of distributions*
8 *not includible in gross income by reason of the preceding*
9 *sentence for a taxable year (determined without regard to*
10 *this sentence) shall be reduced (but not below zero) by an*
11 *amount equal to the excess of—*

12 *“(i) the aggregate amount of deduc-*
13 *tions allowed to the taxpayer under section*
14 *219 for all taxable years ending on or after*
15 *the date the taxpayer attains age 70½, over*

16 *“(ii) the aggregate amount of reduc-*
17 *tions under this sentence for all taxable*
18 *years preceding the current taxable year.”.*

19 (c) *CONFORMING AMENDMENT.*—Subsection (c) of sec-
20 *tion 408A of the Internal Revenue Code of 1986 is amended*
21 *by striking paragraph (4) and by redesignating paragraphs*
22 *(5), (6), and (7) as paragraphs (4), (5), and (6), respec-*
23 *tively.*

24 (d) *EFFECTIVE DATE.*—

25 (1) *IN GENERAL.*—Except as provided in para-
26 *graph (2), the amendments made by this section shall*

1 *apply to contributions made for taxable years begin-*
2 *ning after December 31, 2019.*

3 (2) *SUBSECTION (b).—The amendment made by*
4 *subsection (b) shall apply to distributions made for*
5 *taxable years beginning after December 31, 2019.*

6 **SEC. 108. QUALIFIED EMPLOYER PLANS PROHIBITED FROM**
7 **MAKING LOANS THROUGH CREDIT CARDS**
8 **AND OTHER SIMILAR ARRANGEMENTS.**

9 (a) *IN GENERAL.—Paragraph (2) of section 72(p) of*
10 *the Internal Revenue Code of 1986 is amended by redesign-*
11 *ating subparagraph (D) as subparagraph (E) and by in-*
12 *serting after subparagraph (C) the following new subpara-*
13 *graph:*

14 “(D) *PROHIBITION OF LOANS THROUGH*
15 *CREDIT CARDS AND OTHER SIMILAR ARRANGE-*
16 *MENTS.—Subparagraph (A) shall not apply to*
17 *any loan which is made through the use of any*
18 *credit card or any other similar arrangement.”.*

19 (b) *EFFECTIVE DATE.—The amendments made by sub-*
20 *section (a) shall apply to loans made after the date of the*
21 *enactment of this Act.*

22 **SEC. 109. PORTABILITY OF LIFETIME INCOME OPTIONS.**

23 (a) *IN GENERAL.—Subsection (a) of section 401 of the*
24 *Internal Revenue Code of 1986 is amended by inserting*
25 *after paragraph (37) the following new paragraph:*

1 “(38) *PORTABILITY OF LIFETIME INCOME.*—

2 “(A) *IN GENERAL.*—*Except as may be oth-*
3 *erwise provided by regulations, a trust forming*
4 *part of a defined contribution plan shall not be*
5 *treated as failing to constitute a qualified trust*
6 *under this section solely by reason of allowing—*

7 “(i) *qualified distributions of a life-*
8 *time income investment, or*

9 “(ii) *distributions of a lifetime income*
10 *investment in the form of a qualified plan*
11 *distribution annuity contract,*

12 *on or after the date that is 90 days prior to the*
13 *date on which such lifetime income investment is*
14 *no longer authorized to be held as an investment*
15 *option under the plan.*

16 “(B) *DEFINITIONS.*—*For purposes of this*
17 *subsection—*

18 “(i) *the term ‘qualified distribution’*
19 *means a direct trustee-to-trustee transfer de-*
20 *scribed in paragraph (31)(A) to an eligible*
21 *retirement plan (as defined in section*
22 *402(c)(8)(B)),*

23 “(ii) *the term ‘lifetime income invest-*
24 *ment’ means an investment option which is*

1 *designed to provide an employee with elec-*
2 *tion rights—*

3 *“(I) which are not uniformly*
4 *available with respect to other invest-*
5 *ment options under the plan, and*

6 *“(II) which are to a lifetime in-*
7 *come feature available through a con-*
8 *tract or other arrangement offered*
9 *under the plan (or under another eligi-*
10 *ble retirement plan (as so defined), if*
11 *paid by means of a direct trustee-to-*
12 *trustee transfer described in paragraph*
13 *(31)(A) to such other eligible retire-*
14 *ment plan),*

15 *“(iii) the term ‘lifetime income feature’*
16 *means—*

17 *“(I) a feature which guarantees a*
18 *minimum level of income annually (or*
19 *more frequently) for at least the re-*
20 *mainder of the life of the employee or*
21 *the joint lives of the employee and the*
22 *employee’s designated beneficiary, or*

23 *“(II) an annuity payable on be-*
24 *half of the employee under which pay-*
25 *ments are made in substantially equal*

1 *periodic payments (not less frequently*
2 *than annually) over the life of the em-*
3 *ployee or the joint lives of the employee*
4 *and the employee's designated bene-*
5 *ficiary, and*

6 *“(iv) the term ‘qualified plan distribu-*
7 *tion annuity contract’ means an annuity*
8 *contract purchased for a participant and*
9 *distributed to the participant by a plan or*
10 *contract described in subparagraph (B) of*
11 *section 402(c)(8) (without regard to clauses*
12 *(i) and (ii) thereof).”.*

13 ***(b) CASH OR DEFERRED ARRANGEMENT.—***

14 ***(1) IN GENERAL.—****Clause (i) of section*
15 *401(k)(2)(B) of the Internal Revenue Code of 1986 is*
16 *amended by striking “or” at the end of subclause*
17 *(IV), by striking “and” at the end of subclause (V)*
18 *and inserting “or”, and by adding at the end the fol-*
19 *lowing new subclause:*

20 *“(VI) except as may be otherwise*
21 *provided by regulations, with respect to*
22 *amounts invested in a lifetime income*
23 *investment (as defined in subsection*
24 *(a)(38)(B)(ii)), the date that is 90*
25 *days prior to the date that such life-*

1 *time income investment may no longer*
2 *be held as an investment option under*
3 *the arrangement, and”.*

4 (2) *DISTRIBUTION REQUIREMENT.*—Subpara-
5 *graph (B) of section 401(k)(2) of such Code, as*
6 *amended by paragraph (1), is amended by striking*
7 *“and” at the end of clause (i), by striking the semi-*
8 *colon at the end of clause (ii) and inserting “, and”,*
9 *and by adding at the end the following new clause:*

10 *“(iii) except as may be otherwise pro-*
11 *vided by regulations, in the case of amounts*
12 *described in clause (i)(VI), will be distrib-*
13 *uted only in the form of a qualified dis-*
14 *tribution (as defined in subsection*
15 *(a)(38)(B)(i)) or a qualified plan distribu-*
16 *tion annuity contract (as defined in sub-*
17 *section (a)(38)(B)(iv)),”.*

18 (c) *SECTION 403(b) PLANS.*—

19 (1) *ANNUITY CONTRACTS.*—Paragraph (11) of
20 *section 403(b) of the Internal Revenue Code of 1986*
21 *is amended by striking “or” at the end of subpara-*
22 *graph (B), by striking the period at the end of sub-*
23 *paragraph (C) and inserting “, or”, and by inserting*
24 *after subparagraph (C) the following new subpara-*
25 *graph:*

1 “(D) except as may be otherwise provided
2 by regulations, with respect to amounts invested
3 in a lifetime income investment (as defined in
4 section 401(a)(38)(B)(ii))—

5 “(i) on or after the date that is 90
6 days prior to the date that such lifetime in-
7 come investment may no longer be held as
8 an investment option under the contract,
9 and

10 “(ii) in the form of a qualified dis-
11 tribution (as defined in section
12 401(a)(38)(B)(i)) or a qualified plan dis-
13 tribution annuity contract (as defined in
14 section 401(a)(38)(B)(iv)).”.

15 (2) CUSTODIAL ACCOUNTS.—Subparagraph (A)
16 of section 403(b)(7) of such Code is amended by strik-
17 ing “if—” and all that follows and inserting “if the
18 amounts are to be invested in regulated investment
19 company stock to be held in that custodial account,
20 and under the custodial account—

21 “(i) no such amounts may be paid or
22 made available to any distributee (unless
23 such amount is a distribution to which sec-
24 tion 72(t)(2)(G) applies) before—

25 “(I) the employee dies,

1 “(II) the employee attains age
2 59^{1/2},

3 “(III) the employee has a sever-
4 ance from employment,

5 “(IV) the employee becomes dis-
6 abled (within the meaning of section
7 72(m)(7)),

8 “(V) in the case of contributions
9 made pursuant to a salary reduction
10 agreement (within the meaning of sec-
11 tion 3121(a)(5)(D)), the employee en-
12 counters financial hardship, or

13 “(VI) except as may be otherwise
14 provided by regulations, with respect to
15 amounts invested in a lifetime income
16 investment (as defined in section
17 401(a)(38)(B)(ii)), the date that is 90
18 days prior to the date that such life-
19 time income investment may no longer
20 be held as an investment option under
21 the contract, and

22 “(ii) in the case of amounts described
23 in clause (i)(VI), such amounts will be dis-
24 tributed only in the form of a qualified dis-
25 tribution (as defined in section

1 401(a)(38)(B)(i)) or a qualified plan dis-
2 tribution annuity contract (as defined in
3 section 401(a)(38)(B)(iv)).”.

4 (d) *ELIGIBLE DEFERRED COMPENSATION PLANS.*—

5 (1) *IN GENERAL.*—Subparagraph (A) of section
6 457(d)(1) of the Internal Revenue Code of 1986 is
7 amended by striking “or” at the end of clause (ii), by
8 inserting “or” at the end of clause (iii), and by add-
9 ing after clause (iii) the following:

10 “(iv) except as may be otherwise pro-
11 vided by regulations, in the case of a plan
12 maintained by an employer described in
13 subsection (e)(1)(A), with respect to
14 amounts invested in a lifetime income in-
15 vestment (as defined in section
16 401(a)(38)(B)(ii)), the date that is 90 days
17 prior to the date that such lifetime income
18 investment may no longer be held as an in-
19 vestment option under the plan,”.

20 (2) *DISTRIBUTION REQUIREMENT.*—Paragraph
21 (1) of section 457(d) of such Code is amended by
22 striking “and” at the end of subparagraph (B), by
23 striking the period at the end of subparagraph (C)
24 and inserting “, and”, and by inserting after sub-
25 paragraph (C) the following new subparagraph:

1 *(i) that the section 403(b)(7) status of the distributed custo-*
2 *dial account is generally maintained if the custodial ac-*
3 *count thereafter adheres to the requirements of section*
4 *403(b) that are in effect at the time of the distribution of*
5 *the account and (ii) that a custodial account would not be*
6 *considered distributed to the participant or beneficiary if*
7 *the employer has any material retained rights under the*
8 *account (but the employer would not be treated as retaining*
9 *material rights simply because the custodial account was*
10 *originally opened under a group contract). Such guidance*
11 *shall be retroactively effective for taxable years beginning*
12 *after December 31, 2008.*

13 **SEC. 111. CLARIFICATION OF RETIREMENT INCOME AC-**
14 **COUNT RULES RELATING TO CHURCH-CON-**
15 **TROLLED ORGANIZATIONS.**

16 *(a) IN GENERAL.—Subparagraph (B) of section*
17 *403(b)(9) of the Internal Revenue Code of 1986 is amended*
18 *by inserting “(including an employee described in section*
19 *414(e)(3)(B))” after “employee described in paragraph*
20 *(1)”.*

21 *(b) EFFECTIVE DATE.—The amendment made by this*
22 *section shall apply to years beginning before, on, or after*
23 *the date of the enactment of this Act.*

1 **SEC. 112. QUALIFIED CASH OR DEFERRED ARRANGEMENTS**
 2 **MUST ALLOW LONG-TERM EMPLOYEES WORK-**
 3 **ING MORE THAN 500 BUT LESS THAN 1,000**
 4 **HOURS PER YEAR TO PARTICIPATE.**

5 *(a) PARTICIPATION REQUIREMENT.—*

6 *(1) IN GENERAL.—Section 401(k)(2)(D) of the*
 7 *Internal Revenue Code of 1986 is amended to read as*
 8 *follows:*

9 *“(D) which does not require, as a condition*
 10 *of participation in the arrangement, that an em-*
 11 *ployee complete a period of service with the em-*
 12 *ployer (or employers) maintaining the plan ex-*
 13 *tending beyond the close of the earlier of—*

14 *“(i) the period permitted under section*
 15 *410(a)(1) (determined without regard to*
 16 *subparagraph (B)(i) thereof), or*

17 *“(ii) subject to the provisions of para-*
 18 *graph (15), the first period of 3 consecutive*
 19 *12-month periods during each of which the*
 20 *employee has at least 500 hours of service.”.*

21 *(2) SPECIAL RULES.—Section 401(k) of such*
 22 *Code is amended by adding at the end the following*
 23 *new paragraph:*

24 *“(15) SPECIAL RULES FOR PARTICIPATION RE-*
 25 *QUIREMENT FOR LONG-TERM, PART-TIME WORKERS.—*
 26 *For purposes of paragraph (2)(D)(ii)—*

1 “(A) *AGE REQUIREMENT MUST BE MET.*—
2 *Paragraph (2)(D)(ii) shall not apply to an em-*
3 *ployee unless the employee has met the require-*
4 *ment of section 410(a)(1)(A)(i) by the close of the*
5 *last of the 12-month periods described in such*
6 *paragraph.*

7 “(B) *NONDISCRIMINATION AND TOP-HEAVY*
8 *RULES NOT TO APPLY.*—

9 “(i) *NONDISCRIMINATION RULES.*—*In*
10 *the case of employees who are eligible to*
11 *participate in the arrangement solely by*
12 *reason of paragraph (2)(D)(ii)—*

13 “(I) *notwithstanding subsection*
14 *(a)(4), an employer shall not be re-*
15 *quired to make nonelective or matching*
16 *contributions on behalf of such employ-*
17 *ees even if such contributions are made*
18 *on behalf of other employees eligible to*
19 *participate in the arrangement, and*

20 “(II) *an employer may elect to ex-*
21 *clude such employees from the applica-*
22 *tion of subsection (a)(4), paragraphs*
23 *(3), (12), and (13), subsection (m)(2),*
24 *and section 410(b).*

1 “(ii) *TOP-HEAVY RULES.*—An em-
2 ployer may elect to exclude all employees
3 who are eligible to participate in a plan
4 maintained by the employer solely by rea-
5 son of paragraph (2)(D)(ii) from the appli-
6 cation of the vesting and benefit require-
7 ments under subsections (b) and (c) of sec-
8 tion 416.

9 “(iii) *VESTING.*—For purposes of de-
10 termining whether an employee described in
11 clause (i) has a nonforfeitable right to em-
12 ployer contributions (other than contribu-
13 tions described in paragraph (3)(D)(i))
14 under the arrangement, each 12-month pe-
15 riod for which the employee has at least 500
16 hours of service shall be treated as a year of
17 service, and section 411(a)(6) shall be ap-
18 plied by substituting ‘at least 500 hours of
19 service’ for ‘more than 500 hours of service’
20 in subparagraph (A) thereof.

21 “(iv) *EMPLOYEES WHO BECOME FULL-*
22 *TIME EMPLOYEES.*—This subparagraph
23 (other than clause (iii)) shall cease to apply
24 to any employee as of the first plan year be-
25 ginning after the plan year in which the

1 *employee meets the requirements of section*
2 *410(a)(1)(A)(ii) without regard to para-*
3 *graph (2)(D)(ii).*

4 “(C) *EXCEPTION FOR EMPLOYEES UNDER*
5 *COLLECTIVELY BARGAINED PLANS, ETC.—Para-*
6 *graph (2)(D)(ii) shall not apply to employees de-*
7 *scribed in section 410(b)(3).*

8 “(D) *SPECIAL RULES.—*

9 “(i) *TIME OF PARTICIPATION.—The*
10 *rules of section 410(a)(4) shall apply to an*
11 *employee eligible to participate in an ar-*
12 *rangement solely by reason of paragraph*
13 *(2)(D)(ii).*

14 “(ii) *12-MONTH PERIODS.—12-month*
15 *periods shall be determined in the same*
16 *manner as under the last sentence of section*
17 *410(a)(3)(A).”.*

18 (b) *EFFECTIVE DATE.—The amendments made by this*
19 *section shall apply to plan years beginning after December*
20 *31, 2020, except that, for purposes of section*
21 *401(k)(2)(D)(ii) of the Internal Revenue Code of 1986 (as*
22 *added by such amendments), 12-month periods beginning*
23 *before January 1, 2021, shall not be taken into account.*

1 **SEC. 113. PENALTY-FREE WITHDRAWALS FROM RETIRE-**
2 **MENT PLANS FOR INDIVIDUALS IN CASE OF**
3 **BIRTH OF CHILD OR ADOPTION.**

4 (a) *IN GENERAL.*—Section 72(t)(2) of the Internal
5 Revenue Code of 1986 is amended by adding at the end
6 the following new subparagraph:

7 “(H) *DISTRIBUTIONS FROM RETIREMENT*
8 *PLANS IN CASE OF BIRTH OF CHILD OR ADOP-*
9 *TION.*—

10 “(i) *IN GENERAL.*—Any qualified birth
11 or adoption distribution.

12 “(ii) *LIMITATION.*—The aggregate
13 amount which may be treated as qualified
14 birth or adoption distributions by any indi-
15 vidual with respect to any birth or adoption
16 shall not exceed \$5,000.

17 “(iii) *QUALIFIED BIRTH OR ADOPTION*
18 *DISTRIBUTION.*—For purposes of this sub-
19 paragraph—

20 “(I) *IN GENERAL.*—The term
21 ‘qualified birth or adoption distribu-
22 tion’ means any distribution from an
23 applicable eligible retirement plan to
24 an individual if made during the 1-
25 year period beginning on the date on
26 which a child of the individual is born

1 or on which the legal adoption by the
2 individual of an eligible adoptee is fi-
3 nalized.

4 “(II) *ELIGIBLE ADOPTEE.*—The
5 term ‘eligible adoptee’ means any indi-
6 vidual (other than a child of the tax-
7 payer’s spouse) who has not attained
8 age 18 or is physically or mentally in-
9 capable of self-support.

10 “(iv) *TREATMENT OF PLAN DISTRIBUTIONS.*—
11

12 “(I) *IN GENERAL.*—If a distribu-
13 tion to an individual would (without
14 regard to clause (ii)) be a qualified
15 birth or adoption distribution, a plan
16 shall not be treated as failing to meet
17 any requirement of this title merely be-
18 cause the plan treats the distribution
19 as a qualified birth or adoption dis-
20 tribution, unless the aggregate amount
21 of such distributions from all plans
22 maintained by the employer (and any
23 member of any controlled group which
24 includes the employer) to such indi-
25 vidual exceeds \$5,000.

1 “(II) *CONTROLLED GROUP.*—For
2 purposes of subclause (I), the term
3 ‘controlled group’ means any group
4 treated as a single employer under sub-
5 section (b), (c), (m), or (o) of section
6 414.

7 “(v) *AMOUNT DISTRIBUTED MAY BE*
8 *REPAID.*—

9 “(I) *IN GENERAL.*—Any indi-
10 vidual who receives a qualified birth or
11 adoption distribution may make one or
12 more contributions in an aggregate
13 amount not to exceed the amount of
14 such distribution to an applicable eli-
15 gible retirement plan of which such in-
16 dividual is a beneficiary and to which
17 a rollover contribution of such dis-
18 tribution could be made under section
19 402(c), 403(a)(4), 403(b)(8), 408(d)(3),
20 or 457(e)(16), as the case may be.

21 “(II) *LIMITATION ON CONTRIBU-*
22 *TIONS TO APPLICABLE ELIGIBLE RE-*
23 *TIREMENT PLANS OTHER THAN*
24 *IRAS.*—The aggregate amount of con-
25 tributions made by an individual

1 *under subclause (I) to any applicable*
2 *eligible retirement plan which is not*
3 *an individual retirement plan shall*
4 *not exceed the aggregate amount of*
5 *qualified birth or adoption distribu-*
6 *tions which are made from such plan*
7 *to such individual. Subclause (I) shall*
8 *not apply to contributions to any ap-*
9 *plicable eligible retirement plan which*
10 *is not an individual retirement plan*
11 *unless the individual is eligible to*
12 *make contributions (other than those*
13 *described in subclause (I)) to such ap-*
14 *plicable eligible retirement plan.*

15 *“(III) TREATMENT OF REPAY-*
16 *MENTS OF DISTRIBUTIONS FROM AP-*
17 *PLICABLE ELIGIBLE RETIREMENT*
18 *PLANS OTHER THAN IRAs.—If a con-*
19 *tribution is made under subclause (I)*
20 *with respect to a qualified birth or*
21 *adoption distribution from an applica-*
22 *ble eligible retirement plan other than*
23 *an individual retirement plan, then*
24 *the taxpayer shall, to the extent of the*
25 *amount of the contribution, be treated*

1 *as having received such distribution in*
2 *an eligible rollover distribution (as de-*
3 *finied in section 402(c)(4)) and as hav-*
4 *ing transferred the amount to the ap-*
5 *plicable eligible retirement plan in a*
6 *direct trustee to trustee transfer within*
7 *60 days of the distribution.*

8 “(IV) TREATMENT OF REPAY-
9 MENTS FOR DISTRIBUTIONS FROM
10 IRAS.—If a contribution is made
11 under subclause (I) with respect to a
12 qualified birth or adoption distribution
13 from an individual retirement plan,
14 then, to the extent of the amount of the
15 contribution, such distribution shall be
16 treated as a distribution described in
17 section 408(d)(3) and as having been
18 transferred to the applicable eligible re-
19 tirement plan in a direct trustee to
20 trustee transfer within 60 days of the
21 distribution.

22 “(vi) DEFINITION AND SPECIAL
23 RULES.—For purposes of this subpara-
24 graph—

1 “(I) *APPLICABLE ELIGIBLE RE-*
2 *TIREMENT PLAN.*—*The term ‘applica-*
3 *ble eligible retirement plan’ means an*
4 *eligible retirement plan (as defined in*
5 *section 402(c)(8)(B)) other than a de-*
6 *fin ed benefit plan.*

7 “(II) *EXEMPTION OF DISTRIBUTI-*
8 *ONS FROM TRUSTEE TO TRUSTEE*
9 *TRANSFER AND WITHHOLDING*
10 *RULES.*—*For purposes of sections*
11 *401(a)(31), 402(f), and 3405, a quali-*
12 *fied birth or adoption distribution*
13 *shall not be treated as an eligible roll-*
14 *over distribution.*

15 “(III) *TAXPAYER MUST INCLUDE*
16 *TIN.*—*A distribution shall not be treat-*
17 *ed as a qualified birth or adoption dis-*
18 *tribution with respect to any child or*
19 *eligible adoptee unless the taxpayer in-*
20 *cludes the name, age, and TIN of such*
21 *child or eligible adoptee on the tax-*
22 *payer’s return of tax for the taxable*
23 *year.*

24 “(IV) *DISTRIBUTIONS TREATED*
25 *AS MEETING PLAN DISTRIBUTION RE-*

1 *QUIREMENTS.—Any qualified birth or*
2 *adoption distribution shall be treated*
3 *as meeting the requirements of sections*
4 *401(k)(2)(B)(i), 403(b)(7)(A)(ii),*
5 *403(b)(11), and 457(d)(1)(A).”.*

6 *(b) EFFECTIVE DATE.—The amendments made by this*
7 *section shall apply to distributions made after December 31,*
8 *2019.*

9 **SEC. 114. INCREASE IN AGE FOR REQUIRED BEGINNING**
10 **DATE FOR MANDATORY DISTRIBUTIONS.**

11 *(a) IN GENERAL.—Section 401(a)(9)(C)(i)(I) of the*
12 *Internal Revenue Code of 1986 is amended by striking “age*
13 *70½” and inserting “age 72”.*

14 *(b) SPOUSE BENEFICIARIES; SPECIAL RULE FOR*
15 *OWNERS.—Subparagraphs (B)(iv)(I) and (C)(ii)(I) of sec-*
16 *tion 401(a)(9) of such Code are each amended by striking*
17 *“age 70½” and inserting “age 72”.*

18 *(c) CONFORMING AMENDMENTS.—The last sentence of*
19 *section 408(b) of such Code is amended by striking “age*
20 *70½” and inserting “age 72”.*

21 *(d) EFFECTIVE DATE.—The amendments made by this*
22 *section shall apply to distributions required to be made*
23 *after December 31, 2019, with respect to individuals who*
24 *attain age 70½ after such date.*

1 **SEC. 115. SPECIAL RULES FOR MINIMUM FUNDING STAND-**
2 **ARDS FOR COMMUNITY NEWSPAPER PLANS.**

3 (a) *AMENDMENT TO INTERNAL REVENUE CODE OF*
4 *1986.—Section 430 of the Internal Revenue Code of 1986*
5 *is amended by adding at the end the following new sub-*
6 *section:*

7 “(m) *SPECIAL RULES FOR COMMUNITY NEWSPAPER*
8 *PLANS.—*

9 “(1) *IN GENERAL.—The plan sponsor of a com-*
10 *munity newspaper plan under which no participant*
11 *has had the participant’s accrued benefit increased*
12 *(whether because of service or compensation) after De-*
13 *cember 31, 2017, may elect to have the alternative*
14 *standards described in paragraph (3) apply to such*
15 *plan, and any plan sponsored by any member of the*
16 *same controlled group.*

17 “(2) *ELECTION.—An election under paragraph*
18 *(1) shall be made at such time and in such manner*
19 *as prescribed by the Secretary. Such election, once*
20 *made with respect to a plan year, shall apply to all*
21 *subsequent plan years unless revoked with the consent*
22 *of the Secretary.*

23 “(3) *ALTERNATIVE MINIMUM FUNDING STAND-*
24 *ARDS.—The alternative standards described in this*
25 *paragraph are the following:*

26 “(A) *INTEREST RATES.—*

1 “(i) *IN GENERAL.*—Notwithstanding
2 *subsection (h)(2)(C) and except as provided*
3 *in clause (ii), the first, second, and third*
4 *segment rates in effect for any month for*
5 *purposes of this section shall be 8 percent.*

6 “(ii) *NEW BENEFIT ACCRUALS.*—Not-
7 *withstanding subsection (h)(2), for purposes*
8 *of determining the funding target and nor-*
9 *mal cost of a plan for any plan year, the*
10 *present value of any benefits accrued or*
11 *earned under the plan for a plan year with*
12 *respect to which an election under para-*
13 *graph (1) is in effect shall be determined on*
14 *the basis of the United States Treasury obli-*
15 *gation yield curve for the day that is the*
16 *valuation date of such plan for such plan*
17 *year.*

18 “(iii) *UNITED STATES TREASURY OBLI-*
19 *GATION YIELD CURVE.*—For purposes of this
20 *subsection, the term ‘United States Treas-*
21 *ury obligation yield curve’ means, with re-*
22 *spect to any day, a yield curve which shall*
23 *be prescribed by the Secretary for such day*
24 *on interest-bearing obligations of the United*
25 *States.*

1 “(B) *SHORTFALL AMORTIZATION BASE.*—

2 “*(i) PREVIOUS SHORTFALL AMORTIZA-*
3 *TION BASES.*—*The shortfall amortization*
4 *bases determined under subsection (c)(3) for*
5 *all plan years preceding the first plan year*
6 *to which the election under paragraph (1)*
7 *applies (and all shortfall amortization in-*
8 *stallments determined with respect to such*
9 *bases) shall be reduced to zero under rules*
10 *similar to the rules of subsection (c)(6).*

11 “*(ii) NEW SHORTFALL AMORTIZATION*
12 *BASE.*—*Notwithstanding subsection (c)(3),*
13 *the shortfall amortization base for the first*
14 *plan year to which the election under para-*
15 *graph (1) applies shall be the funding short-*
16 *fall of such plan for such plan year (deter-*
17 *mined using the interest rates as modified*
18 *under subparagraph (A)).*

19 “(C) *DETERMINATION OF SHORTFALL AM-*
20 *ORTIZATION INSTALLMENTS.*—

21 “*(i) 30-YEAR PERIOD.*—*Subparagraphs*
22 *(A) and (B) of subsection (c)(2) shall be ap-*
23 *plied by substituting ‘30-plan-year’ for ‘7-*
24 *plan-year’ each place it appears.*

1 “(i) *NO SPECIAL ELECTION.*—*The*
2 *election under subparagraph (D) of sub-*
3 *section (c)(2) shall not apply to any plan*
4 *year to which the election under paragraph*
5 *(1) applies.*

6 “(D) *EXEMPTION FROM AT-RISK TREAT-*
7 *MENT.*—*Subsection (i) shall not apply.*

8 “(4) *COMMUNITY NEWSPAPER PLAN.*—*For pur-*
9 *poses of this subsection—*

10 “(A) *IN GENERAL.*—*The term ‘community*
11 *newspaper plan’ means a plan to which this sec-*
12 *tion applies maintained by an employer which,*
13 *as of December 31, 2017—*

14 “(i) *publishes and distributes daily, ei-*
15 *ther electronically or in printed form, 1 or*
16 *more community newspapers in a single*
17 *State,*

18 “(ii) *is not a company the stock of*
19 *which is publicly traded (on a stock ex-*
20 *change or in an over-the-counter market),*
21 *and is not controlled, directly or indirectly,*
22 *by such a company,*

23 “(iii) *is controlled, directly or indi-*
24 *rectly—*

1 “(I) by 1 or more persons residing
2 primarily in the State in which the
3 community newspaper is published,

4 “(II) for not less than 30 years by
5 individuals who are members of the
6 same family,

7 “(III) by a trust created or orga-
8 nized in the State in which the com-
9 munity newspaper is published, the
10 sole trustees of which are persons de-
11 scribed in subclause (I) or (II),

12 “(IV) by an entity which is de-
13 scribed in section 501(c)(3) and exempt
14 from taxation under section 501(a),
15 which is organized and operated in the
16 State in which the community news-
17 paper is published, and the primary
18 purpose of which is to benefit commu-
19 nities in such State, or

20 “(V) by a combination of persons
21 described in subclause (I), (III), or
22 (IV), and

23 “(iv) does not control, directly or indi-
24 rectly, any newspaper in any other State.

1 “(B) *COMMUNITY NEWSPAPER.*—*The term*
2 *‘community newspaper’ means a newspaper*
3 *which primarily serves a metropolitan statistical*
4 *area, as determined by the Office of Management*
5 *and Budget, with a population of not less than*
6 *100,000.*

7 “(C) *CONTROL.*—*A person shall be treated*
8 *as controlled by another person if such other per-*
9 *son possesses, directly or indirectly, the power to*
10 *direct or cause the direction and management of*
11 *such person (including the power to elect a ma-*
12 *jority of the members of the board of directors of*
13 *such person) through the ownership of voting se-*
14 *curities.*

15 “(5) *CONTROLLED GROUP.*—*For purposes of this*
16 *subsection, the term ‘controlled group’ means all per-*
17 *sons treated as a single employer under subsection*
18 *(b), (c), (m), or (o) of section 414 as of the date of*
19 *the enactment of this subsection.”.*

20 (b) *AMENDMENT TO EMPLOYEE RETIREMENT INCOME*
21 *SECURITY ACT OF 1974.*—*Section 303 of the Employee Re-*
22 *tirement Income Security Act of 1974 (29 U.S.C. 1083) is*
23 *amended by adding at the end the following new subsection:*

24 “(m) *SPECIAL RULES FOR COMMUNITY NEWSPAPER*
25 *PLANS.*—

1 “(1) *IN GENERAL.*—*The plan sponsor of a com-*
2 *munity newspaper plan under which no participant*
3 *has had the participant’s accrued benefit increased*
4 *(whether because of service or compensation) after De-*
5 *cember 31, 2017, may elect to have the alternative*
6 *standards described in paragraph (3) apply to such*
7 *plan, and any plan sponsored by any member of the*
8 *same controlled group.*

9 “(2) *ELECTION.*—*An election under paragraph*
10 *(1) shall be made at such time and in such manner*
11 *as prescribed by the Secretary of the Treasury. Such*
12 *election, once made with respect to a plan year, shall*
13 *apply to all subsequent plan years unless revoked*
14 *with the consent of the Secretary of the Treasury.*

15 “(3) *ALTERNATIVE MINIMUM FUNDING STAND-*
16 *ARDS.*—*The alternative standards described in this*
17 *paragraph are the following:*

18 “(A) *INTEREST RATES.*—

19 “(i) *IN GENERAL.*—*Notwithstanding*
20 *subsection (h)(2)(C) and except as provided*
21 *in clause (ii), the first, second, and third*
22 *segment rates in effect for any month for*
23 *purposes of this section shall be 8 percent.*

24 “(ii) *NEW BENEFIT ACCRUALS.*—*Not-*
25 *withstanding subsection (h)(2), for purposes*

1 of determining the funding target and nor-
2 mal cost of a plan for any plan year, the
3 present value of any benefits accrued or
4 earned under the plan for a plan year with
5 respect to which an election under para-
6 graph (1) is in effect shall be determined on
7 the basis of the United States Treasury obli-
8 gation yield curve for the day that is the
9 valuation date of such plan for such plan
10 year.

11 “(iii) UNITED STATES TREASURY OBLI-
12 GATION YIELD CURVE.—For purposes of this
13 subsection, the term ‘United States Treas-
14 ury obligation yield curve’ means, with re-
15 spect to any day, a yield curve which shall
16 be prescribed by the Secretary of the Treas-
17 ury for such day on interest-bearing obliga-
18 tions of the United States.

19 “(B) SHORTFALL AMORTIZATION BASE.—

20 “(i) PREVIOUS SHORTFALL AMORTIZA-
21 TION BASES.—The shortfall amortization
22 bases determined under subsection (c)(3) for
23 all plan years preceding the first plan year
24 to which the election under paragraph (1)
25 applies (and all shortfall amortization in-

1 *stallments determined with respect to such*
2 *bases) shall be reduced to zero under rules*
3 *similar to the rules of subsection (c)(6).*

4 “(i) *NEW SHORTFALL AMORTIZATION*
5 *BASE.—Notwithstanding subsection (c)(3),*
6 *the shortfall amortization base for the first*
7 *plan year to which the election under para-*
8 *graph (1) applies shall be the funding short-*
9 *fall of such plan for such plan year (deter-*
10 *mined using the interest rates as modified*
11 *under subparagraph (A)).*

12 “(C) *DETERMINATION OF SHORTFALL AM-*
13 *ORTIZATION INSTALLMENTS.—*

14 “(i) *30-YEAR PERIOD.—Subparagraphs*
15 *(A) and (B) of subsection (c)(2) shall be ap-*
16 *plied by substituting ‘30-plan-year’ for ‘7-*
17 *plan-year’ each place it appears.*

18 “(ii) *NO SPECIAL ELECTION.—The*
19 *election under subparagraph (D) of sub-*
20 *section (c)(2) shall not apply to any plan*
21 *year to which the election under paragraph*
22 *(1) applies.*

23 “(D) *EXEMPTION FROM AT-RISK TREAT-*
24 *MENT.—Subsection (i) shall not apply.*

1 “(4) *COMMUNITY NEWSPAPER PLAN.*—*For pur-*
2 *poses of this subsection—*

3 “(A) *IN GENERAL.*—*The term ‘community*
4 *newspaper plan’ means a plan to which this sec-*
5 *tion applies maintained by an employer which,*
6 *as of December 31, 2017—*

7 “(i) *publishes and distributes daily, ei-*
8 *ther electronically or in printed form—*

9 “(I) *a community newspaper, or*

10 “(II) *1 or more community news-*
11 *papers in the same State,*

12 “(ii) *is not a company the stock of*
13 *which is publicly traded (on a stock ex-*
14 *change or in an over-the-counter market),*
15 *and is not controlled, directly or indirectly,*
16 *by such a company,*

17 “(iii) *is controlled, directly or indi-*
18 *rectly—*

19 “(I) *by 1 or more persons residing*
20 *primarily in the State in which the*
21 *community newspaper is published,*

22 “(II) *for not less than 30 years by*
23 *individuals who are members of the*
24 *same family,*

1 “(III) by a trust created or orga-
2 nized in the State in which the com-
3 munity newspaper is published, the
4 sole trustees of which are persons de-
5 scribed in subclause (I) or (II),

6 “(IV) by an entity which is de-
7 scribed in section 501(c)(3) of the In-
8 ternal Revenue Code of 1986 and ex-
9 empt from taxation under section
10 501(a) of such Code, which is orga-
11 nized and operated in the State in
12 which the community newspaper is
13 published, and the primary purpose of
14 which is to benefit communities in
15 such State, or

16 “(V) by a combination of persons
17 described in subclause (I), (III), or
18 (IV), and

19 “(iv) does not control, directly or indi-
20 rectly, any newspaper in any other State.

21 “(B) COMMUNITY NEWSPAPER.—The term
22 ‘community newspaper’ means a newspaper
23 which primarily serves a metropolitan statistical
24 area, as determined by the Office of Management

1 *and Budget, with a population of not less than*
2 *100,000.*

3 “(C) *CONTROL.*—*A person shall be treated*
4 *as controlled by another person if such other per-*
5 *son possesses, directly or indirectly, the power to*
6 *direct or cause the direction and management of*
7 *such person (including the power to elect a ma-*
8 *jority of the members of the board of directors of*
9 *such person) through the ownership of voting se-*
10 *curities.*

11 “(5) *CONTROLLED GROUP.*—*For purposes of this*
12 *subsection, the term ‘controlled group’ means all per-*
13 *sons treated as a single employer under subsection*
14 *(b), (c), (m), or (o) of section 414 of the Internal Rev-*
15 *enue Code of 1986 as of the date of the enactment of*
16 *this subsection.*

17 “(6) *EFFECT ON PREMIUM RATE CALCULA-*
18 *TION.*—*Notwithstanding any other provision of law*
19 *or any regulation issued by the Pension Benefit*
20 *Guaranty Corporation, in the case of a plan for*
21 *which an election is made to apply the alternative*
22 *standards described in paragraph (3), the additional*
23 *premium under section 4006(a)(3)(E) shall be deter-*
24 *mined as if such election had not been made.”.*

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall apply to plan years ending after December 31,*
3 *2017.*

4 **SEC. 116. TREATING EXCLUDED DIFFICULTY OF CARE PAY-**
5 **MENTS AS COMPENSATION FOR DETER-**
6 **MINING RETIREMENT CONTRIBUTION LIM-**
7 **TATIONS.**

8 (a) *INDIVIDUAL RETIREMENT ACCOUNTS.*—

9 (1) *IN GENERAL.*—*Section 408(o) of the Internal*
10 *Revenue Code of 1986 is amended by adding at the*
11 *end the following new paragraph:*

12 “(5) *SPECIAL RULE FOR DIFFICULTY OF CARE*
13 *PAYMENTS EXCLUDED FROM GROSS INCOME.*—*In the*
14 *case of an individual who for a taxable year excludes*
15 *from gross income under section 131 a qualified foster*
16 *care payment which is a difficulty of care payment,*
17 *if—*

18 “(A) *the deductible amount in effect for the*
19 *taxable year under subsection (b), exceeds*

20 “(B) *the amount of compensation includible*
21 *in the individual’s gross income for the taxable*
22 *year,*

23 *the individual may elect to increase the nondeductible*
24 *limit under paragraph (2) for the taxable year by an*

1 *amount equal to the lesser of such excess or the*
 2 *amount so excluded.”.*

3 (2) *EFFECTIVE DATE.*—*The amendments made*
 4 *by this subsection shall apply to contributions after*
 5 *the date of the enactment of this Act.*

6 (b) *DEFINED CONTRIBUTION PLANS.*—

7 (1) *IN GENERAL.*—*Section 415(c) of such Code is*
 8 *amended by adding at the end the following new*
 9 *paragraph:*

10 “(8) *SPECIAL RULE FOR DIFFICULTY OF CARE*
 11 *PAYMENTS EXCLUDED FROM GROSS INCOME.*—

12 “(A) *IN GENERAL.*—*For purposes of para-*
 13 *graph (1)(B), in the case of an individual who*
 14 *for a taxable year excludes from gross income*
 15 *under section 131 a qualified foster care pay-*
 16 *ment which is a difficulty of care payment, the*
 17 *participant’s compensation, or earned income, as*
 18 *the case may be, shall be increased by the*
 19 *amount so excluded.*

20 “(B) *CONTRIBUTIONS ALLOCABLE TO DIF-*
 21 *FICULTY OF CARE PAYMENTS TREATED AS*
 22 *AFTER-TAX.*—*Any contribution by the partici-*
 23 *pant which is allowable due to such increase—*

24 *“(i) shall be treated for purposes of this*
 25 *title as investment in the contract, and*

1 “(i) shall not cause a plan (and any
2 arrangement which is part of such plan) to
3 be treated as failing to meet any require-
4 ments of this chapter solely by reason of al-
5 lowing any such contributions.”.

6 (2) *EFFECTIVE DATE.*—The amendment made by
7 this subsection shall apply to plan years beginning
8 after December 31, 2015.

9 **TITLE II—ADMINISTRATIVE**
10 **IMPROVEMENTS**

11 **SEC. 201. PLAN ADOPTED BY FILING DUE DATE FOR YEAR**
12 **MAY BE TREATED AS IN EFFECT AS OF CLOSE**
13 **OF YEAR.**

14 (a) *IN GENERAL.*—Subsection (b) of section 401 of the
15 Internal Revenue Code of 1986 is amended—

16 (1) by striking “*RETROACTIVE CHANGES IN*
17 *PLAN.—A stock bonus*” and inserting “*PLAN AMEND-*
18 *MENTS.—*

19 “(1) *CERTAIN RETROACTIVE CHANGES IN*
20 *PLAN.—A stock bonus*”; and

21 (2) by adding at the end the following new para-
22 graph:

23 “(2) *ADOPTION OF PLAN.*—If an employer adopts
24 a stock bonus, pension, profit-sharing, or annuity
25 plan after the close of a taxable year but before the

1 *time prescribed by law for filing the return of the em-*
2 *ployer for the taxable year (including extensions*
3 *thereof), the employer may elect to treat the plan as*
4 *having been adopted as of the last day of the taxable*
5 *year.”.*

6 *(b) EFFECTIVE DATE.—The amendments made by this*
7 *section shall apply to plans adopted for taxable years begin-*
8 *ning after December 31, 2019.*

9 **SEC. 202. COMBINED ANNUAL REPORT FOR GROUP OF**
10 **PLANS.**

11 *(a) IN GENERAL.—The Secretary of the Treasury and*
12 *the Secretary of Labor shall, in cooperation, modify the re-*
13 *turns required under section 6058 of the Internal Revenue*
14 *Code of 1986 and the reports required by section 104 of*
15 *the Employee Retirement Income Security Act of 1974 (29*
16 *U.S.C. 1024) so that all members of a group of plans de-*
17 *scribed in subsection (c) may file a single aggregated an-*
18 *nual return or report satisfying the requirements of both*
19 *such sections.*

20 *(b) ADMINISTRATIVE REQUIREMENTS.—In developing*
21 *the consolidated return or report under subsection (a), the*
22 *Secretary of the Treasury and the Secretary of Labor may*
23 *require such return or report to include any information*
24 *regarding each plan in the group as such Secretaries deter-*
25 *mine is necessary or appropriate for the enforcement and*

1 *administration of the Internal Revenue Code of 1986 and*
2 *the Employee Retirement Income Security Act of 1974 and*
3 *shall require such information as will enable a participant*
4 *in a plan to identify any aggregated return or report filed*
5 *with respect to the plan.*

6 (c) *PLANS DESCRIBED.*—*A group of plans is described*
7 *in this subsection if all plans in the group—*

8 (1) *are individual account plans or defined con-*
9 *tribution plans (as defined in section 3(34) of the*
10 *Employee Retirement Income Security Act of 1974*
11 *(29 U.S.C. 1002(34)) or in section 414(i) of the Inter-*
12 *nal Revenue Code of 1986);*

13 (2) *have—*

14 (A) *the same trustee (as described in section*
15 *403(a) of such Act (29 U.S.C. 1103(a)));*

16 (B) *the same one or more named fiduciaries*
17 *(as described in section 402(a) of such Act (29*
18 *U.S.C. 1102(a)));*

19 (C) *the same administrator (as defined in*
20 *section 3(16)(A) of such Act (29 U.S.C.*
21 *1002(16)(A))) and plan administrator (as de-*
22 *finied in section 414(g) of the Internal Revenue*
23 *Code of 1986); and*

24 (D) *plan years beginning on the same date;*
25 *and*

1 (3) *provide the same investments or investment*
2 *options to participants and beneficiaries.*

3 *A plan not subject to title I of the Employee Retirement*
4 *Income Security Act of 1974 shall be treated as meeting*
5 *the requirements of paragraph (2) as part of a group of*
6 *plans if the same person that performs each of the functions*
7 *described in such paragraph, as applicable, for all other*
8 *plans in such group performs each of such functions for such*
9 *plan.*

10 (d) *CLARIFICATION RELATING TO ELECTRONIC FILING*
11 *OF RETURNS FOR DEFERRED COMPENSATION PLANS.—*

12 (1) *IN GENERAL.—Section 6011(e) of the Inter-*
13 *nal Revenue Code of 1986 is amended by adding at*
14 *the end the following new paragraph:*

15 “(6) *APPLICATION OF NUMERICAL LIMITATION TO*
16 *RETURNS RELATING TO DEFERRED COMPENSATION*
17 *PLANS.—For purposes of applying the numerical lim-*
18 *itation under paragraph (2)(A) to any return re-*
19 *quired under section 6058, information regarding*
20 *each plan for which information is provided on such*
21 *return shall be treated as a separate return.”.*

22 (2) *EFFECTIVE DATE.—The amendment made by*
23 *paragraph (1) shall apply to returns required to be*
24 *filed with respect to plan years beginning after De-*
25 *cember 31, 2019.*

1 (e) *EFFECTIVE DATE.*—The modification required by
2 subsection (a) shall be implemented not later than January
3 1, 2022, and shall apply to returns and reports for plan
4 years beginning after December 31, 2021.

5 **SEC. 203. DISCLOSURE REGARDING LIFETIME INCOME.**

6 (a) *IN GENERAL.*—Subparagraph (B) of section
7 105(a)(2) of the Employee Retirement Income Security Act
8 of 1974 (29 U.S.C. 1025(a)(2)) is amended—

9 (1) in clause (i), by striking “and” at the end;

10 (2) in clause (ii), by striking “diversification.”

11 and inserting “diversification, and”; and

12 (3) by inserting at the end the following:

13 “(iii) the lifetime income disclosure de-
14 scribed in subparagraph (D)(i).

15 In the case of pension benefit statements de-
16 scribed in clause (i) of paragraph (1)(A), a life-
17 time income disclosure under clause (iii) of this
18 subparagraph shall be required to be included in
19 only one pension benefit statement during any
20 one 12-month period.”.

21 (b) *LIFETIME INCOME.*—Paragraph (2) of section
22 105(a) of the Employee Retirement Income Security Act of
23 1974 (29 U.S.C. 1025(a)) is amended by adding at the end
24 the following new subparagraph:

25 “(D) *LIFETIME INCOME DISCLOSURE.*—

1 “(i) *IN GENERAL.*—

2 “(I) *DISCLOSURE.*—*A lifetime in-*
3 *come disclosure shall set forth the life-*
4 *time income stream equivalent of the*
5 *total benefits accrued with respect to*
6 *the participant or beneficiary.*

7 “(II) *LIFETIME INCOME STREAM*
8 *EQUIVALENT OF THE TOTAL BENEFITS*
9 *ACCRUED.*—*For purposes of this sub-*
10 *paragraph, the term ‘lifetime income*
11 *stream equivalent of the total benefits*
12 *accrued’ means the amount of monthly*
13 *payments the participant or bene-*
14 *ficiary would receive if the total ac-*
15 *crued benefits of such participant or*
16 *beneficiary were used to provide life-*
17 *time income streams described in sub-*
18 *clause (III), based on assumptions*
19 *specified in rules prescribed by the Sec-*
20 *retary.*

21 “(III) *LIFETIME INCOME*
22 *STREAMS.*—*The lifetime income*
23 *streams described in this subclause are*
24 *a qualified joint and survivor annuity*
25 *(as defined in section 205(d)), based on*

1 *assumptions specified in rules pre-*
2 *scribed by the Secretary, including the*
3 *assumption that the participant or*
4 *beneficiary has a spouse of equal age,*
5 *and a single life annuity. Such lifetime*
6 *income streams may have a term cer-*
7 *tain or other features to the extent per-*
8 *mitted under rules prescribed by the*
9 *Secretary.*

10 “(i) *MODEL DISCLOSURE.—Not later*
11 *than 1 year after the date of the enactment*
12 *of the Setting Every Community Up for Re-*
13 *irement Enhancement Act of 2019, the Sec-*
14 *retary shall issue a model lifetime income*
15 *disclosure, written in a manner so as to be*
16 *understood by the average plan participant,*
17 *which—*

18 “(I) *explains that the lifetime in-*
19 *come stream equivalent is only pro-*
20 *vided as an illustration;*

21 “(II) *explains that the actual*
22 *payments under the lifetime income*
23 *stream described in clause (i)(III)*
24 *which may be purchased with the total*
25 *benefits accrued will depend on numer-*

1 *ous factors and may vary substantially*
2 *from the lifetime income stream equiv-*
3 *alent in the disclosures;*

4 *“(III) explains the assumptions*
5 *upon which the lifetime income stream*
6 *equivalent was determined; and*

7 *“(IV) provides such other similar*
8 *explanations as the Secretary considers*
9 *appropriate.*

10 *“(iii) ASSUMPTIONS AND RULES.—Not*
11 *later than 1 year after the date of the enact-*
12 *ment of the Setting Every Community Up*
13 *for Retirement Enhancement Act of 2019,*
14 *the Secretary shall—*

15 *“(I) prescribe assumptions which*
16 *administrators of individual account*
17 *plans may use in converting total ac-*
18 *crued benefits into lifetime income*
19 *stream equivalents for purposes of this*
20 *subparagraph; and*

21 *“(II) issue interim final rules*
22 *under clause (i).*

23 *In prescribing assumptions under subclause*
24 *(I), the Secretary may prescribe a single set*
25 *of specific assumptions (in which case the*

1 *Secretary may issue tables or factors which*
2 *facilitate such conversions), or ranges of*
3 *permissible assumptions. To the extent that*
4 *an accrued benefit is or may be invested in*
5 *a lifetime income stream described in clause*
6 *(i)(III), the assumptions prescribed under*
7 *subclause (I) shall, to the extent appro-*
8 *priate, permit administrators of individual*
9 *account plans to use the amounts payable*
10 *under such lifetime income stream as a life-*
11 *time income stream equivalent.*

12 *“(iv) LIMITATION ON LIABILITY.—No*
13 *plan fiduciary, plan sponsor, or other per-*
14 *son shall have any liability under this title*
15 *solely by reason of the provision of lifetime*
16 *income stream equivalents which are de-*
17 *rived in accordance with the assumptions*
18 *and rules described in clause (iii) and*
19 *which include the explanations contained in*
20 *the model lifetime income disclosure de-*
21 *scribed in clause (ii). This clause shall*
22 *apply without regard to whether the provi-*
23 *sion of such lifetime income stream equiva-*
24 *lent is required by subparagraph (B)(iii).*

1 “(v) *EFFECTIVE DATE.*—*The require-*
2 *ment in subparagraph (B)(iii) shall apply*
3 *to pension benefit statements furnished more*
4 *than 12 months after the latest of the*
5 *issuance by the Secretary of—*

6 “(I) *interim final rules under*
7 *clause (i);*

8 “(II) *the model disclosure under*
9 *clause (ii); or*

10 “(III) *the assumptions under*
11 *clause (iii).”.*

12 **SEC. 204. FIDUCIARY SAFE HARBOR FOR SELECTION OF**
13 **LIFETIME INCOME PROVIDER.**

14 *Section 404 of the Employee Retirement Income Secu-*
15 *rity Act of 1974 (29 U.S.C. 1104) is amended by adding*
16 *at the end the following:*

17 “(e) *SAFE HARBOR FOR ANNUITY SELECTION.*—

18 “(1) *IN GENERAL.*—*With respect to the selection*
19 *of an insurer for a guaranteed retirement income con-*
20 *tract, the requirements of subsection (a)(1)(B) will be*
21 *deemed to be satisfied if a fiduciary—*

22 “(A) *engages in an objective, thorough, and*
23 *analytical search for the purpose of identifying*
24 *insurers from which to purchase such contracts;*

1 “(B) with respect to each insurer identified
2 under subparagraph (A)—

3 “(i) considers the financial capability
4 of such insurer to satisfy its obligations
5 under the guaranteed retirement income
6 contract; and

7 “(ii) considers the cost (including fees
8 and commissions) of the guaranteed retire-
9 ment income contract offered by the insurer
10 in relation to the benefits and product fea-
11 tures of the contract and administrative
12 services to be provided under such contract;
13 and

14 “(C) on the basis of such consideration, con-
15 cludes that—

16 “(i) at the time of the selection, the in-
17 surer is financially capable of satisfying its
18 obligations under the guaranteed retirement
19 income contract; and

20 “(ii) the relative cost of the selected
21 guaranteed retirement income contract as
22 described in subparagraph (B)(ii) is reason-
23 able.

1 “(2) *FINANCIAL CAPABILITY OF THE INSURER.*—
2 *A fiduciary will be deemed to satisfy the requirements*
3 *of paragraphs (1)(B)(i) and (1)(C)(i) if—*

4 “(A) *the fiduciary obtains written represen-*
5 *tations from the insurer that—*

6 “(i) *the insurer is licensed to offer*
7 *guaranteed retirement income contracts;*

8 “(ii) *the insurer, at the time of selec-*
9 *tion and for each of the immediately pre-*
10 *ceding 7 plan years—*

11 “(I) *operates under a certificate of*
12 *authority from the insurance commis-*
13 *sioner of its domiciliary State which*
14 *has not been revoked or suspended;*

15 “(II) *has filed audited financial*
16 *statements in accordance with the laws*
17 *of its domiciliary State under applica-*
18 *ble statutory accounting principles;*

19 “(III) *maintains (and has main-*
20 *tained) reserves which satisfies all the*
21 *statutory requirements of all States*
22 *where the insurer does business; and*

23 “(IV) *is not operating under an*
24 *order of supervision, rehabilitation, or*
25 *liquidation;*

1 “(iii) the insurer undergoes, at least
2 every 5 years, a financial examination
3 (within the meaning of the law of its domi-
4 ciliary State) by the insurance commis-
5 sioner of the domiciliary State (or rep-
6 resentative, designee, or other party ap-
7 proved by such commissioner); and

8 “(iv) the insurer will notify the fidu-
9 ciary of any change in circumstances occur-
10 ring after the provision of the representa-
11 tions in clauses (i), (ii), and (iii) which
12 would preclude the insurer from making
13 such representations at the time of issuance
14 of the guaranteed retirement income con-
15 tract; and

16 “(B) after receiving such representations
17 and as of the time of selection, the fiduciary has
18 not received any notice described in subpara-
19 graph (A)(iv) and is in possession of no other in-
20 formation which would cause the fiduciary to
21 question the representations provided.

22 “(3) NO REQUIREMENT TO SELECT LOWEST
23 COST.—Nothing in this subsection shall be construed
24 to require a fiduciary to select the lowest cost con-
25 tract. A fiduciary may consider the value of a con-

1 *tract, including features and benefits of the contract*
2 *and attributes of the insurer (including, without limi-*
3 *tation, the insurer’s financial strength) in conjunc-*
4 *tion with the cost of the contract.*

5 *“(4) TIME OF SELECTION.—*

6 *“(A) IN GENERAL.—For purposes of this*
7 *subsection, the time of selection is—*

8 *“(i) the time that the insurer and the*
9 *contract are selected for distribution of ben-*
10 *efits to a specific participant or beneficiary;*
11 *or*

12 *“(ii) if the fiduciary periodically re-*
13 *views the continuing appropriateness of the*
14 *conclusion described in paragraph (1)(C)*
15 *with respect to a selected insurer, taking*
16 *into account the considerations described in*
17 *such paragraph, the time that the insurer*
18 *and the contract are selected to provide ben-*
19 *efits at future dates to participants or bene-*
20 *ficiaries under the plan.*

21 *Nothing in the preceding sentence shall be con-*
22 *strued to require the fiduciary to review the ap-*
23 *propriateness of a selection after the purchase of*
24 *a contract for a participant or beneficiary.*

1 “(B) *PERIODIC REVIEW.*—A fiduciary will
2 be deemed to have conducted the periodic review
3 described in subparagraph (A)(ii) if the fidu-
4 ciary obtains the written representations de-
5 scribed in clauses (i), (ii), and (iii) of paragraph
6 (2)(A) from the insurer on an annual basis, un-
7 less the fiduciary receives any notice described in
8 paragraph (2)(A)(iv) or otherwise becomes aware
9 of facts that would cause the fiduciary to ques-
10 tion such representations.

11 “(5) *LIMITED LIABILITY.*—A fiduciary which
12 satisfies the requirements of this subsection shall not
13 be liable following the distribution of any benefit, or
14 the investment by or on behalf of a participant or
15 beneficiary pursuant to the selected guaranteed retire-
16 ment income contract, for any losses that may result
17 to the participant or beneficiary due to an insurer’s
18 inability to satisfy its financial obligations under the
19 terms of such contract.

20 “(6) *DEFINITIONS.*—For purposes of this sub-
21 section—

22 “(A) *INSURER.*—The term ‘insurer’ means
23 an insurance company, insurance service, or in-
24 surance organization, including affiliates of such
25 companies.

1 “(B) *GUARANTEED RETIREMENT INCOME*
 2 *CONTRACT.*—*The term ‘guaranteed retirement in-*
 3 *come contract’ means an annuity contract for a*
 4 *fixed term or a contract (or provision or feature*
 5 *thereof) which provides guaranteed benefits an-*
 6 *nually (or more frequently) for at least the re-*
 7 *mainder of the life of the participant or the joint*
 8 *lives of the participant and the participant’s*
 9 *designated beneficiary as part of an individual*
 10 *account plan.”.*

11 **SEC. 205. MODIFICATION OF NONDISCRIMINATION RULES**
 12 **TO PROTECT OLDER, LONGER SERVICE PAR-**
 13 **TICIPANTS.**

14 (a) *IN GENERAL.*—*Section 401 of the Internal Revenue*
 15 *Code of 1986 is amended—*

16 (1) *by redesignating subsection (o) as subsection*
 17 *(p); and*

18 (2) *by inserting after subsection (n) the following*
 19 *new subsection:*

20 “(o) *SPECIAL RULES FOR APPLYING NONDISCRIMINA-*
 21 *TION RULES TO PROTECT OLDER, LONGER SERVICE AND*
 22 *GRANDFATHERED PARTICIPANTS.*—

23 “(1) *TESTING OF DEFINED BENEFIT PLANS WITH*
 24 *CLOSED CLASSES OF PARTICIPANTS.*—

1 “(A) *BENEFITS, RIGHTS, OR FEATURES*
2 *PROVIDED TO CLOSED CLASSES.—A defined ben-*
3 *efit plan which provides benefits, rights, or fea-*
4 *tures to a closed class of participants shall not*
5 *fail to satisfy the requirements of subsection*
6 *(a)(4) by reason of the composition of such closed*
7 *class or the benefits, rights, or features provided*
8 *to such closed class, if—*

9 “(i) *for the plan year as of which the*
10 *class closes and the 2 succeeding plan years,*
11 *such benefits, rights, and features satisfy the*
12 *requirements of subsection (a)(4) (without*
13 *regard to this subparagraph but taking into*
14 *account the rules of subparagraph (I)),*

15 “(ii) *after the date as of which the*
16 *class was closed, any plan amendment*
17 *which modifies the closed class or the bene-*
18 *fits, rights, and features provided to such*
19 *closed class does not discriminate signifi-*
20 *cantly in favor of highly compensated em-*
21 *ployees, and*

22 “(iii) *the class was closed before April*
23 *5, 2017, or the plan is described in sub-*
24 *paragraph (C).*

1 “(B) *AGGREGATE TESTING WITH DEFINED*
2 *CONTRIBUTION PLANS PERMITTED ON A BENE-*
3 *FITS BASIS.—*

4 “(i) *IN GENERAL.—For purposes of de-*
5 *termining compliance with subsection (a)(4)*
6 *and section 410(b), a defined benefit plan*
7 *described in clause (iii) may be aggregated*
8 *and tested on a benefits basis with 1 or*
9 *more defined contribution plans, including*
10 *with the portion of 1 or more defined con-*
11 *tribution plans which—*

12 “(I) *provides matching contribu-*
13 *tions (as defined in subsection*
14 *(m)(4)(A)),*

15 “(II) *provides annuity contracts*
16 *described in section 403(b) which are*
17 *purchased with matching contributions*
18 *or nonelective contributions, or*

19 “(III) *consists of an employee*
20 *stock ownership plan (within the*
21 *meaning of section 4975(e)(7)) or a tax*
22 *credit employee stock ownership plan*
23 *(within the meaning of section 409(a)).*

24 “(ii) *SPECIAL RULES FOR MATCHING*
25 *CONTRIBUTIONS.—For purposes of clause*

1 *(i), if a defined benefit plan is aggregated*
2 *with a portion of a defined contribution*
3 *plan providing matching contributions—*

4 “(I) *such defined benefit plan*
5 *must also be aggregated with any por-*
6 *tion of such defined contribution plan*
7 *which provides elective deferrals de-*
8 *scribed in subparagraph (A) or (C) of*
9 *section 402(g)(3), and*

10 “(II) *such matching contributions*
11 *shall be treated in the same manner as*
12 *nonelective contributions, including for*
13 *purposes of applying the rules of sub-*
14 *section (l).*

15 “(iii) *PLANS DESCRIBED.—A defined*
16 *benefit plan is described in this clause if—*

17 “(I) *the plan provides benefits to*
18 *a closed class of participants,*

19 “(II) *for the plan year as of which*
20 *the class closes and the 2 succeeding*
21 *plan years, the plan satisfies the re-*
22 *quirements of section 410(b) and sub-*
23 *section (a)(4) (without regard to this*
24 *subparagraph but taking into account*
25 *the rules of subparagraph (I)),*

1 “(III) after the date as of which
2 the class was closed, any plan amend-
3 ment which modifies the closed class or
4 the benefits provided to such closed
5 class does not discriminate signifi-
6 cantly in favor of highly compensated
7 employees, and

8 “(IV) the class was closed before
9 April 5, 2017, or the plan is described
10 in subparagraph (C).

11 “(C) *PLANS DESCRIBED.*—A plan is de-
12 scribed in this subparagraph if, taking into ac-
13 count any predecessor plan—

14 “(i) such plan has been in effect for at
15 least 5 years as of the date the class is
16 closed, and

17 “(ii) during the 5-year period pre-
18 ceding the date the class is closed, there has
19 not been a substantial increase in the cov-
20 erage or value of the benefits, rights, or fea-
21 tures described in subparagraph (A) or in
22 the coverage or benefits under the plan de-
23 scribed in subparagraph (B)(iii) (whichever
24 is applicable).

1 “(D) *DETERMINATION OF SUBSTANTIAL IN-*
2 *CREASE FOR BENEFITS, RIGHTS, AND FEA-*
3 *TURES.—In applying subparagraph (C)(ii) for*
4 *purposes of subparagraph (A)(iii), a plan shall*
5 *be treated as having had a substantial increase*
6 *in coverage or value of the benefits, rights, or fea-*
7 *tures described in subparagraph (A) during the*
8 *applicable 5-year period only if, during such pe-*
9 *riod—*

10 “(i) *the number of participants covered*
11 *by such benefits, rights, or features on the*
12 *date such period ends is more than 50 per-*
13 *cent greater than the number of such par-*
14 *ticipants on the first day of the plan year*
15 *in which such period began, or*

16 “(ii) *such benefits, rights, and features*
17 *have been modified by 1 or more plan*
18 *amendments in such a way that, as of the*
19 *date the class is closed, the value of such*
20 *benefits, rights, and features to the closed*
21 *class as a whole is substantially greater*
22 *than the value as of the first day of such 5-*
23 *year period, solely as a result of such*
24 *amendments.*

1 “(E) DETERMINATION OF SUBSTANTIAL IN-
2 CREASE FOR AGGREGATE TESTING ON BENEFITS
3 BASIS.—In applying subparagraph (C)(ii) for
4 purposes of subparagraph (B)(iii)(IV), a plan
5 shall be treated as having had a substantial in-
6 crease in coverage or benefits during the applica-
7 ble 5-year period only if, during such period—

8 “(i) the number of participants benefit-
9 ting under the plan on the date such period
10 ends is more than 50 percent greater than
11 the number of such participants on the first
12 day of the plan year in which such period
13 began, or

14 “(ii) the average benefit provided to
15 such participants on the date such period
16 ends is more than 50 percent greater than
17 the average benefit provided on the first day
18 of the plan year in which such period
19 began.

20 “(F) CERTAIN EMPLOYEES DIS-
21 REGARDED.—For purposes of subparagraphs (D)
22 and (E), any increase in coverage or value or in
23 coverage or benefits, whichever is applicable,
24 which is attributable to such coverage and value
25 or coverage and benefits provided to employees—

1 “(i) who became participants as a re-
2 sult of a merger, acquisition, or similar
3 event which occurred during the 7-year pe-
4 riod preceding the date the class is closed, or

5 “(ii) who became participants by rea-
6 son of a merger of the plan with another
7 plan which had been in effect for at least 5
8 years as of the date of the merger,

9 shall be disregarded, except that clause (ii) shall
10 apply for purposes of subparagraph (D) only if,
11 under the merger, the benefits, rights, or features
12 under 1 plan are conformed to the benefits,
13 rights, or features of the other plan prospectively.

14 “(G) RULES RELATING TO AVERAGE BEN-
15 EFIT.—For purposes of subparagraph (E)—

16 “(i) the average benefit provided to
17 participants under the plan will be treated
18 as having remained the same between the 2
19 dates described in subparagraph (E)(ii) if
20 the benefit formula applicable to such par-
21 ticipants has not changed between such
22 dates, and

23 “(ii) if the benefit formula applicable
24 to 1 or more participants under the plan
25 has changed between such 2 dates, then the

1 *average benefit under the plan shall be con-*
2 *sidered to have increased by more than 50*
3 *percent only if—*

4 “(I) *the total amount determined*
5 *under section 430(b)(1)(A)(i) for all*
6 *participants benefitting under the plan*
7 *for the plan year in which the 5-year*
8 *period described in subparagraph (E)*
9 *ends, exceeds*

10 “(II) *the total amount determined*
11 *under section 430(b)(1)(A)(i) for all*
12 *such participants for such plan year,*
13 *by using the benefit formula in effect*
14 *for each such participant for the first*
15 *plan year in such 5-year period,*
16 *by more than 50 percent. In the case of a*
17 *CSEC plan (as defined in section 414(y)),*
18 *the normal cost of the plan (as determined*
19 *under section 433(j)(1)(B)) shall be used in*
20 *lieu of the amount determined under section*
21 *430(b)(1)(A)(i).*

22 “(H) *TREATMENT AS SINGLE PLAN.—For*
23 *purposes of subparagraphs (E) and (G), a plan*
24 *described in section 413(c) shall be treated as a*

1 *single plan rather than as separate plans main-*
2 *tained by each employer in the plan.*

3 “(I) *SPECIAL RULES.*—*For purposes of sub-*
4 *paragraphs (A)(i) and (B)(iii)(II), the following*
5 *rules shall apply:*

6 “(i) *In applying section 410(b)(6)(C),*
7 *the closing of the class of participants shall*
8 *not be treated as a significant change in*
9 *coverage under section 410(b)(6)(C)(i)(II).*

10 “(ii) *2 or more plans shall not fail to*
11 *be eligible to be aggregated and treated as*
12 *a single plan solely by reason of having dif-*
13 *ferent plan years.*

14 “(iii) *Changes in the employee popu-*
15 *lation shall be disregarded to the extent at-*
16 *tributable to individuals who become em-*
17 *ployees or cease to be employees, after the*
18 *date the class is closed, by reason of a merg-*
19 *er, acquisition, divestiture, or similar event.*

20 “(iv) *Aggregation and all other testing*
21 *methodologies otherwise applicable under*
22 *subsection (a)(4) and section 410(b) may be*
23 *taken into account.*

24 *The rule of clause (ii) shall also apply for pur-*
25 *poses of determining whether plans to which sub-*

1 paragraph (B)(i) applies may be aggregated and
 2 treated as 1 plan for purposes of determining
 3 whether such plans meet the requirements of sub-
 4 section (a)(4) and section 410(b).

5 “(J) SPUN-OFF PLANS.—For purposes of
 6 this paragraph, if a portion of a defined benefit
 7 plan described in subparagraph (A) or (B)(iii)
 8 is spun off to another employer and the spun-off
 9 plan continues to satisfy the requirements of—

10 “(i) subparagraph (A)(i) or
 11 (B)(iii)(II), whichever is applicable, if the
 12 original plan was still within the 3-year pe-
 13 riod described in such subparagraph at the
 14 time of the spin off, and

15 “(ii) subparagraph (A)(ii) or
 16 (B)(iii)(III), whichever is applicable,

17 the treatment under subparagraph (A) or (B) of
 18 the spun-off plan shall continue with respect to
 19 such other employer.

20 “(2) TESTING OF DEFINED CONTRIBUTION
 21 PLANS.—

22 “(A) TESTING ON A BENEFITS BASIS.—A
 23 defined contribution plan shall be permitted to
 24 be tested on a benefits basis if—

1 “(i) such defined contribution plan
2 provides make-whole contributions to a
3 closed class of participants whose accruals
4 under a defined benefit plan have been re-
5 duced or eliminated,

6 “(ii) for the plan year of the defined
7 contribution plan as of which the class eli-
8 gible to receive such make-whole contribu-
9 tions closes and the 2 succeeding plan years,
10 such closed class of participants satisfies the
11 requirements of section 410(b)(2)(A)(i) (de-
12 termined by applying the rules of para-
13 graph (1)(I)),

14 “(iii) after the date as of which the
15 class was closed, any plan amendment to
16 the defined contribution plan which modi-
17 fies the closed class or the allocations, bene-
18 fits, rights, and features provided to such
19 closed class does not discriminate signifi-
20 cantly in favor of highly compensated em-
21 ployees, and

22 “(iv) the class was closed before April
23 5, 2017, or the defined benefit plan under
24 clause (i) is described in paragraph (1)(C)

1 *(as applied for purposes of paragraph*
2 *(1)(B)(iii)(IV)).*

3 “(B) *AGGREGATION WITH PLANS INCLUDING*
4 *MATCHING CONTRIBUTIONS.—*

5 “(i) *IN GENERAL.—With respect to 1*
6 *or more defined contribution plans de-*
7 *scribed in subparagraph (A), for purposes of*
8 *determining compliance with subsection*
9 *(a)(4) and section 410(b), the portion of*
10 *such plans which provides make-whole con-*
11 *tributions or other nonelective contributions*
12 *may be aggregated and tested on a benefits*
13 *basis with the portion of 1 or more other de-*
14 *defined contribution plans which—*

15 “(I) *provides matching contribu-*
16 *tions (as defined in subsection*
17 *(m)(4)(A)),*

18 “(II) *provides annuity contracts*
19 *described in section 403(b) which are*
20 *purchased with matching contributions*
21 *or nonelective contributions, or*

22 “(III) *consists of an employee*
23 *stock ownership plan (within the*
24 *meaning of section 4975(e)(7)) or a tax*

1 *credit employee stock ownership plan*
2 *(within the meaning of section 409(a)).*

3 “(i) *SPECIAL RULES FOR MATCHING*
4 *CONTRIBUTIONS.—Rules similar to the rules*
5 *of paragraph (1)(B)(i) shall apply for pur-*
6 *poses of clause (i).*

7 “(C) *SPECIAL RULES FOR TESTING DE-*
8 *FINED CONTRIBUTION PLAN FEATURES PRO-*
9 *VIDING MATCHING CONTRIBUTIONS TO CERTAIN*
10 *OLDER, LONGER SERVICE PARTICIPANTS.—In the*
11 *case of a defined contribution plan which pro-*
12 *vides benefits, rights, or features to a closed class*
13 *of participants whose accruals under a defined*
14 *benefit plan have been reduced or eliminated, the*
15 *plan shall not fail to satisfy the requirements of*
16 *subsection (a)(4) solely by reason of the composi-*
17 *tion of the closed class or the benefits, rights, or*
18 *features provided to such closed class if the de-*
19 *defined contribution plan and defined benefit plan*
20 *otherwise meet the requirements of subparagraph*
21 *(A) but for the fact that the make-whole con-*
22 *tributions under the defined contribution plan*
23 *are made in whole or in part through matching*
24 *contributions.*

1 “(D) *SPUN-OFF PLANS.*—For purposes of
2 this paragraph, if a portion of a defined con-
3 tribution plan described in subparagraph (A) or
4 (C) is spun off to another employer, the treat-
5 ment under subparagraph (A) or (C) of the
6 spun-off plan shall continue with respect to the
7 other employer if such plan continues to comply
8 with the requirements of clauses (ii) (if the origi-
9 nal plan was still within the 3-year period de-
10 scribed in such clause at the time of the spin off)
11 and (iii) of subparagraph (A), as determined for
12 purposes of subparagraph (A) or (C), whichever
13 is applicable.

14 “(3) *DEFINITIONS AND SPECIAL RULE.*—For
15 purposes of this subsection—

16 “(A) *MAKE-WHOLE CONTRIBUTIONS.*—Ex-
17 cept as otherwise provided in paragraph (2)(C),
18 the term ‘make-whole contributions’ means non-
19 elective allocations for each employee in the class
20 which are reasonably calculated, in a consistent
21 manner, to replace some or all of the retirement
22 benefits which the employee would have received
23 under the defined benefit plan and any other
24 plan or qualified cash or deferred arrangement
25 under subsection (k)(2) if no change had been

1 *made to such defined benefit plan and such other*
2 *plan or arrangement. For purposes of the pre-*
3 *ceding sentence, consistency shall not be required*
4 *with respect to employees who were subject to dif-*
5 *ferent benefit formulas under the defined benefit*
6 *plan.*

7 “(B) *REFERENCES TO CLOSED CLASS OF*
8 *PARTICIPANTS.—References to a closed class of*
9 *participants and similar references to a closed*
10 *class shall include arrangements under which 1*
11 *or more classes of participants are closed, except*
12 *that 1 or more classes of participants closed on*
13 *different dates shall not be aggregated for pur-*
14 *poses of determining the date any such class was*
15 *closed.*

16 “(C) *HIGHLY COMPENSATED EMPLOYEE.—*
17 *The term ‘highly compensated employee’ has the*
18 *meaning given such term in section 414(q).”.*

19 (b) *PARTICIPATION REQUIREMENTS.—Paragraph (26)*
20 *of section 401(a) of the Internal Revenue Code of 1986 is*
21 *amended by adding at the end the following new subpara-*
22 *graph:*

23 “(I) *PROTECTED PARTICIPANTS.—*

1 “(i) *IN GENERAL.*—A plan shall be
2 deemed to satisfy the requirements of sub-
3 paragraph (A) if—

4 “(I) *the plan is amended—*

5 “(aa) *to cease all benefit ac-*
6 *cruals, or*

7 “(bb) *to provide future ben-*
8 *efit accruals only to a closed class*
9 *of participants,*

10 “(II) *the plan satisfies subpara-*
11 *graph (A) (without regard to this sub-*
12 *paragraph) as of the effective date of*
13 *the amendment, and*

14 “(III) *the amendment was adopt-*
15 *ed before April 5, 2017, or the plan is*
16 *described in clause (ii).*

17 “(ii) *PLANS DESCRIBED.*—A plan is
18 described in this clause if the plan would be
19 described in subsection (o)(1)(C), as applied
20 for purposes of subsection (o)(1)(B)(iii)(IV)
21 and by treating the effective date of the
22 amendment as the date the class was closed
23 for purposes of subsection (o)(1)(C).

24 “(iii) *SPECIAL RULES.*—For purposes
25 of clause (i)(II), in applying section

1 410(b)(6)(C), the amendments described in
2 clause (i) shall not be treated as a signifi-
3 cant change in coverage under section
4 410(b)(6)(C)(i)(II).

5 “(iv) SPUN-OFF PLANS.—For purposes
6 of this subparagraph, if a portion of a plan
7 described in clause (i) is spun off to another
8 employer, the treatment under clause (i) of
9 the spun-off plan shall continue with respect
10 to the other employer.”.

11 (c) EFFECTIVE DATE.—

12 (1) IN GENERAL.—Except as provided in para-
13 graph (2), the amendments made by this section shall
14 take effect on the date of the enactment of this Act,
15 without regard to whether any plan modifications re-
16 ferred to in such amendments are adopted or effective
17 before, on, or after such date of enactment.

18 (2) SPECIAL RULES.—

19 (A) ELECTION OF EARLIER APPLICATION.—

20 At the election of the plan sponsor, the amend-
21 ments made by this section shall apply to plan
22 years beginning after December 31, 2013.

23 (B) CLOSED CLASSES OF PARTICIPANTS.—

24 For purposes of paragraphs (1)(A)(iii),
25 (1)(B)(iii)(IV), and (2)(A)(iv) of section 401(o)

1 *of the Internal Revenue Code of 1986 (as added*
2 *by this section), a closed class of participants*
3 *shall be treated as being closed before April 5,*
4 *2017, if the plan sponsor's intention to create*
5 *such closed class is reflected in formal written*
6 *documents and communicated to participants be-*
7 *fore such date.*

8 (C) *CERTAIN POST-ENACTMENT PLAN*
9 *AMENDMENTS.—A plan shall not be treated as*
10 *failing to be eligible for the application of section*
11 *401(o)(1)(A), 401(o)(1)(B)(iii), or 401(a)(26) of*
12 *such Code (as added by this section) to such plan*
13 *solely because in the case of—*

14 *(i) such section 401(o)(1)(A), the plan*
15 *was amended before the date of the enact-*
16 *ment of this Act to eliminate 1 or more ben-*
17 *efits, rights, or features, and is further*
18 *amended after such date of enactment to*
19 *provide such previously eliminated benefits,*
20 *rights, or features to a closed class of par-*
21 *ticipants, or*

22 *(ii) such section 401(o)(1)(B)(iii) or*
23 *section 401(a)(26), the plan was amended*
24 *before the date of the enactment of this Act*
25 *to cease all benefit accruals, and is further*

1 *amended after such date of enactment to*
2 *provide benefit accruals to a closed class of*
3 *participants.*

4 *Any such section shall only apply if the plan*
5 *otherwise meets the requirements of such section*
6 *and in applying such section, the date the class*
7 *of participants is closed shall be the effective date*
8 *of the later amendment.*

9 **SEC. 206. MODIFICATION OF PBGC PREMIUMS FOR CSEC**
10 **PLANS.**

11 *(a) FLAT RATE PREMIUM.—Subparagraph (A) of sec-*
12 *tion 4006(a)(3) of the Employee Retirement Income Secu-*
13 *rity Act of 1974 (29 U.S.C. 1306(a)(3)) is amended—*

14 *(1) in clause (i), by striking “plan,” and insert-*
15 *ing “plan other than a CSEC plan (as defined in sec-*
16 *tion 210(f)(1))”;*

17 *(2) in clause (v), by striking “or” at the end;*

18 *(3) in clause (vi), by striking the period at the*
19 *end and inserting “, or”;* and

20 *(4) by adding at the end the following new*
21 *clause:*

22 *“(vii) in the case of a CSEC plan (as*
23 *defined in section 210(f)(1)), for plan years*
24 *beginning after December 31, 2018, for each*
25 *individual who is a participant in such*

1 *plan during the plan year an amount equal*
2 *to the sum of—*

3 *“(I) the additional premium (if*
4 *any) determined under subparagraph*
5 *(E), and*

6 *“(II) §19.”.*

7 *(b) VARIABLE RATE PREMIUM.—*

8 *(1) UNFUNDED VESTED BENEFITS.—*

9 *(A) IN GENERAL.—Subparagraph (E) of*
10 *section 4006(a)(3) of the Employee Retirement*
11 *Income Security Act of 1974 (29 U.S.C.*
12 *1306(a)(3)) is amended by adding at the end the*
13 *following new clause:*

14 *“(v) For purposes of clause (ii), in the case*
15 *of a CSEC plan (as defined in section 210(f)(1)),*
16 *the term ‘unfunded vested benefits’ means, for*
17 *plan years beginning after December 31, 2018,*
18 *the excess (if any) of—*

19 *“(I) the funding liability of the plan as*
20 *determined under section 306(j)(5)(C) for*
21 *the plan year by only taking into account*
22 *vested benefits, over*

23 *“(II) the fair market value of plan as-*
24 *sets for the plan year which are held by the*
25 *plan on the valuation date.”.*

1 (B) *CONFORMING AMENDMENT.*—*Clause*
 2 *(iii) of section 4006(a)(3)(E) of such Act (29*
 3 *U.S.C. 1306(a)(3)(E)) is amended by striking*
 4 *“For purposes” and inserting “Except as pro-*
 5 *vided in clause (v), for purposes”.*

6 (2) *APPLICABLE DOLLAR AMOUNT.*—

7 (A) *IN GENERAL.*—*Paragraph (8) of section*
 8 *4006(a) of such Act (29 U.S.C. 1306(a)) is*
 9 *amended by adding at the end the following new*
 10 *subparagraph:*

11 *“(E) CSEC PLANS.—In the case of a CSEC*
 12 *plan (as defined in section 210(f)(1)), the appli-*
 13 *cable dollar amount shall be \$9.”.*

14 (B) *CONFORMING AMENDMENT.*—*Subpara-*
 15 *graph (A) of section 4006(a)(8) of such Act (29*
 16 *U.S.C. 1306(a)(8)) is amended by striking “(B)*
 17 *and (C)” and inserting “(B), (C), and (E)”.*

18 **TITLE III—OTHER BENEFITS**

19 **SEC. 301. BENEFITS PROVIDED TO VOLUNTEER FIRE-** 20 **FIGHTERS AND EMERGENCY MEDICAL RE-** 21 **SPONDERS.**

22 (a) *INCREASE IN DOLLAR LIMITATION ON QUALIFIED*
 23 *PAYMENTS.*—*Subparagraph (B) of section 139B(c)(2) of the*
 24 *Internal Revenue Code of 1986 is amended by striking*
 25 *“\$30” and inserting “\$50”.*

1 (b) *EXTENSION.*—Section 139B(d) of the Internal Rev-
2 *enue Code of 1986 is amended by striking “beginning after*
3 *December 31, 2010.” and inserting “beginning—*

4 *“(1) after December 31, 2010, and before Janu-*
5 *ary 1, 2020, or*

6 *“(2) after December 31, 2020.”.*

7 (c) *TECHNICAL CORRECTION.*—Section 3121(a)(23) of
8 *such Code is amended by striking “139B(b)” and inserting*
9 *“section 139B(a)”.*

10 (d) *EFFECTIVE DATE.*—The amendments made by this
11 *section shall apply to taxable years beginning after Decem-*
12 *ber 31, 2019.*

13 **SEC. 302. EXPANSION OF SECTION 529 PLANS.**

14 (a) *DISTRIBUTIONS FOR CERTAIN EXPENSES ASSOCI-*
15 *ATED WITH REGISTERED APPRENTICESHIP PROGRAMS.*—
16 *Section 529(c) of the Internal Revenue Code of 1986 is*
17 *amended by adding at the end the following new paragraph:*

18 *“(8) TREATMENT OF CERTAIN EXPENSES ASSOCI-*
19 *ATED WITH REGISTERED APPRENTICESHIP PRO-*
20 *GRAMS.*—Any reference in this subsection to the term
21 *‘qualified higher education expense’ shall include a*
22 *reference to expenses for fees, books, supplies, and*
23 *equipment required for the participation of a des-*
24 *ignated beneficiary in an apprenticeship program*
25 *registered and certified with the Secretary of Labor*

1 *under section 1 of the National Apprenticeship Act*
2 *(29 U.S.C. 50).”.*

3 ***(b) DISTRIBUTIONS FOR QUALIFIED EDUCATION LOAN***
4 ***REPAYMENTS.—***

5 ***(1) IN GENERAL.—****Section 529(c) of such Code,*
6 *as amended by subsection (a), is amended by adding*
7 *at the end the following new paragraph:*

8 ***“(9) TREATMENT OF QUALIFIED EDUCATION***
9 ***LOAN REPAYMENTS.—***

10 ***“(A) IN GENERAL.—****Any reference in this*
11 *subsection to the term ‘qualified higher education*
12 *expense’ shall include a reference to amounts*
13 *paid as principal or interest on any qualified*
14 *education loan (as defined in section 221(d)) of*
15 *the designated beneficiary or a sibling of the des-*
16 *ignated beneficiary.*

17 ***“(B) LIMITATION.—****The amount of distribu-*
18 *tions treated as a qualified higher education ex-*
19 *pense under this paragraph with respect to the*
20 *loans of any individual shall not exceed \$10,000*
21 *(reduced by the amount of distributions so treat-*
22 *ed for all prior taxable years).*

23 ***“(C) SPECIAL RULES FOR SIBLINGS OF THE***
24 ***DESIGNATED BENEFICIARY.—***

1 “(i) *SEPARATE ACCOUNTING.*—For
2 purposes of subparagraph (B) and sub-
3 section (d), amounts treated as a qualified
4 higher education expense with respect to the
5 loans of a sibling of the designated bene-
6 ficiary shall be taken into account with re-
7 spect to such sibling and not with respect to
8 such designated beneficiary.

9 “(ii) *SIBLING DEFINED.*—For purposes
10 of this paragraph, the term ‘sibling’ means
11 an individual who bears a relationship to
12 the designated beneficiary which is de-
13 scribed in section 152(d)(2)(B).”.

14 (2) *COORDINATION WITH DEDUCTION FOR STU-*
15 *DENT LOAN INTEREST.*—Section 221(e)(1) of such
16 Code is amended by adding at the end the following:
17 “The deduction otherwise allowable under subsection
18 (a) (prior to the application of subsection (b)) to the
19 taxpayer for any taxable year shall be reduced (but
20 not below zero) by so much of the distributions treated
21 as a qualified higher education expense under section
22 529(c)(9) with respect to loans of the taxpayer as
23 would be includible in gross income under section
24 529(c)(3)(A) for such taxable year but for such treat-
25 ment.”.

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
 2 *section shall apply to distributions made after December 31,*
 3 *2018.*

4 **TITLE IV—REVENUE**
 5 **PROVISIONS**

6 **SEC. 401. MODIFICATION OF REQUIRED DISTRIBUTION**
 7 **RULES FOR DESIGNATED BENEFICIARIES.**

8 (a) *MODIFICATION OF RULES WHERE EMPLOYEE*
 9 *DIES BEFORE ENTIRE DISTRIBUTION.*—

10 (1) *IN GENERAL.*—*Section 401(a)(9) of the Inter-*
 11 *nal Revenue Code of 1986 is amended by adding at*
 12 *the end the following new subparagraph:*

13 “(H) *SPECIAL RULES FOR CERTAIN DE-*
 14 *FINED CONTRIBUTION PLANS.*—*In the case of a*
 15 *defined contribution plan, if an employee dies*
 16 *before the distribution of the employee’s entire*
 17 *interest—*

18 “(i) *IN GENERAL.*—*Except in the case*
 19 *of a beneficiary who is not a designated*
 20 *beneficiary, subparagraph (B)(ii)—*

21 “(I) *shall be applied by sub-*
 22 *stituting ‘10 years’ for ‘5 years’, and*

23 “(II) *shall apply whether or not*
 24 *distributions of the employee’s interests*

1 *have begun in accordance with sub-*
2 *paragraph (A).*

3 “(ii) *EXCEPTION FOR ELIGIBLE DES-*
4 *IGNATED BENEFICIARIES.—Subparagraph*
5 *(B)(iii) shall apply only in the case of an*
6 *eligible designated beneficiary.*

7 “(iii) *RULES UPON DEATH OF ELIGI-*
8 *BLE DESIGNATED BENEFICIARY.—If an eli-*
9 *gible designated beneficiary dies before the*
10 *portion of the employee’s interest to which*
11 *this subparagraph applies is entirely dis-*
12 *tributed, the exception under clause (ii)*
13 *shall not apply to any beneficiary of such*
14 *eligible designated beneficiary and the re-*
15 *mainder of such portion shall be distributed*
16 *within 10 years after the death of such eli-*
17 *gible designated beneficiary.*

18 “(iv) *SPECIAL RULE IN CASE OF CER-*
19 *TAIN TRUSTS FOR DISABLED OR CHRON-*
20 *ICALLY ILL BENEFICIARIES.—In the case of*
21 *an applicable multi-beneficiary trust, if*
22 *under the terms of the trust—*

23 “(I) *it is to be divided imme-*
24 *diately upon the death of the employee*

1 *into separate trusts for each bene-*
2 *ficiary, or*

3 “(II) *no individual (other than a*
4 *eligible designated beneficiary de-*
5 *scribed in subclause (III) or (IV) of*
6 *subparagraph (E)(ii)) has any right to*
7 *the employee’s interest in the plan*
8 *until the death of all such eligible des-*
9 *ignated beneficiaries with respect to the*
10 *trust,*

11 *for purposes of a trust described in sub-*
12 *clause (I), clause (ii) shall be applied sepa-*
13 *rately with respect to the portion of the em-*
14 *ployee’s interest that is payable to any eli-*
15 *gible designated beneficiary described in*
16 *subclause (III) or (IV) of subparagraph*
17 *(E)(ii); and, for purposes of a trust de-*
18 *scribed in subclause (II), subparagraph*
19 *(B)(iii) shall apply to the distribution of*
20 *the employee’s interest and any beneficiary*
21 *who is not such an eligible designated bene-*
22 *ficiary shall be treated as a beneficiary of*
23 *the eligible designated beneficiary upon the*
24 *death of such eligible designated beneficiary.*

1 “(v) *APPLICABLE MULTI-BENEFICIARY*
2 *TRUST.*—For purposes of this subpara-
3 graph, the term ‘applicable multi-bene-
4 ficiary trust’ means a trust—

5 “(I) which has more than one ben-
6 eficiary,

7 “(II) all of the beneficiaries of
8 which are treated as designated bene-
9 ficiaries for purposes of determining
10 the distribution period pursuant to
11 this paragraph, and

12 “(III) at least one of the bene-
13 ficiaries of which is an eligible des-
14 ignated beneficiary described in sub-
15 clause (III) or (IV) of subparagraph
16 (E)(ii).

17 “(vi) *APPLICATION TO CERTAIN ELIGI-*
18 *BLE RETIREMENT PLANS.*—For purposes of
19 applying the provisions of this subpara-
20 graph in determining amounts required to
21 be distributed pursuant to this paragraph,
22 all eligible retirement plans (as defined in
23 section 402(c)(8)(B), other than a defined
24 benefit plan described in clause (iv) or (v)
25 thereof or a qualified trust which is a part

1 of a defined benefit plan) shall be treated as
2 a defined contribution plan.”.

3 (2) *DEFINITION OF ELIGIBLE DESIGNATED BENE-*
4 *FICIARY.*—Section 401(a)(9)(E) of such Code is
5 amended to read as follows:

6 “(E) *DEFINITIONS AND RULES RELATING*
7 *TO DESIGNATED BENEFICIARIES.*—For purposes
8 of this paragraph—

9 “(i) *DESIGNATED BENEFICIARY.*—The
10 term ‘designated beneficiary’ means any in-
11 dividual designated as a beneficiary by the
12 employee.

13 “(ii) *ELIGIBLE DESIGNATED BENE-*
14 *FICIARY.*—The term ‘eligible designated ben-
15 eficiary’ means, with respect to any em-
16 ployee, any designated beneficiary who is—

17 “(I) the surviving spouse of the
18 employee,

19 “(II) subject to clause (iii), a
20 child of the employee who has not
21 reached majority (within the meaning
22 of subparagraph (F)),

23 “(III) disabled (within the mean-
24 ing of section 72(m)(7)),

1 “(IV) a chronically ill individual
2 (within the meaning of section
3 7702B(c)(2), except that the require-
4 ments of subparagraph (A)(i) thereof
5 shall only be treated as met if there is
6 a certification that, as of such date, the
7 period of inability described in such
8 subparagraph with respect to the indi-
9 vidual is an indefinite one which is
10 reasonably expected to be lengthy in
11 nature), or

12 “(V) an individual not described
13 in any of the preceding subclauses who
14 is not more than 10 years younger
15 than the employee.

16 *The determination of whether a designated*
17 *beneficiary is an eligible designated bene-*
18 *ficiary shall be made as of the date of death*
19 *of the employee.*

20 “(iii) *SPECIAL RULE FOR CHIL-*
21 *DREN.—Subject to subparagraph (F), an*
22 *individual described in clause (ii)(II) shall*
23 *cease to be an eligible designated beneficiary*
24 *as of the date the individual reaches major-*
25 *ity and any remainder of the portion of the*

1 *individual's interest to which subparagraph*
2 *(H)(ii) applies shall be distributed within*
3 *10 years after such date.”.*

4 ***(b) EFFECTIVE DATES.—***

5 ***(1) IN GENERAL.—****Except as provided in this*
6 *subsection, the amendments made by this section shall*
7 *apply to distributions with respect to employees who*
8 *die after December 31, 2019.*

9 ***(2) COLLECTIVE BARGAINING EXCEPTION.—****In*
10 *the case of a plan maintained pursuant to 1 or more*
11 *collective bargaining agreements between employee*
12 *representatives and 1 or more employers ratified be-*
13 *fore the date of enactment of this Act, the amendments*
14 *made by this section shall apply to distributions with*
15 *respect to employees who die in calendar years begin-*
16 *ning after the earlier of—*

17 ***(A) the later of—***

18 ***(i) the date on which the last of such***
19 *collective bargaining agreements terminates*
20 *(determined without regard to any exten-*
21 *sion thereof agreed to on or after the date*
22 *of the enactment of this Act), or*

23 ***(ii) December 31, 2019, or***

24 ***(B) December 31, 2021.***

1 *For purposes of subparagraph (A)(i), any plan*
2 *amendment made pursuant to a collective bargaining*
3 *agreement relating to the plan which amends the plan*
4 *solely to conform to any requirement added by this*
5 *section shall not be treated as a termination of such*
6 *collective bargaining agreement.*

7 (3) *GOVERNMENTAL PLANS.—In the case of a*
8 *governmental plan (as defined in section 414(d) of the*
9 *Internal Revenue Code of 1986), paragraph (1) shall*
10 *be applied by substituting “December 31, 2021” for*
11 *“December 31, 2019”.*

12 (4) *EXCEPTION FOR CERTAIN EXISTING ANNUITY*
13 *CONTRACTS.—*

14 (A) *IN GENERAL.—The amendments made*
15 *by this section shall not apply to a qualified an-*
16 *nuity which is a binding annuity contract in ef-*
17 *fect on the date of enactment of this Act and at*
18 *all times thereafter.*

19 (B) *QUALIFIED ANNUITY.—For purposes of*
20 *this paragraph, the term “qualified annuity”*
21 *means, with respect to an employee, an annu-*
22 *ity—*

23 (i) *which is a commercial annuity (as*
24 *defined in section 3405(e)(6) of the Internal*
25 *Revenue Code of 1986);*

1 (ii) under which the annuity payments
2 are made over the life of the employee or
3 over the joint lives of such employee and a
4 designated beneficiary (or over a period not
5 extending beyond the life expectancy of such
6 employee or the joint life expectancy of such
7 employee and a designated beneficiary) in
8 accordance with the regulations described in
9 section 401(a)(9)(A)(ii) of such Code (as in
10 effect before such amendments) and which
11 meets the other requirements of section
12 401(a)(9) of such Code (as so in effect) with
13 respect to such payments; and

14 (iii) with respect to which—

15 (I) annuity payments to the em-
16 ployee have begun before the date of en-
17 actment of this Act, and the employee
18 has made an irrevocable election before
19 such date as to the method and amount
20 of the annuity payments to the em-
21 ployee or any designated beneficiaries;
22 or

23 (II) if subclause (I) does not
24 apply, the employee has made an ir-
25 revocable election before the date of en-

1 *actment of this Act as to the method*
2 *and amount of the annuity payments*
3 *to the employee or any designated*
4 *beneficiaries.*

5 (5) *EXCEPTION FOR CERTAIN BENEFICIARIES.—*

6 (A) *IN GENERAL.—If an employee dies be-*
7 *fore the effective date, then, in applying the*
8 *amendments made by this section to such em-*
9 *ployee’s designated beneficiary who dies after*
10 *such date—*

11 (i) *such amendments shall apply to*
12 *any beneficiary of such designated bene-*
13 *ficiary; and*

14 (ii) *the designated beneficiary shall be*
15 *treated as an eligible designated beneficiary*
16 *for purposes of applying section*
17 *401(a)(9)(H)(ii) of the Internal Revenue*
18 *Code of 1986 (as in effect after such amend-*
19 *ments).*

20 (B) *EFFECTIVE DATE.—For purposes of this*
21 *paragraph, the term “effective date” means the*
22 *first day of the first calendar year to which the*
23 *amendments made by this section apply to a*
24 *plan with respect to employees dying on or after*
25 *such date.*

1 **SEC. 402. INCREASE IN PENALTY FOR FAILURE TO FILE.**

2 (a) *IN GENERAL.*—*The second sentence of subsection*
3 *(a) of section 6651 of the Internal Revenue Code of 1986*
4 *is amended by striking “\$330” and inserting “\$435”.*

5 (b) *INFLATION ADJUSTMENT.*—*Section 6651(j)(1) of*
6 *such Code is amended by striking “\$330” and inserting*
7 *“\$435”.*

8 (c) *EFFECTIVE DATE.*—*The amendments made by this*
9 *section shall apply to returns the due date for which (in-*
10 *cluding extensions) is after December 31, 2019.*

11 **SEC. 403. INCREASED PENALTIES FOR FAILURE TO FILE RE-**
12 **TIREMENT PLAN RETURNS.**

13 (a) *IN GENERAL.*—*Subsection (e) of section 6652 of*
14 *the Internal Revenue Code of 1986 is amended—*

15 (1) *by striking “\$25” and inserting “\$250”; and*

16 (2) *by striking “\$15,000” and inserting*
17 *“\$150,000”.*

18 (b) *ANNUAL REGISTRATION STATEMENT AND NOTIFI-*
19 *CATION OF CHANGES.*—*Subsection (d) of section 6652 of the*
20 *Internal Revenue Code of 1986 is amended—*

21 (1) *by striking “\$1” both places it appears in*
22 *paragraphs (1) and (2) and inserting “\$10”;*

23 (2) *by striking “\$5,000” in paragraph (1) and*
24 *inserting “\$50,000”; and*

25 (3) *by striking “\$1,000” in paragraph (2) and*
26 *inserting “\$10,000”.*

1 (c) *FAILURE TO PROVIDE NOTICE.*—Subsection (h) of
2 section 6652 of the Internal Revenue Code of 1986 is
3 amended—

4 (1) by striking “\$10” and inserting “\$100”; and

5 (2) by striking “\$5,000” and inserting
6 “\$50,000”.

7 (d) *EFFECTIVE DATE.*—The amendments made by this
8 section shall apply to returns, statements, and notifications
9 required to be filed, and notices required to be provided,
10 after December 31, 2019.

11 **SEC. 404. INCREASE INFORMATION SHARING TO ADMIN-**
12 **ISTER EXCISE TAXES.**

13 (a) *IN GENERAL.*—Section 6103(o) of the Internal
14 Revenue Code of 1986 is amended by adding at the end
15 the following new paragraph:

16 “(3) *TAXES IMPOSED BY SECTION 4481.*—Returns
17 and return information with respect to taxes imposed
18 by section 4481 shall be open to inspection by or dis-
19 closure to officers and employees of United States
20 Customs and Border Protection of the Department of
21 Homeland Security whose official duties require such
22 inspection or disclosure for purposes of administering
23 such section.”.

24 (b) *CONFORMING AMENDMENTS.*—Paragraph (4) of
25 section 6103(p) of the Internal Revenue Code of 1986 is

1 amended by striking “or (o)(1)(A)” each place it appears
 2 and inserting “, (o)(1)(A), or (o)(3)”.

3 **TITLE V—TAX RELIEF FOR**
 4 **CERTAIN CHILDREN**

5 **SEC. 501. MODIFICATION OF RULES RELATING TO THE TAX-**
 6 **ATION OF UNEARNED INCOME OF CERTAIN**
 7 **CHILDREN.**

8 (a) *IN GENERAL.*—Section 1(j) of the Internal Revenue
 9 Code of 1986 is amended by striking paragraph (4).

10 (b) *COORDINATION WITH ALTERNATIVE MINIMUM*
 11 *TAX.*—Section 55(d)(4)(A) of the Internal Revenue Code of
 12 1986 is amended by striking “and” at the end of clause
 13 (i)(II), by striking the period at the end of clause (ii)(III)
 14 and inserting “, and”, and by adding at the end the fol-
 15 lowing new clause:

16 “(iii) subsection (j) of section 59 shall
 17 not apply.”.

18 (c) *EFFECTIVE DATE.*—

19 (1) *IN GENERAL.*—Except as otherwise provided
 20 in this subsection, the amendment made by subsection
 21 (a) shall apply to taxable years beginning after De-
 22 cember 31, 2019.

23 (2) *COORDINATION WITH ALTERNATIVE MINIMUM*
 24 *TAX.*—The amendment made by subsection (b) shall

1 *apply to taxable years beginning after December 31,*
2 *2017.*

3 (3) *ELECTIVE RETROACTIVE APPLICATION.—A*
4 *taxpayer may elect (at such time and in such manner*
5 *as the Secretary of the Treasury (or the Secretary’s*
6 *designee) may provide) for the amendment made by*
7 *subsection (a) to also apply to taxable years of the*
8 *taxpayer which begin in 2018, 2019, or both (as spec-*
9 *ified by the taxpayer in such election).*

10 ***TITLE VI—ADMINISTRATIVE***
11 ***PROVISIONS***

12 ***SEC. 601. PROVISIONS RELATING TO PLAN AMENDMENTS.***

13 (a) *IN GENERAL.—If this section applies to any retire-*
14 *ment plan or contract amendment—*

15 (1) *such retirement plan or contract shall be*
16 *treated as being operated in accordance with the*
17 *terms of the plan during the period described in sub-*
18 *section (b)(2)(A); and*

19 (2) *except as provided by the Secretary of the*
20 *Treasury (or the Secretary’s delegate), such retirement*
21 *plan shall not fail to meet the requirements of section*
22 *411(d)(6) of the Internal Revenue Code of 1986 and*
23 *section 204(g) of the Employee Retirement Income Se-*
24 *curity Act of 1974 by reason of such amendment.*

25 (b) *AMENDMENTS TO WHICH SECTION APPLIES.—*

1 (1) *IN GENERAL.*—*This section shall apply to*
2 *any amendment to any retirement plan or annuity*
3 *contract which is made—*

4 (A) *pursuant to any amendment made by*
5 *this Act or pursuant to any regulation issued by*
6 *the Secretary of the Treasury or the Secretary of*
7 *Labor (or a delegate of either such Secretary)*
8 *under this Act; and*

9 (B) *on or before the last day of the first*
10 *plan year beginning on or after January 1,*
11 *2022, or such later date as the Secretary of the*
12 *Treasury may prescribe.*

13 *In the case of a governmental plan (as defined in sec-*
14 *tion 414(d) of the Internal Revenue Code of 1986), or*
15 *an applicable collectively bargained plan in the case*
16 *of section 401 (and the amendments made thereby),*
17 *this paragraph shall be applied by substituting*
18 *“2024” for “2022”. For purposes of the preceding sen-*
19 *tence, the term “applicable collectively bargained*
20 *plan” means a plan maintained pursuant to 1 or*
21 *more collective bargaining agreements between em-*
22 *ployee representatives and 1 or more employers rati-*
23 *fied before the date of enactment of this Act.*

24 (2) *CONDITIONS.*—*This section shall not apply to*
25 *any amendment unless—*

- 1 (A) during the period—
- 2 (i) beginning on the date the legislative
- 3 or regulatory amendment described in para-
- 4 graph (1)(A) takes effect (or in the case of
- 5 a plan or contract amendment not required
- 6 by such legislative or regulatory amend-
- 7 ment, the effective date specified by the
- 8 plan); and
- 9 (ii) ending on the date described in
- 10 paragraph (1)(B) (as modified by the sec-
- 11 ond sentence of paragraph (1)) (or, if ear-
- 12 lier, the date the plan or contract amend-
- 13 ment is adopted),
- 14 the plan or contract is operated as if such plan
- 15 or contract amendment were in effect; and
- 16 (B) such plan or contract amendment ap-
- 17 plies retroactively for such period.

18 ***DIVISION P—OTHER MATTER***

19 ***TITLE I—PLATTE RIVER RECOV-***

20 ***ERY IMPLEMENTATION PRO-***

21 ***GRAM***

22 ***SEC. 101. SHORT TITLE.***

23 *This title may be cited as the “Temporary Relief from*

24 *Certain ERISA Requirements Act of 2020”.*

1 **SEC. 102. PURPOSE.**

2 *The purpose of this Act is to authorize the Secretary*
3 *of the Interior, acting through the Commissioner of Rec-*
4 *lamation and in partnership with the States, other Federal*
5 *agencies, and other non-Federal entities, to continue the co-*
6 *operative effort among the Federal and non-Federal entities*
7 *through the continued implementation of the Platte River*
8 *Recovery Implementation Program First Increment Exten-*
9 *sion for threatened and endangered species in the Central*
10 *and Lower Platte River Basin without creating Federal*
11 *water rights or requiring the grant of water rights to Fed-*
12 *eral entities.*

13 **SEC. 103. DEFINITIONS.**

14 *In this Act:*

15 (1) *AGREEMENT.*—*The term “Agreement” means*
16 *the Platte River Recovery Implementation Program*
17 *Cooperative Agreement entered into by the Governors*
18 *of the States and the Secretary, including an amend-*
19 *ment or addendum to the Agreement to extend the*
20 *Program.*

21 (2) *FIRST INCREMENT.*—*The term “First Incre-*
22 *ment” means the Program’s first 13 years from Janu-*
23 *ary 1, 2007 through December 31, 2019.*

24 (3) *FIRST INCREMENT EXTENSION.*—*The term*
25 *“First Increment Extension” means the extension of*

1 *the Program for 13 years from January 1, 2020*
2 *through December 31, 2032.*

3 (4) *GOVERNANCE COMMITTEE.*—*The term “Gov-*
4 *ernance Committee” means the governance committee*
5 *established under the Agreement and composed of*
6 *members from the States, the Federal Government, en-*
7 *vironmental interests, and water users.*

8 (5) *INTEREST IN LAND OR WATER.*—*The term*
9 *“interest in land or water” includes fee title, short-*
10 *or long-term easement, lease, or other contractual ar-*
11 *rangement that is determined to be necessary by the*
12 *Secretary to implement the land and water compo-*
13 *nents of the Program.*

14 (6) *PROGRAM.*—*The term “Program” means the*
15 *Platte River Recovery Implementation Program es-*
16 *tablished under the Agreement and continued under*
17 *an amendment or addendum to the Agreement.*

18 (7) *PROJECT OR ACTIVITY.*—*The term “project or*
19 *activity” means—*

20 (A) *the planning, design, permitting, or*
21 *other compliance activity, construction, construc-*
22 *tion management, operation, maintenance, and*
23 *replacement of a facility;*

24 (B) *the acquisition of an interest in land or*
25 *water;*

1 (C) *habitat restoration;*
2 (D) *research and monitoring;*
3 (E) *program administration; and*
4 (F) *any other activity that is determined to*
5 *be necessary by the Secretary to carry out the*
6 *Program.*

7 (8) *SECRETARY.*—*The term “Secretary” means*
8 *the Secretary of the Interior, acting through the Com-*
9 *missioner of Reclamation.*

10 (9) *STATES.*—*The term “States” means the*
11 *States of Colorado, Nebraska, and Wyoming.*

12 **SEC. 104. PLATTE RIVER RECOVERY IMPLEMENTATION PRO-**
13 **GRAM.**

14 (a) *IMPLEMENTATION OF PROGRAM.*—

15 (1) *IN GENERAL.*—*The Secretary, in cooperation*
16 *with the Governance Committee, may—*

17 (A) *participate in the Program; and*

18 (B) *carry out any projects and activities*
19 *that are designated for implementation during*
20 *the First Increment Extension.*

21 (2) *AUTHORITY OF THE SECRETARY.*—*For the*
22 *purposes of carrying out this section, the Secretary,*
23 *in cooperation with the Governance Committee,*
24 *may—*

1 (A) enter into agreements and contracts
2 with Federal and non-Federal entities;

3 (B) acquire interests in land, water, and fa-
4 cilities from willing sellers without the use of
5 eminent domain;

6 (C) subsequently transfer any interests ac-
7 quired under subparagraph (B); and

8 (D) accept or provide grants.

9 (b) COST-SHARING CONTRIBUTIONS.—

10 (1) IN GENERAL.—As provided in the Agreement,
11 the States shall contribute not less than 50 percent of
12 the total contributions necessary to carry out the Pro-
13 gram.

14 (2) NON-FEDERAL CONTRIBUTIONS.—The fol-
15 lowing contributions shall constitute the States' share
16 of the Program:

17 (A) An additional \$28,000,000 in non-Fed-
18 eral funds, with the balance of funds remaining
19 to be contributed to be adjusted for inflation on
20 October 1 of the year after the date of enactment
21 of this Act and each October 1 thereafter.

22 (B) Additional credit for contributions of
23 water or land for the purposes of implementing
24 the Program, as determined to be appropriate by
25 the Secretary.

1 (3) *IN-KIND CONTRIBUTIONS.*—*The Secretary or*
2 *the States may elect to provide a portion of the Fed-*
3 *eral share or non-Federal share, respectively, in the*
4 *form of in-kind goods or services, if the contribution*
5 *of goods or services is approved by the Governance*
6 *Committee, as provided in Attachment 1 of the Agree-*
7 *ment.*

8 (c) *AUTHORITY TO MODIFY PROGRAM.*—*The Program*
9 *may be modified or amended before the completion of the*
10 *First Increment Extension if the Secretary and the States*
11 *determine that the modifications are consistent with the*
12 *purposes of the Program.*

13 (d) *EFFECT.*—

14 (1) *EFFECT ON RECLAMATION LAWS.*—*No action*
15 *carried out under this section shall, with respect to*
16 *the acreage limitation provisions of the reclamation*
17 *laws—*

18 (A) *be considered in determining whether a*
19 *district (as the term is defined in section 202 of*
20 *the Reclamation Reform Act of 1982 (43 U.S.C.*
21 *390bb)) has discharged the obligation of the dis-*
22 *trict to repay the construction cost of project fa-*
23 *cilities used to make irrigation water available*
24 *for delivery to land in the district;*

1 (B) serve as the basis for reinstating acre-
2 age limitation provisions in a district that has
3 completed payment of the construction obliga-
4 tions of the district; or

5 (C) serve as the basis for increasing the con-
6 struction repayment obligation of the district,
7 which would extend the period during which the
8 acreage limitation provisions would apply.

9 (2) *EFFECT ON WATER RIGHTS.*—Nothing in this
10 section—

11 (A) creates Federal water rights; or

12 (B) requires the grant of water rights to
13 Federal entities.

14 (e) *AUTHORIZATION OF APPROPRIATIONS.*—

15 (1) *IN GENERAL.*—There is authorized to be ap-
16 propriated to carry out projects and activities under
17 this section an additional \$78,000,000 as adjusted
18 under paragraph (3).

19 (2) *NONREIMBURSABLE FEDERAL EXPENDI-*
20 *TURES.*—Any amounts to be expended under para-
21 graph (1) shall be considered nonreimbursable Federal
22 expenditures.

23 (3) *ADJUSTMENT.*—The balance of funds remain-
24 ing to be expended shall be adjusted for inflation on

1 *Lakes become the international boundary between*
2 *Canada and the United States.*

3 *(b) FINDINGS.—Congress finds the following:*

4 *(1) The Great Lakes support a diverse ecosystem,*
5 *on which the vibrant and economically valuable Great*
6 *Lakes fisheries depend.*

7 *(2) To continue successful fisheries management*
8 *and coordination, as has occurred since signing of the*
9 *Convention on Great Lakes Fisheries between the*
10 *United States and Canada on September 10, 1954,*
11 *management of the ecosystem and its fisheries require*
12 *sound, reliable science, and the use of modern sci-*
13 *entific technologies.*

14 *(3) Fisheries research is necessary to support*
15 *multi-jurisdictional fishery management decisions*
16 *and actions regarding recreational and sport fishing,*
17 *commercial fisheries, tribal harvest, allocation deci-*
18 *sions, and fish stocking activities.*

19 *(4) President Richard Nixon submitted, and the*
20 *Congress approved, Reorganization Plan No. 4 (84*
21 *Stat. 2090), conferring science activities and manage-*
22 *ment of marine fisheries to the National Oceanic and*
23 *Atmospheric Administration.*

24 *(5) Reorganization Plan No. 4 expressly excluded*
25 *fishery research activities within the Great Lakes*

1 *from the transfer, retaining management and sci-*
2 *entific research duties within the already-established*
3 *jurisdictions under the 1954 Convention on Great*
4 *Lakes Fisheries, including those of the Great Lakes*
5 *Fishery Commission and the Department of the Inte-*
6 *rior.*

7 *(c) MONITORING, ASSESSMENT, SCIENCE, AND RE-*
8 *SEARCH.—*

9 *(1) IN GENERAL.—The Director may conduct*
10 *monitoring, assessment, science, and research, in sup-*
11 *port of the binational fisheries within the Great Lakes*
12 *Basin.*

13 *(2) SPECIFIC AUTHORITIES.—The Director shall,*
14 *under paragraph (1)—*

15 *(A) execute a comprehensive, multi-lake,*
16 *freshwater fisheries science program;*

17 *(B) coordinate with and work cooperatively*
18 *with regional, State, tribal, and local govern-*
19 *ments; and*

20 *(C) consult with other interested entities*
21 *groups, including academia and relevant Cana-*
22 *dian agencies.*

23 *(3) INCLUDED RESEARCH.—To properly serve*
24 *the needs of fisheries managers, monitoring, assess-*

1 *ment, science, and research under this section may*
2 *include—*

3 *(A) deepwater ecosystem sciences;*

4 *(B) biological and food-web components;*

5 *(C) fish movement and behavior investiga-*
6 *tions;*

7 *(D) fish population structures;*

8 *(E) fish habitat investigations;*

9 *(F) invasive species science;*

10 *(G) use of existing, new, and experimental*
11 *biological assessment tools, equipment, vessels,*
12 *other scientific instrumentation and laboratory*
13 *capabilities necessary to support fishery manage-*
14 *ment decisions; and*

15 *(H) studies to assess impacts on Great*
16 *Lakes Fishery resources.*

17 *(4) SAVINGS CLAUSE.—Nothing in this section is*
18 *intended or shall be construed to impede, supersede,*
19 *or alter the authority of the Great Lakes Fishery*
20 *Commission, States, and Indian tribes under the Con-*
21 *vention on Great Lakes Fisheries between the United*
22 *States of America and Canada on September 10,*
23 *1954, and the Great Lakes Fishery Act of 1956 (16*
24 *U.S.C. 931 et seq.).*

1 (d) *AUTHORIZATION OF APPROPRIATIONS.*—For each
2 of fiscal years 2021 through 2025, there is authorized to
3 be appropriated \$15,000,000 to carry out this section.

4 **TITLE III—MORRIS K. UDALL**
5 **AND STEWART L. UDALL**
6 **FOUNDATION**

7 **SEC. 301. FINDINGS.**

8 Congress finds the following:

9 (1) Since 1999, the Morris K. Udall and Stewart
10 L. Udall Foundation (referred to in this Act as the
11 “Foundation”) has operated the Parks in Focus pro-
12 gram to provide opportunities for the youth of the
13 United States to learn about and experience the Na-
14 tion’s parks and wilderness, and other outdoor areas.

15 (2) Since 2001, the Foundation has conducted
16 research and provided education and training to Na-
17 tive American and Alaska Native professionals and
18 leaders on Native American and Alaska Native health
19 care issues and tribal public policy through the Na-
20 tive Nations Institute for Leadership, Management,
21 and Policy.

22 (3) The Foundation is committed to continuing
23 to make a substantial contribution toward public pol-
24 icy in the future by—

1 (A) *playing a significant role in developing*
2 *the next generation of environmental, public*
3 *health, public lands, natural resource, and Na-*
4 *tive American leaders; and*

5 (B) *working with current leaders to im-*
6 *prove collaboration and decision-making on chal-*
7 *lenging environmental, energy, public health,*
8 *and related economic problems and tribal gov-*
9 *ernance and economic development issues.*

10 **SEC. 302. DEFINITIONS.**

11 (a) *IN GENERAL.*—Section 4 of the Morris K. Udall
12 *and Stewart L. Udall Foundation Act (20 U.S.C. 5602) is*
13 *amended—*

14 (1) *in paragraph (2), by striking “the Udall*
15 *Center for Studies in Public Policy established at the*
16 *University of Arizona in 1987” and inserting “the*
17 *Udall Center for Studies in Public Policy established*
18 *in 1987 at the University of Arizona, and includes*
19 *the Native Nations Institute”;*

20 (2) *by striking paragraph (6);*

21 (3) *by redesignating paragraphs (3) through (5),*
22 *(8), and (9) as paragraphs (4) through (6), (11), and*
23 *(12), respectively;*

24 (4) *by inserting after paragraph (2) the fol-*
25 *lowing:*

1 “(3) the term ‘collaboration’ means to work in
2 partnership with other entities for the purpose of—

3 “(A) resolving disputes;

4 “(B) addressing issues that may cause or
5 result in disputes; or

6 “(C) streamlining and enhancing Federal,
7 State, or tribal environmental and natural re-
8 source decision-making processes or procedures
9 that may result in a dispute or conflict;”;

10 (5) in paragraph (7), by striking “section
11 1201(a)” and inserting “section 101(a)”;

12 (6) by inserting after paragraph (7) the fol-
13 lowing:

14 “(8) the term ‘National Center’ means the John
15 S. McCain III National Center for Environmental
16 Conflict Resolution established pursuant to section
17 7(a)(1)(B);”;

18 (7) by inserting after paragraph (8), as added by
19 paragraph (6), the following:

20 “(9) the term ‘Nation’s parks and wilderness’
21 means units of the National Park System and compo-
22 nents of the National Wilderness Preservation System;

23 “(10) the term ‘Native Nations Institute’ means
24 the Native Nations Institute for Leadership, Manage-

1 *ment, and Policy established at the University of Ari-*
2 *zona in 2001;”.*

3 *(b) CONFORMING AMENDMENT.—Section 3(5)(B) of the*
4 *Morris K. Udall and Stewart L. Udall Foundation Act (20*
5 *U.S.C. 5601(5)(B)) is amended by striking “the United*
6 *States Institute for Environmental Conflict Resolution”*
7 *and inserting “the National Center (previously known as*
8 *the United States Institute for Environmental Conflict Res-*
9 *olution)”.*

10 *(c) REFERENCES TO UNITED STATES INSTITUTE FOR*
11 *ENVIRONMENTAL CONFLICT RESOLUTION.—Any reference*
12 *to the United States Institute for Environmental Conflict*
13 *Resolution in any Federal law, Executive Order, rule, dele-*
14 *gation of authority, or document shall be construed to refer*
15 *to the John S. McCain III National Center for Environ-*
16 *mental Conflict Resolution established under section*
17 *7(a)(1)(B) of the Morris K. Udall and Stewart L. Udall*
18 *Foundation Act (20 U.S.C. 5605(a)(1)(B)).*

19 **SEC. 303. ESTABLISHMENT OF MORRIS K. UDALL AND STEW-**
20 **ART L. UDALL FOUNDATION.**

21 *Section 5(e) of the Morris K. Udall and Stewart L.*
22 *Udall Foundation Act (20 U.S.C. 5603(e)) is amended by*
23 *striking “Arizona.” and inserting “Arizona and the Dis-*
24 *trict of Columbia.”.*

1 **SEC. 304. PURPOSE OF THE FOUNDATION.**

2 *Section 6 of the Morris K. Udall and Stewart L. Udall*
3 *Foundation Act (20 U.S.C. 5604) is amended—*

4 *(1) in paragraph (4), by striking “establish a*
5 *Program for Environmental Policy Research and En-*
6 *vironmental Conflict Resolution and Training at the*
7 *Center” and inserting “establish a program for envi-*
8 *ronmental policy research at the Center and a pro-*
9 *gram for environmental conflict resolution and train-*
10 *ing at the National Center”;*

11 *(2) in paragraph (5), by inserting “, natural re-*
12 *source, conflict resolution,” after “environmental”;*

13 *(3) in paragraph (7)—*

14 *(A) by inserting “at the Native Nations In-*
15 *stitute” after “develop resources”; and*

16 *(B) by inserting “providing education to*
17 *and” after “policy, by”; and*

18 *(4) in paragraph (8)—*

19 *(A) by striking “United States Institute for*
20 *Environmental Conflict Resolution” and insert-*
21 *ing “John S. McCain III National Center for*
22 *Environmental Conflict Resolution”; and*

23 *(B) by striking “resolve environmental” and*
24 *inserting “resolve environmental issues, conflicts,*
25 *and”.*

1 **SEC. 305. AUTHORITY OF THE FOUNDATION.**

2 *Section 7 of the Morris K. Udall and Stewart L. Udall*
3 *Foundation Act (20 U.S.C. 5605) is amended—*

4 *(1) in subsection (a)—*

5 *(A) in paragraph (1)—*

6 *(i) by striking subparagraphs (A)*
7 *through (C) and inserting the following:*

8 *“(A) GENERAL PROGRAMMING AUTHOR-*
9 *ITY.—The Foundation is authorized to identify*
10 *and conduct, directly or by contract, such pro-*
11 *grams, activities, and services as the Foundation*
12 *considers appropriate to carry out the purposes*
13 *described in section 6, which may include—*

14 *“(i) awarding scholarships, fellowships,*
15 *internships, and grants, by national com-*
16 *petition, to eligible individuals, as deter-*
17 *mined by the Foundation and in accord-*
18 *ance with paragraphs (2), (3), and (4), for*
19 *study in fields related to the environment or*
20 *Native American and Alaska Native health*
21 *care and tribal policy;*

22 *“(ii) funding the Center to carry out*
23 *and manage other programs, activities, and*
24 *services; and*

25 *“(iii) other education programs that*
26 *the Board determines are consistent with*

1 *the purposes for which the Foundation is es-*
2 *tablished.”;*

3 *(ii) by redesignating subparagraph (D)*
4 *as subparagraph (B); and*

5 *(iii) in subparagraph (B), as redesign-*
6 *ated—*

7 *(I) in the subparagraph heading,*
8 *by striking “INSTITUTE FOR ENVIRON-*
9 *MENTAL CONFLICT RESOLUTION” and*
10 *inserting “JOHN S. MCCAIN III NA-*
11 *TIONAL CENTER FOR ENVIRONMENTAL*
12 *CONFLICT RESOLUTION”;*

13 *(II) in clause (i)—*

14 *(aa) in subclause (I), by*
15 *striking “United States Institute*
16 *for Environmental Conflict Reso-*
17 *lution” and inserting “John S.*
18 *McCain III National Center for*
19 *Environmental Conflict Resolu-*
20 *tion”;* *and*

21 *(bb) in subclause (II)—*

22 *(AA) by inserting “col-*
23 *laboration,” after “medi-*
24 *ation,”; and*

1 *(BB) by striking “to re-*
2 *solve environmental dis-*
3 *putes.” and inserting the fol-*
4 *lowing: “to resolve—*
5 *“(aa) environmental dis-*
6 *putes; and*
7 *“(bb) Federal, State, or trib-*
8 *al environmental or natural re-*
9 *source decision-making processes*
10 *or procedures that may result in a*
11 *dispute or conflict that may cause*
12 *or result in disputes.”; and*
13 *(III) in clause (ii), by inserting*
14 *“collaboration,” after “mediation,”;*
15 *(B) by striking paragraph (5);*
16 *(C) by redesignating paragraphs (6) and*
17 *(7) as paragraphs (7) and (8), respectively;*
18 *(D) by inserting after paragraph (4) the fol-*
19 *lowing:*
20 *“(5) PARKS IN FOCUS.—The Foundation shall—*
21 *“(A) identify and invite the participation*
22 *of youth throughout the United States to enjoy*
23 *the Nation’s parks and wilderness and other out-*
24 *door areas, in an education program intended to*

1 *carry out the purpose of paragraphs (1) and (2)*
2 *of section 6; and*

3 *“(B) provide training and education pro-*
4 *grams and activities to teach Federal employees,*
5 *natural resource professionals, elementary and*
6 *secondary school educators, and others to work*
7 *with youth to promote the use and enjoyment of*
8 *the Nation’s parks and wilderness and other out-*
9 *door areas.*

10 *“(6) SPECIFIC PROGRAMS.—The Foundation*
11 *shall assist in the development and implementation of*
12 *programs at the Center—*

13 *“(A) to provide for an annual meeting of*
14 *experts to discuss contemporary environmental*
15 *issues;*

16 *“(B) to conduct environmental policy re-*
17 *search; and*

18 *“(C) to promote dialogue with visiting pol-*
19 *icymakers on environmental, natural resource,*
20 *and public lands issues.”;*

21 *(E) in paragraph (7), as redesignated by*
22 *subparagraph (C), by striking “Morris K.*
23 *Udall’s papers” and inserting “the papers of*
24 *Morris K. Udall and Stewart L. Udall”;* and

25 *(F) by adding at the end the following:*

1 “(9) *NATIVE NATIONS INSTITUTE.*—*The Founda-*
2 *tion shall provide direct or indirect assistance to the*
3 *Native Nations Institute from the annual appropria-*
4 *tions to the Trust Fund in such amounts as Congress*
5 *may direct to conduct research and provide education*
6 *and training to Native American and Alaska Native*
7 *professionals and leaders on Native American and*
8 *Alaska Native health care issues and tribal public*
9 *policy issues as provided in section 6(7).”;*

10 (2) *by striking subsection (c) and inserting the*
11 *following:*

12 “(c) *PROGRAM PRIORITIES.*—

13 “(1) *IN GENERAL.*—*The Foundation shall deter-*
14 *mine the priority of the programs to be carried out*
15 *under this Act and the amount of funds to be allo-*
16 *cated for such programs from the funds earned annu-*
17 *ally from the interest derived from the investment of*
18 *the Trust Fund, subject to paragraph (2).*

19 “(2) *LIMITATIONS.*—*In determining the amount*
20 *of funds to be allocated for programs carried out*
21 *under this Act for a year—*

22 “(A) *not less than 50 percent of such an-*
23 *ual interest earnings shall be utilized for the*
24 *programs set forth in paragraphs (2), (3), (4),*
25 *and (5) of subsection (a);*

1 “(B) not more than 17.5 percent of such an-
2 nual interest earnings shall be allocated for sala-
3 ries and other administrative purposes; and

4 “(C) not less than 20 percent of such an-
5 nual interest earnings shall be appropriated to
6 the Center for activities under paragraphs (7)
7 and (8) of subsection (a).”; and

8 (3) by adding at the end the following:

9 “(d) *DONATIONS.*—Any funds received by the Founda-
10 tion in the form of donations or grants, as well as any unex-
11 pected earnings on interest from the Trust Fund that is
12 carried forward from prior years—

13 “(1) shall not be included in the calculation of
14 the funds available for allocations pursuant to sub-
15 section (c); and

16 “(2) shall be available to carry out the provi-
17 sions of this Act as the Board determines to be nec-
18 essary and appropriate.”.

19 **SEC. 306. ENVIRONMENTAL DISPUTE RESOLUTION FUND.**

20 Section 10(b) of the *Morris K. Udall and Stewart L.*
21 *Udall Foundation Act* (20 U.S.C. 5607a(b)) is amended by
22 striking “Institute” and inserting “National Center”.

1 **SEC. 307. USE OF THE NATIONAL CENTER BY A FEDERAL**
2 **AGENCY OR OTHER ENTITY.**

3 *Section 11 of the Morris K. Udall and Stewart L.*
4 *Udall Foundation Act (20 U.S.C. 5607b) is amended—*

5 *(1) in the section heading, by striking “**THE IN-***
6 ***STITUTE”** and inserting “**THE NATIONAL CEN-***
7 ***TER”**;*

8 *(2) in subsection (a)—*

9 *(A) by striking “Institute” and inserting*
10 *“National Center”;*

11 *(B) by inserting “collaboration,” after “me-*
12 *diation,”; and*

13 *(C) by striking “resources.” and inserting*
14 *“resources, or with a Federal, State, or tribal*
15 *process or procedure that may result in a dis-*
16 *pute or conflict.”;*

17 *(3) in subsection (b)(1), by striking “Institute”*
18 *and inserting “National Center”;*

19 *(4) in subsection (c)—*

20 *(A) in paragraph (1), by striking “Insti-*
21 *tute” and inserting “National Center”;*

22 *(B) in paragraph (2)(C), by inserting “me-*
23 *diation, collaboration, and” after “agree to”; and*

24 *(C) in paragraph (3)(A), by striking “Insti-*
25 *tute” and inserting “National Center”;*

1 (5) in each of paragraphs (1)(A) and (2) of sub-
2 section (d), by striking “Institute” and inserting
3 “National Center”;

4 (6) in each of paragraphs (1) and (2) of sub-
5 section (e), by striking “Institute” and inserting “Na-
6 tional Center”; and

7 (7) in subsection (f), by striking “Institute” and
8 inserting “National Center”.

9 **SEC. 308. ADMINISTRATIVE PROVISIONS.**

10 Section 12 of the Morris K. Udall and Stewart L.
11 Udall Foundation Act (20 U.S.C. 5608) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (4), by striking “accept,
14 hold, administer, and utilize gifts” and inserting
15 “accept, hold, solicit, administer, and utilize do-
16 nations, grants, and gifts”; and

17 (B) in paragraph (7), by striking “in the
18 District of Columbia or its environs” and insert-
19 ing “in the District of Columbia and Tucson,
20 Arizona, or their environs”; and

21 (2) in subsection (b), by striking “, with the ex-
22 ception of paragraph (4), apply to the Institute” and
23 inserting “apply to the National Center”.

1 **SEC. 309. AUTHORIZATION OF APPROPRIATIONS.**

2 *Section 13 of the Morris K. Udall and Stewart L.*
3 *Udall Foundation Act (20 U.S.C. 5609) is amended—*

4 *(1) in subsection (a), by striking “\$40,000,000”*
5 *and inserting “\$2,000,000 for each of fiscal years*
6 *2020 through 2023”; and*

7 *(2) in subsection (b), by striking “fiscal years*
8 *2004 through 2008” and inserting “fiscal years 2020*
9 *through 2023”.*

10 **SEC. 310. AUDIT OF THE FOUNDATION.**

11 *Not later than 2 years after the date of enactment of*
12 *this Act, the Inspector General of the Department of the*
13 *Interior shall conduct an audit of the Morris K. Udall and*
14 *Stewart L. Udall Foundation.*

15 **TITLE IV—WHITE HORSE HILL**
16 **NATIONAL GAME PRESERVE**

17 **SEC. 401. SHORT TITLE.**

18 *This title may be cited as the “White Horse Hill Na-*
19 *tional Game Preserve Designation Act”.*

20 **SEC. 402. DESIGNATION OF WHITE HORSE HILL NATIONAL**
21 **GAME PRESERVE, NORTH DAKOTA.**

22 *(a) REDESIGNATION.—The first section of the Act of*
23 *March 3, 1931 (46 Stat. 1509, chapter 439; 16 U.S.C.*
24 *674a), is amended by striking “Sullys Hill National Game*
25 *Preserve” and inserting “White Horse Hill National Game*
26 *Preserve”.*

1 (1) by redesignating paragraphs (2) through (9)
2 as paragraphs (4) through (11), respectively; and

3 (2) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) for the purposes of determining the number
6 of paid hunting-license holders in a State, the term
7 ‘fiscal year’ means the fiscal year or license year of
8 the State;

9 “(3) the term ‘hunter recruitment and rec-
10 reational shooter recruitment’ means any activity or
11 project to recruit or retain hunters and recreational
12 shooters, including by—

13 “(A) outreach and communications as a
14 means—

15 “(i) to improve communications with
16 hunters, recreational shooters, and the gen-
17 eral public with respect to hunting and rec-
18 reational shooting opportunities;

19 “(ii) to reduce barriers to participa-
20 tion in these activities;

21 “(iii) to advance the adoption of sound
22 hunting and recreational shooting practices;

23 “(iv) to promote conservation and the
24 responsible use of the wildlife resources of
25 the United States; and

1 “(v) to further safety in hunting and
2 recreational shooting;

3 “(B) providing education, mentoring, and
4 field demonstrations;

5 “(C) enhancing access for hunting and rec-
6 reational shooting, including through range con-
7 struction; and

8 “(D) providing education to the public
9 about the role of hunting and recreational shoot-
10 ing in funding wildlife conservation;”.

11 (d) *APPORTIONMENT OF AVAILABLE AMOUNTS.*—

12 (1) *APPORTIONMENT OF CERTAIN TAXES.*—*The*
13 *first subsection (c) of section 4 of the Pittman-Robert-*
14 *son Wildlife Restoration Act (16 U.S.C. 669c) is*
15 *amended—*

16 (A) by inserting “*APPORTIONMENT OF REV-*
17 *ENUES FROM PISTOLS, REVOLVERS, BOWS, AND*
18 *ARROWS.*—” after the enumerator;

19 (B) by striking “*One-half*” and inserting
20 the following:

21 “(1) *IN GENERAL.*—Subject to paragraph (2),
22 $\frac{1}{2}$ ”;

23 (C) by striking “: *Provided, That*” and in-
24 serting a period;

1 (D) by striking “each State shall be appor-
2 tioned not more than 3 per centum and not less
3 than 1 per centum of such revenues” and insert-
4 ing the following:

5 “(2) *CONDITION.*—The amount apportioned to
6 each State under paragraph (1) shall be not greater
7 than 3 percent and not less than 1 percent of the reve-
8 nues described in such paragraph”;

9 (E) by striking “For the purpose” and in-
10 serting the following:

11 “(3) *POPULATION DETERMINATION.*—For the
12 purpose”; and

13 (F) by adding at the end the following:

14 “(4) *USE OF FUNDS.*—In addition to other uses
15 authorized under this Act, amounts apportioned
16 under this subsection may be used for hunter recruit-
17 ment and recreational shooter recruitment.”.

18 (2) *TECHNICAL CORRECTION.*—Section 4 of the
19 Pittman-Robertson Wildlife Restoration Act (16
20 U.S.C. 669c) is amended—

21 (A) by redesignating the second subsection
22 (c) and subsection (d) as subsections (d) and (e),
23 respectively; and

1 (B) by striking “subsection (c)” in the re-
2 designated section 4(e)(3) and replacing it with
3 “subsection (d), as redesignated”.

4 (e) *EXPENDITURES FOR MANAGEMENT OF WILDLIFE*
5 *AREAS AND RESOURCES.*—Section 8 of the Pittman-Robert-
6 *son Wildlife Restoration Act (16 U.S.C. 669g)* is amend-
7 *ed—*

8 (1) in subsection (a), in the third sentence, by
9 striking “and public relations”; and

10 (2) in subsection (b), in the first sentence, by
11 striking “, as a part of such program”.

12 (f) *FIREARM AND BOW HUNTER EDUCATION AND*
13 *SAFETY PROGRAM GRANTS.*—Section 10(a)(1)(A) of the
14 *Pittman-Robertson Wildlife Restoration Act (16 U.S.C.*
15 *669h–1(a)(1)(A))* is amended—

16 (1) in clause (iii), by striking “and” at the end;
17 and

18 (2) by adding at the end the following:

19 “(v) the enhancement of hunter recruit-
20 ment and recreational shooter recruitment;
21 and”.

22 (g) *MULTISTATE CONSERVATION GRANT PROGRAM.*—

23 (1) *IN GENERAL.*—Section 11 of the Pittman-
24 Robertson Wildlife Restoration Act (16 U.S.C. 669h–
25 2) is amended—

1 (A) in subsection (a)(1)—

2 (i) by striking “Not more than” and
3 inserting the following:

4 “(A) *IN GENERAL.*—Not more than”;

5 (ii) by adding at the end the following:

6 “(B) *AVAILABILITY FOR HUNTER AND REC-*
7 *REATIONAL SHOOTER GRANTS.*—Not more than
8 \$5,000,000 of the revenues covered into the fund
9 from any tax imposed under section 4161(b) of
10 the Internal Revenue Code of 1986 for a fiscal
11 year shall be available to the Secretary exclu-
12 sively for making hunter recruitment and rec-
13 reational shooter recruitment grants that pro-
14 mote a national hunting and shooting sport re-
15 cruitment program, including related commu-
16 nication and outreach activities.”;

17 (B) in the matter preceding subsection
18 (b)(3)(A), by striking “International”;

19 (C) in the matter preceding subsection
20 (c)(2)(A)(i), by striking “International”;

21 (D) in subsection (c)(2)(A)(i), by inserting
22 “or to recreational shooting activities” after
23 “wildlife”; and

24 (E) in subsection (d), by inserting “or to
25 recreational shooting activities” after “wildlife”.

1 (2) *STUDY*.—Not later than 10 years after the
2 date of enactment of this Act, the Secretary of the In-
3 terior, acting through the Director of the United
4 States Fish and Wildlife Service, shall—

5 (A) review and evaluate the effects of the
6 funds made available under subparagraph (B) of
7 section 11(a)(1) of the Pittman-Robertson Wild-
8 life Restoration Act (16 U.S.C. 669h–2(a)(1)) (as
9 added by paragraph (1)(A)(ii)) on funds avail-
10 able for wildlife conservation; and

11 (B) submit a report describing the results of
12 the review and evaluation under paragraph (1)
13 to—

14 (i) the Committee on Environment and
15 Public Works of the Senate; and

16 (ii) the Committee on Natural Re-
17 sources of the House of Representatives.

18 **TITLE VI—JOHN F. KENNEDY**
19 **CENTER**

20 **SEC. 601. SHORT TITLE.**

21 This title may be cited as the “John F. Kennedy Cen-
22 ter Reauthorization Act of 2019”.

23 **SEC. 602. AUTHORIZATION OF APPROPRIATIONS.**

24 Section 13 of the John F. Kennedy Center Act (20
25 U.S.C. 76r), as amended by the Department of the Interior,

1 *Environment, and Related Agencies Appropriations Act,*
2 *2020, is further amended by striking subsections (a) and*
3 *(b) and inserting the following:*

4 “(a) *MAINTENANCE, REPAIR, AND SECURITY.—There*
5 *are authorized to be appropriated to the Board to carry*
6 *out section 4(a)(1)(H)—*

7 “(1) \$25,690,000 for fiscal year 2020;

8 “(2) \$27,000,000 for fiscal year 2021;

9 “(3) \$28,000,000 for fiscal year 2022;

10 “(4) \$29,000,000 for fiscal year 2023; and

11 “(5) \$30,000,000 for fiscal year 2024.

12 “(b) *CAPITAL PROJECTS.—There are authorized to be*
13 *appropriated to the Board to carry out subparagraphs (F)*
14 *and (G) of section 4(a)(1)—*

15 “(1) \$17,800,000 for fiscal year 2020;

16 “(2) \$18,000,000 for fiscal year 2021;

17 “(3) \$19,000,000 for fiscal year 2022;

18 “(4) \$20,000,000 for fiscal year 2023; and

19 “(5) \$21,000,000 for fiscal year 2024.”.

20 **SEC. 603. COMMEMORATION OF THE JOHN F. KENNEDY**
21 **CENTER FOR THE PERFORMING ARTS.**

22 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
23 *that the John F. Kennedy Center for the Performing Arts*
24 *(referred to in this Act as the “Center”)—*

1 (1) *recognize the year 2021 as the 50th anniversary of the opening of the Center;*

2
3 (2) *acknowledge and commemorate the mission of the Center as a national center for the performing arts and a national memorial to President John F. Kennedy; and*

4
5
6
7 (3) *recognize that the year 2018 is the 60th anniversary of the signing of the National Cultural Center Act (now known as the “John F. Kennedy Center Act”) (20 U.S.C. 76h et seq.), signed into law by President Dwight D. Eisenhower on September 2, 1958.*

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13 (b) *AUTHORIZATION FOR PLAQUE.—*

14 (1) *IN GENERAL.—The Center shall place within the Center a plaque containing an inscription to commemorate the 60th anniversary of the signing of the National Cultural Center Act (20 U.S.C. 76h et seq.) by President Dwight D. Eisenhower.*

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18
19 (2) *SPECIFICATIONS.—The plaque shall be—*

20 (A)(i) *not less than 6 square feet in size;*

21 *and*

22 (ii) *not more than 18 square feet in size;*

23 (B) *of any shape that the Trustees of the Center determine to be appropriate; and*

24

1 (C) placed at a location within the Center
2 approximate to the Eisenhower Theater that the
3 Trustees of the Center determine to be appro-
4 priate.

5 (3) FUNDING.—

6 (A) IN GENERAL.—No Federal funds may
7 be used to design, procure, or install the plaque.

8 (B) EXCEPTION.—Subparagraph (A) shall
9 not affect the payment of salaries, expenses, and
10 benefits otherwise authorized by law for members
11 and employees of the Center who participate in
12 carrying out this subsection.

13 (4) PRIVATE FUNDRAISING AUTHORIZED.—

14 (A) IN GENERAL.—The Center may solicit
15 and accept private contributions for the design,
16 procurement, and installation of the plaque.

17 (B) ACCOUNTING.—The Center may—

18 (i) establish an account into which any
19 contributions received pursuant to subpara-
20 graph (A) shall be deposited; and

21 (ii) maintain documentation of any
22 contributions received pursuant to subpara-
23 graph (A).

1 **TITLE VII—PRESERVING**
2 **AMERICA’S BATTLEFIELDS**

3 **SEC. 701. SHORT TITLE.**

4 *This title may be cited as the “Preserving America’s*
5 *Battlefields Act”.*

6 **SEC. 702. AUTHORIZATION OF APPROPRIATIONS FOR BAT-**
7 **TLEFIELD ACQUISITION GRANT PROGRAM.**

8 *Section 308103(f) of title 54, United States Code, is*
9 *amended by striking “\$10,000,000 for each of fiscal years*
10 *2012 and 2013” and inserting “\$18,000,000 for each of fis-*
11 *cal years 2020 through 2028”.*

12 **SEC. 703. ESTABLISHMENT OF BATTLEFIELD INTERPRETA-**
13 **TION MODERNIZATION GRANT PROGRAM AND**
14 **BATTLEFIELD RESTORATION GRANT PRO-**
15 **GRAM.**

16 *(a) ESTABLISHMENT OF BATTLEFIELD GRANT PRO-*
17 *GRAMS.—Chapter 3081 of title 54, United States Code, is*
18 *amended by adding at the end the following:*

19 **“§308104. Battlefield interpretation modernization**
20 **grant program**

21 *“(a) ESTABLISHMENT.—The Secretary shall establish*
22 *a battlefield interpretation modernization grant program*
23 *under which the Secretary may provide competitive grants*
24 *to States, Tribes, local governments, and nonprofit organi-*

1 zations for projects and programs that deploy technology
2 to modernize battlefield interpretation and education.

3 “(b) *ELIGIBLE SITES.*—The Secretary may make
4 grants under this section for Revolutionary War, War of
5 1812, and Civil War battlefield sites eligible for assistance
6 under the battlefield acquisition grant program established
7 under section 308103(b).

8 “(c) *FEDERAL SHARE.*—The Federal share of the cost
9 of a project or program funded through a grant provided
10 under the program established under subsection (a) shall
11 be not more than 50 percent of the total cost of the applica-
12 ble project or program.

13 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—There is
14 authorized to be appropriated to the Secretary to provide
15 grants under this section \$1,000,000 for each of fiscal years
16 2020 through 2028.

17 **“§ 308105. Battlefield restoration grant program**

18 “(a) *ESTABLISHMENT.*—The Secretary shall establish
19 a battlefield restoration grant program (referred to in this
20 section as the ‘program’) under which the Secretary may
21 provide grants to States, Tribes, local governments, and
22 nonprofit organizations for projects that restore day-of-bat-
23 tle conditions on land preserved under the battlefield acqui-
24 sition grant program established under section 308103(b).

1 “(b) *ELIGIBLE SITES.*—*The Secretary may make*
2 *grants under this section for Revolutionary War, War of*
3 *1812, and Civil War battlefield sites eligible for assistance*
4 *under the battlefield acquisition grant program established*
5 *under section 308103(b).*

6 “(c) *FEDERAL SHARE.*—*The Federal share of the cost*
7 *of a restoration project funded through a grant provided*
8 *under the program shall be not more than 50 percent of*
9 *the total cost of the project.*

10 “(d) *RESTORATION STANDARDS.*—*All restoration work*
11 *carried out through a grant awarded under the program*
12 *shall be performed in accordance with the Secretary of the*
13 *Interior’s Standards for the Treatment of Historic Prop-*
14 *erties under part 68 of title 36, Code of Federal Regulations*
15 *(or successor regulations).*

16 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
17 *authorized to be appropriated to the Secretary to provide*
18 *grants under this section \$1,000,000 for each of fiscal years*
19 *2020 through 2028.”.*

20 “(b) *CLERICAL AMENDMENT.*—*The analysis for chapter*
21 *3081 of title 54, United States Code, is amended by adding*
22 *at the end the following:*

“308104. *Battlefield interpretation modernization grant program.*

“308105. *Battlefield restoration grant program.”.*

1 **TITLE VIII—VETERANS AFFAIRS**
2 **REPORT ON DISABILITY COM-**
3 **PENSATION AND THE POSI-**
4 **TIVE ASSOCIATION WITH EX-**
5 **POSURE TO AN HERBICIDE**
6 **AGENT**

7 **SEC. 801. REPORT ON EFFORTS TO DETERMINE WHETHER**
8 **TO ADD TO THE LIST OF DISEASES FOR**
9 **WHICH PRESUMPTION OF SERVICE-CONNEC-**
10 **TION IS WARRANTED FOR PURPOSES OF DIS-**
11 **ABILITY COMPENSATION BY REASON OF HAV-**
12 **ING POSITIVE ASSOCIATION WITH EXPOSURE**
13 **TO AN HERBICIDE AGENT.**

14 *(a) IN GENERAL.—Not later than 30 days after the*
15 *date of the enactment of this Act, the Secretary of Veterans*
16 *Affairs, in consultation with the Director of the Office of*
17 *Management and Budget, shall submit to the Committee on*
18 *Veterans' Affairs of the Senate and the Committee on Vet-*
19 *erans' Affairs of the House of Representatives a report set-*
20 *ting forth the status of any efforts of the Secretary to deter-*
21 *mine whether to promulgate new regulations to add to the*
22 *list of diseases for which a presumption of service-connec-*
23 *tion is warranted for purposes of section 1110 of title 38,*
24 *United States Code, by reason of having positive association*
25 *with exposure to an herbicide agent.*

1 “(E) *TYPHOON RECOVERY.*—

2 “(i) *PERMITS FOR CONSTRUCTION*
3 *WORKERS.*—*Notwithstanding any numer-*
4 *ical cap set forth in subparagraph (B) for*
5 *each of fiscal years 2020, 2021, and 2022,*
6 *the Secretary of Homeland Security shall*
7 *increase by 3,000, for each such fiscal year,*
8 *the total number of permits available under*
9 *this subsection for Construction and Extrac-*
10 *tion Occupations (as defined by the Depart-*
11 *ment of Labor as Standard Occupational*
12 *Classification Group 47-0000).*

13 “(ii) *PERMIT REQUIREMENTS.*—*The*
14 *Secretary may only issue a permit made*
15 *available under clause (i) to a prospective*
16 *employer if the permit is for an alien*
17 *who—*

18 “(I) *is a national of a country*
19 *designated eligible to participate in the*
20 *program under section*
21 *101(a)(15)(H)(i)(b) of the Immigra-*
22 *tion and Nationality Act (8 U.S.C.*
23 *1101(a)(15)(H)(i)(b)) during calendar*
24 *year 2018; and*

1 “(II) is performing service or
2 labor pursuant to a contract or sub-
3 contract for construction, repairs, ren-
4 ovations, or facility services directly
5 connected to, or associated with recov-
6 ery from a presidentially declared
7 major disaster or emergency (as those
8 terms are defined in section 102 of the
9 Robert T. Stafford Disaster Relief and
10 Emergency Assistance Act (42 U.S.C.
11 5122), or for preparation for a future
12 disaster or emergency.

13 “(iii) EXCEPTION FOR CONSTRUCTION
14 WORKERS.—Subparagraph (D)(v) shall not
15 apply to a permit made available under
16 clause (i) for any fiscal year described in
17 such clause.”.

18 **TITLE X—TELEVISION VIEWER**
19 **PROTECTION**

20 **SEC. 1001. SHORT TITLE.**

21 This title may be cited as the “Television Viewer Pro-
22 tection Act of 2019”.

23 **SEC. 1002. EXTENSION OF AUTHORITY.**

24 (a) IN GENERAL.—Section 325(b) of the Communica-
25 tions Act of 1934 (47 U.S.C. 325(b)) is amended—

1 (1) *in paragraph (2)(C)—*

2 (A) *by striking “until December 31, 2019,”;*

3 *and*

4 (B) *by striking “antenna,” and all that fol-*

5 *lows and inserting “antenna under the statutory*

6 *license of section 119 of title 17, United States*

7 *Code;”; and*

8 (2) *in paragraph (3)(C), by striking “until Jan-*

9 *uary 1, 2020,” each place it appears.*

10 (b) *CONFORMING AMENDMENT.—Section 325(b)(2) of*

11 *the Communications Act of 1934 (47 U.S.C. 325(b)(2)) is*

12 *amended by striking “, the term ‘unserved household’ has*

13 *the meaning given that term under section 119(d) of such*

14 *title”.*

15 **SEC. 1003. SATISFACTION OF GOOD FAITH NEGOTIATION**

16 **REQUIREMENT BY MULTICHANNEL VIDEO**

17 **PROGRAMMING DISTRIBUTORS.**

18 (a) *SATISFACTION OF GOOD FAITH NEGOTIATION RE-*

19 *QUIREMENT.—Section 325(b)(3)(C) of the Communications*

20 *Act of 1934 (47 U.S.C. 325(b)(3)(C)) is amended—*

21 (1) *in clause (iv), by striking “; and” and in-*

22 *serting a semicolon;*

23 (2) *in clause (v), by striking the period at the*

24 *end and inserting “; and”; and*

25 (3) *by adding at the end the following:*

1 “(vi) not later than 90 days after the date of the
2 enactment of the Television Viewer Protection Act of
3 2019, specify that—

4 “(I) a multichannel video programming
5 distributor may satisfy its obligation to negotiate
6 in good faith under clause (iii) with respect to
7 a negotiation for retransmission consent under
8 this section with a large station group by design-
9 nating a qualified MVPD buying group to nego-
10 tiate on its behalf, so long as the qualified
11 MVPD buying group itself negotiates in good
12 faith in accordance with such clause;

13 “(II) it is a violation of the obligation to
14 negotiate in good faith under clause (iii) for the
15 qualified MVPD buying group to disclose the
16 prices, terms, or conditions of an ongoing nego-
17 tiation or the final terms of a negotiation to a
18 member of the qualified MVPD buying group
19 that is not intending, or is unlikely, to enter into
20 the final terms negotiated by the qualified
21 MVPD buying group; and

22 “(III) a large station group has an obliga-
23 tion to negotiate in good faith under clause (ii)
24 with respect to a negotiation for retransmission

1 *consent under this section with a qualified*
2 *MVPD buying group.”.*

3 **(b) DEFINITIONS.**—*Section 325(b)(7) of the Commu-*
4 *nications Act of 1934 (47 U.S.C. 325(b)(7)) is amended—*

5 (1) *in subparagraph (A), by striking “; and”*
6 *and inserting a semicolon;*

7 (2) *in subparagraph (B), by striking the period*
8 *at the end and inserting a semicolon; and*

9 (3) *by adding at the end the following:*

10 “(C) ‘*qualified MVPD buying group*’ means an
11 *entity that, with respect to a negotiation with a large*
12 *station group for retransmission consent under this*
13 *section—*

14 “(i) *negotiates on behalf of two or more*
15 *multichannel video programming distributors—*

16 “(I) *none of which is a multichannel*
17 *video programming distributor that serves*
18 *more than 500,000 subscribers nationally;*
19 *and*

20 “(II) *that do not collectively serve more*
21 *than 25 percent of all households served by*
22 *a multichannel video programming dis-*
23 *tributor in any single local market in which*
24 *the applicable large station group operates;*
25 *and*

1 “(i) negotiates agreements for such retrans-
2 mission consent—

3 “(I) that contain standardized contract
4 provisions, including billing structures and
5 technical quality standards, for each multi-
6 channel video programming distributor on
7 behalf of which the entity negotiates; and

8 “(II) under which the entity assumes
9 liability to remit to the applicable large sta-
10 tion group all fees received from the multi-
11 channel video programming distributors on
12 behalf of which the entity negotiates;

13 “(D) ‘large station group’ means a group of tele-
14 vision broadcast stations that—

15 “(i) are directly or indirectly under com-
16 mon de jure control permitted by the regulations
17 of the Commission;

18 “(ii) generally negotiate agreements for re-
19 transmission consent under this section as a sin-
20 gle entity; and

21 “(iii) include only television broadcast sta-
22 tions that have a national audience reach of
23 more than 20 percent;

1 “(E) ‘local market’ has the meaning given such
2 term in section 122(j) of title 17, United States Code;
3 and

4 “(F) ‘multichannel video programming dis-
5 tributor’ has the meaning given such term in section
6 602.”.

7 (c) *CONFORMING AMENDMENTS.*—Section 325(b) of the
8 *Communications Act of 1934 (47 U.S.C. 325(b))* is amend-
9 ed—

10 (1) in paragraph (2), by striking “, and the
11 term ‘local market’ has the meaning given that term
12 in section 122(j) of such title”; and

13 (2) in paragraph (3)(C), by striking “(as defined
14 in section 122(j) of title 17, United States Code)”
15 each place it appears.

16 (d) *EFFECTIVE DATE.*—The amendments made by this
17 section, and the regulations promulgated by the Federal
18 Communications Commission under such amendments,
19 shall not take effect before January 1 of the calendar year
20 after the calendar year in which this Act is enacted.

21 **SEC. 1004. REQUIREMENTS RELATING TO CHARGES FOR**
22 **COVERED SERVICES.**

23 (a) *IN GENERAL.*—Part IV of title VI of the Commu-
24 nications Act of 1934 (47 U.S.C. 551 et seq.) is amended
25 by adding at the end the following:

1 **“SEC. 642. REQUIREMENTS RELATING TO CHARGES FOR**
2 **COVERED SERVICES.**

3 *“(a) CONSUMER RIGHTS IN SALES.—*

4 *“(1) RIGHT TO TRANSPARENCY.—Before entering*
5 *into a contract with a consumer for the provision of*
6 *a covered service, a provider of a covered service shall*
7 *provide the consumer, by phone, in person, online, or*
8 *by other reasonable means, the total monthly charge*
9 *for the covered service, whether offered individually or*
10 *as part of a bundled service, selected by the consumer*
11 *(explicitly noting the amount of any applicable pro-*
12 *motional discount reflected in such charge and when*
13 *such discount will expire), including any related ad-*
14 *ministrative fees, equipment fees, or other charges, a*
15 *good faith estimate of any tax, fee, or charge imposed*
16 *by the Federal Government or a State or local govern-*
17 *ment (whether imposed on the provider or imposed on*
18 *the consumer but collected by the provider), and a*
19 *good faith estimate of any fee or charge that is used*
20 *to recover any other assessment imposed on the pro-*
21 *vider by the Federal Government or a State or local*
22 *government.*

23 *“(2) RIGHT TO FORMAL NOTICE.—A provider of*
24 *a covered service that enters into a contract described*
25 *in paragraph (1) shall, not later than 24 hours after*
26 *entering into the contract, send the consumer, by*

1 *email, online link, or other reasonably comparable*
2 *means, a copy of the information described in such*
3 *paragraph.*

4 “(3) *RIGHT TO CANCEL.*—*A provider of a cov-*
5 *ered service that enters into a contract described in*
6 *paragraph (1) shall permit the consumer to cancel the*
7 *contract, without paying early cancellation fees or*
8 *other disconnection fees or penalties, during the 24-*
9 *hour period beginning when the provider of the cov-*
10 *ered service sends the copy required by paragraph (2).*

11 “(b) *CONSUMER RIGHTS IN E-BILLING.*—*If a provider*
12 *of a covered service provides a bill to a consumer in an*
13 *electronic format, the provider shall include in the bill—*

14 “(1) *an itemized statement that breaks down the*
15 *total amount charged for or relating to the provision*
16 *of the covered service by the amount charged for the*
17 *provision of the service itself and the amount of all*
18 *related taxes, administrative fees, equipment fees, or*
19 *other charges;*

20 “(2) *the termination date of the contract for the*
21 *provision of the covered service entered into between*
22 *the consumer and the provider; and*

23 “(3) *the termination date of any applicable pro-*
24 *motional discount.*

1 “(c) *CONSUMER RIGHTS TO ACCURATE EQUIPMENT*
2 *CHARGES.*—A provider of a covered service or fixed
3 broadband internet access service may not charge a con-
4 sumer for—

5 “(1) using covered equipment provided by the
6 consumer; or

7 “(2) renting, leasing, or otherwise providing to
8 the consumer covered equipment if—

9 “(A) the provider has not provided the
10 equipment to the consumer; or

11 “(B) the consumer has returned the equip-
12 ment to the provider, except to the extent that the
13 charge relates to the period beginning on the date
14 when the provider provided the equipment to the
15 consumer and ending on the date when the con-
16 sumer returned the equipment to the provider.

17 “(d) *DEFINITIONS.*—In this section:

18 “(1) *BROADBAND INTERNET ACCESS SERVICE.*—
19 The term ‘broadband internet access service’ has the
20 meaning given such term in section 8.1(b) of title 47,
21 Code of Federal Regulations, or any successor regula-
22 tion.

23 “(2) *COVERED EQUIPMENT.*—The term ‘covered
24 equipment’ means equipment (such as a router) em-
25 ployed on the premises of a person (other than a pro-

1 *vider of a covered service or fixed broadband internet*
2 *access service) to provide a covered service or to pro-*
3 *vide fixed broadband internet access service.*

4 “(3) *COVERED SERVICE.*—*The term ‘covered*
5 *service’ means service provided by a multichannel*
6 *video programming distributor, to the extent such dis-*
7 *tributor is acting as a multichannel video program-*
8 *ming distributor.”.*

9 (b) *EFFECTIVE DATE.*—*Section 642 of the Commu-*
10 *nications Act of 1934, as added by subsection (a) of this*
11 *section, shall apply beginning on the date that is 6 months*
12 *after the date of the enactment of this Act. The Federal*
13 *Communications Commission may grant an additional 6-*
14 *month extension if the Commission finds that good cause*
15 *exists for such an additional extension.*

16 ***TITLE XI—ELIGIBILITY TO RE-***
17 ***CEIVE SIGNALS UNDER A DIS-***
18 ***TANT-SIGNAL SATELLITE LI-***
19 ***CENSE***

20 ***SEC. 1101. SHORT TITLE.***

21 *This title may be cited as the “Satellite Television*
22 *Community Protection and Promotion Act of 2019”.*

1 **SEC. 1102. ELIGIBILITY TO RECEIVE SIGNALS UNDER A DIS-**
2 **TANT-SIGNAL SATELLITE LICENSE.**

3 (a) *IN GENERAL.*—Section 119 of title 17, United
4 States Code, is amended—

5 (1) *in subsection (a)*—

6 (A) *in paragraph (2)*—

7 (i) *in subparagraph (A)*—

8 (I) *by striking “signals, and” and*
9 *inserting “signals,”;*

10 (II) *by inserting “, and the car-*
11 *rier provides local-into-local service to*
12 *all DMAs” after “receiving the sec-*
13 *ondary transmission”;* and

14 (III) *by adding at the end the fol-*
15 *lowing new sentence: “Failure to reach*
16 *an agreement with a network station*
17 *to retransmit the signals of the station*
18 *shall not be construed to affect compli-*
19 *ance with providing local-into-local*
20 *service to all DMAs if the satellite car-*
21 *rier has the capability to retransmit*
22 *such signals when an agreement is*
23 *reached.”;* and

24 (ii) *in subparagraph (B)*—

25 (I) *by striking clauses (ii) and*
26 *(iii);*

1 (II) by adding at the end the fol-
2 lowing:

3 “(ii) *SHORT MARKETS*.—In the case of
4 secondary transmissions to households lo-
5 cated in short markets, subject to clause (i),
6 the statutory license shall be further limited
7 to secondary transmissions of only those
8 primary transmissions of network stations
9 that embody the programming of networks
10 not offered on the primary stream or the
11 multicast stream transmitted by any net-
12 work station in that market.”;

13 (B) by striking paragraphs (3), (6)(E), (9),
14 (10), and (13); and

15 (C) by redesignating paragraphs (4), (5),
16 (6), (7), (8), (11), (12), and (14) as paragraphs
17 (3) through (10), respectively;

18 (2) in subsection (c)(1)(E)—

19 (A) by striking the comma after “in the
20 agreement”;

21 (B) by striking “until December 31, 2019,
22 or”;

23 (C) by striking “, whichever is later” and
24 inserting “until the subscriber for which the roy-
25 alty is payable is no longer eligible to receive a

1 *secondary transmission pursuant to the license*
 2 *under this section”;*

3 (3) *in subsection (d)—*

4 (A) *in paragraph (10)—*

5 (i) *in subparagraph (D), by striking*
 6 *“subsection (a)(11)” and inserting “sub-*
 7 *section (a)(8)”;*

8 (ii) *by striking subparagraphs (A),*
 9 *(B), (C), and (E);*

10 (iii) *by redesignating subparagraph*
 11 *(D) as subparagraph (A); and*

12 (iv) *by adding at the end the following:*
 13 *“(B) is a subscriber located in a short mar-*
 14 *ket.”;*

15 (B) *by striking paragraph (13);*

16 (C) *by redesignating paragraphs (14) and*
 17 *(15) as paragraphs (13) and (14), respectively;*
 18 *and*

19 (D) *by adding at the end the following:*

20 “(15) *LOCAL-INTO-LOCAL SERVICE TO ALL*
 21 *DMAS.—The term ‘local-into-local service to all*
 22 *DMAs’ has the meaning given such term in subsection*
 23 *(f)(7).*

24 “(16) *SHORT MARKET.—The term ‘short market’*
 25 *means a local market in which programming of one*

1 *or more of the four most widely viewed television net-*
2 *works nationwide is not offered on either the primary*
3 *stream or multicast stream transmitted by any net-*
4 *work station in that market or is temporarily or per-*
5 *manently unavailable as a result of an act of god or*
6 *other force majeure event beyond the control of the*
7 *carrier.”;*

8 *(4) by striking subsections (e) and (h);*

9 *(5) in subsection (g)(7), by inserting “, except*
10 *for designated market areas where the entity is tem-*
11 *porarily or permanently unable to provide local serv-*
12 *ice as a result of an act of god or other force majeure*
13 *event beyond the control of the entity” after “section*
14 *122”;* *and*

15 *(6) by redesignating subsections (f) and (g) as*
16 *subsections (e) and (f).*

17 *(b) PREVIOUSLY COVERED SUBSCRIBERS UNDER THE*
18 *STELA REAUTHORIZATION ACT OF 2014.—*

19 *(1) IN GENERAL.—A subscriber of a satellite car-*
20 *rier who receives the secondary transmission of a net-*
21 *work station under the statutory license in section*
22 *119 of title 17, United States Code, as in effect on the*
23 *day before the date of the enactment of this Act, and*
24 *to whom subsection (a)(2)(B) of such section, as*
25 *amended by subsection (a), does not apply, shall con-*

1 *tinue to be eligible to receive that secondary trans-*
2 *mission from such carrier under such license, and at*
3 *the royalty rate established for such license by the*
4 *Copyright Royalty Board or voluntary agreement, as*
5 *applicable, until the date that is the earlier of—*

6 *(A) May 31, 2020; or*

7 *(B) the date on which such carrier provides*
8 *local-into-local service to all DMAs.*

9 *(2) DEFINITIONS.—In this subsection, the terms*
10 *“satellite carrier”, “subscriber”, “secondary trans-*
11 *mission”, “network station”, and “local-into-local*
12 *service to all DMAs” have the meaning given those*
13 *terms in section 119 of title 17, United States Code.*

14 *(c) CONFORMING AMENDMENTS.—Title 17, United*
15 *States Code, is further amended—*

16 *(1) in section 119, as amended by subsection*

17 *(a)—*

18 *(A) in subsection (a)—*

19 *(i) in paragraph (1), by striking*
20 *“paragraphs (4), (5), and (7)” and insert-*
21 *ing “paragraphs (3), (4), and (6)”;* and

22 *(ii) in paragraph (2), by striking*
23 *“paragraphs (4), (5), (6), and (7)” and in-*
24 *serting “paragraphs (3), (4), (5), and (6)”;*
25 *and*

1 (B) in subsection (f), as so redesignated, by
2 striking “subsection (a)(7)(B)” each place it ap-
3 pears and inserting “subsection (a)(5)(B)”; and
4 (2) in section 501(e), by striking “section
5 119(a)(5)” and inserting “section 119(a)(3)”.

6 **TITLE XII—GROUND FISH TRAWL**
7 **FISHERY**

8 **SEC. 1201. GROUND FISH TRAWL FISHERY.**

9 The Secretary of Commerce shall forgive the interest
10 accrued on the Groundfish Trawl fishery sub-loan regarding
11 fishing capacity reduction in the West Coast groundfish
12 fishery authorized by section 212 of division B, title II, of
13 Public Law 108–7 from December 4, 2003, through Sep-
14 tember 8, 2005, and the portion of additional interest ac-
15 crued in the Groundfish Trawl fishery sub-loan since Sep-
16 tember 8, 2005, that is directly attributable to the delay
17 in implementing a repayment system. The Secretary of the
18 Treasury shall make available, out of any funds in the
19 Treasury not otherwise appropriated, such sums necessary
20 for any loan modification under this provision.

1 **TITLE XIII—TEMPORARY RELIEF**
2 **FROM CERTAIN ERISA RE-**
3 **QUIREMENTS**

4 **SEC. 1301. SHORT TITLE.**

5 *This title may be cited as the “Temporary Relief from*
6 *Certain ERISA Requirements Act of 2020”.*

7 **SEC. 1302. EXEMPTION.**

8 *(a) IN GENERAL.—Section 408 of the Employee Re-*
9 *tirement Income Security Act of 1974 (29 U.S.C. 1108) is*
10 *amended by adding at the end the following:*

11 *“(h) PROVISION OF PHARMACY BENEFIT SERVICES.—*

12 *“(1) IN GENERAL.—Provided that all of the con-*
13 *ditions described in paragraph (2) are met, the re-*
14 *strictions imposed by subsections (a), (b)(1), and*
15 *(b)(2) of section 406 shall not apply to—*

16 *“(A) the offering of pharmacy benefit serv-*
17 *ices to a group health plan that is sponsored by*
18 *an entity described in section 3(37)(G)(vi) or to*
19 *any other group health plan that is sponsored by*
20 *a regional council, local union, or other labor or-*
21 *ganization affiliated with such entity;*

22 *“(B) the purchase of pharmacy benefit serv-*
23 *ices by plan participants and beneficiaries of a*
24 *group health plan that is sponsored by an entity*
25 *described in section 3(37)(G)(vi) or of any other*

1 *group health plan that is sponsored by a re-*
2 *gional council, local union, or other labor orga-*
3 *nization affiliated with such entity; or*

4 “(C) *the operation or implementation of*
5 *pharmacy benefit services by an entity described*
6 *in section 3(37)(G)(vi) or by any other group*
7 *health plan that is sponsored by a regional coun-*
8 *cil, local union, or other labor organization af-*
9 *filiated with such entity,*

10 *in any arrangement where such entity described in*
11 *section 3(37)(G)(vi) or any related organization or*
12 *subsidiary of such entity provides pharmacy benefit*
13 *services that include prior authorization and appeals,*
14 *a retail pharmacy network, pharmacy benefit admin-*
15 *istration, mail order fulfillment, formulary support,*
16 *manufacturer payments, audits, and specialty phar-*
17 *macy and goods, to any such group health plan.*

18 “(2) *CONDITIONS.—The conditions described in*
19 *this paragraph are the following:*

20 “(A) *The terms of the arrangement are at*
21 *least as favorable to the group health plan as*
22 *such group health plan could obtain in a similar*
23 *arm’s length arrangement with an unrelated*
24 *third party.*

1 “(B) At least 50 percent of the providers
2 participating in the pharmacy benefit services
3 offered by the arrangement are unrelated to the
4 contributing employers or any other party in in-
5 terest with respect to the group health plan.

6 “(C) The group health plan retains an inde-
7 pendent fiduciary who will be responsible for
8 monitoring the group health plan’s consultants,
9 contractors, subcontractors, and other service
10 providers for purposes of pharmacy benefit serv-
11 ices described in paragraph (1) offered by such
12 entity or any of its related organizations or sub-
13 sidiaries and monitors the transactions of such
14 entity and any of its related organizations or
15 subsidiaries to ensure that all conditions of this
16 exemption are satisfied during each plan year.

17 “(D) Any decisions regarding the provision
18 of pharmacy benefit services described in para-
19 graph (1) are made by the group health plan’s
20 independent fiduciary, based on objective stand-
21 ards developed by the independent fiduciary in
22 reliance on information provided by the arrange-
23 ment.

24 “(E) The independent fiduciary of the
25 group health plan provides an annual report to

1 *the Secretary and the congressional committees*
2 *of jurisdiction attesting that the conditions de-*
3 *scribed in subparagraphs (C) and (D) have been*
4 *met for the applicable plan year, together with*
5 *a statement that use of the arrangement's serv-*
6 *ices are in the best interest of the participants*
7 *and beneficiaries in the aggregate for that plan*
8 *year compared to other similar arrangements the*
9 *group health plan could have obtained in trans-*
10 *actions with an unrelated third party.*

11 *“(F) The arrangement is not designed to*
12 *benefit any party in interest with respect to the*
13 *group health plan.*

14 *“(3) VIOLATIONS.—In the event an entity de-*
15 *scribed in section 3(37)(G)(vi) or any affiliate of such*
16 *entity violates any of the conditions of such exemp-*
17 *tion, such exemption shall not apply with respect to*
18 *such entity or affiliate and all enforcement and*
19 *claims available under this Act shall apply with re-*
20 *spect to such entity or affiliate.*

21 *“(4) RULE OF CONSTRUCTION.—Nothing in this*
22 *subsection shall be construed to modify any obligation*
23 *of a group health plan otherwise set forth in this Act.*

1 “(5) *GROUP HEALTH PLAN.*—*In this subsection,*
2 *the term ‘group health plan’ has the meaning given*
3 *such term in section 733(a).”.*

4 **(b) *AMENDMENT TO INTERNAL REVENUE CODE OF***
5 ***1986.***—*Subsection (c) of section 4975 of the Internal Rev-*
6 *enue Code of 1986 is amended by adding at the end the*
7 *following new paragraph:*

8 **“(7) *SPECIAL RULE FOR PROVISION OF PHAR-***
9 ***MACY BENEFIT SERVICES.***—*Any party to an arrange-*
10 *ment which satisfies the requirements of section*
11 *408(h) of the Employee Retirement Income Security*
12 *Act of 1974 shall be exempt from the tax imposed by*
13 *this section with respect to such arrangement.”.*

14 **(c) *APPLICABILITY.***—*With respect to a group health*
15 *plan subject to subsection (h) of section 408 of the Employee*
16 *Retirement Income Security Act of 1974 (29 U.S.C. 1108)*
17 *(as amended by subsection (a)) and subsection (c) of section*
18 *4975 of the Internal Revenue Code of 1986 (as amended*
19 *by subsection (b)), beginning at the end of the fifth plan*
20 *year of such group health plan that begins after the date*
21 *of enactment of this Act, such subsection (h) of such section*
22 *408 and such subsection (c) of such shall have no force or*
23 *effect.*

1 **TITLE XIV—LIBRARY OF CON-**
2 **GRESS TECHNICAL CORREC-**
3 **TIONS**

4 **SEC. 1401. SHORT TITLE.**

5 *This title may be cited as the “Library of Congress*
6 *Technical Corrections Act of 2019”.*

7 **SEC. 1402. AMENDMENT TO AMERICAN FOLKLIFE PRESER-**
8 **VATION ACT.**

9 *Section 4 of the American Folklife Preservation Act*
10 *(20 U.S.C. 2103) is amended—*

11 *(1) in subsection (b)(1)(D)—*

12 *(A) in the matter preceding clause (i), by*
13 *striking “seven” and inserting “nine”;*

14 *(B) in clause (vi), by striking “and” after*
15 *the semicolon;*

16 *(C) in clause (vii), by striking the period at*
17 *the end and inserting a semicolon; and*

18 *(D) by adding at the end the following:*

19 *“(viii) the Secretary of Veterans Affairs;*

20 *and*

21 *“(ix) the Director of the Institute of Mu-*
22 *seum and Library Services.”; and*

23 *(2) in subsection (f), by striking the second sen-*
24 *tence and inserting the following: “The rate of basic*

1 *pay of the Director shall be fixed in accordance with*
2 *section 5376(b) of title 5, United States Code.”.*

3 **SEC. 1403. NATIONAL LIBRARY SERVICE FOR THE BLIND**
4 **AND PRINT DISABLED.**

5 *(a) IN GENERAL.—The Act entitled “An Act to provide*
6 *books for the adult blind”, approved March 3, 1931 (2*
7 *U.S.C. 135a et seq.), is amended to read as follows:*

8 **“SECTION 1. NATIONAL LIBRARY SERVICE FOR THE BLIND**
9 **AND PRINT DISABLED.**

10 *“(a) ACCESSIBLE MATERIALS AND REPRODUCERS.—*

11 *“(1) IN GENERAL.—The Librarian of Congress is*
12 *authorized to provide to eligible persons who are resi-*
13 *dents of the United States (including residents of the*
14 *several States, insular possessions, and the District of*
15 *Columbia) and to eligible persons who are United*
16 *States citizens residing outside the United States the*
17 *following items:*

18 *“(A) Literary works published in raised*
19 *characters, on sound-reproduction recordings, or*
20 *in any other accessible format.*

21 *“(B) Musical scores, instructional texts, and*
22 *other specialized materials used in furthering*
23 *educational, vocational, and cultural opportuni-*
24 *ties in the field of music published in any acces-*
25 *sible format.*

1 “(C) *Reproducers for such formats.*

2 “(2) *OWNERSHIP.—Any item provided under*
3 *paragraph (1) shall be provided on a loan basis and*
4 *shall remain the property of the Library of Congress.*

5 “(b) *LENDING PREFERENCE.—In the lending of items*
6 *under subsection (a), the Librarian shall at all times give*
7 *preference to—*

8 “(1) *the needs of the blind and visually disabled;*
9 *and*

10 “(2) *the needs of eligible persons who have been*
11 *honorably discharged from the Armed Forces of the*
12 *United States.*

13 “(c) *NETWORK.—The Librarian of Congress may con-*
14 *tract or otherwise arrange with such public or other non-*
15 *profit libraries, agencies, or organizations as the Librarian*
16 *may determine appropriate to serve as local or regional cen-*
17 *ters for the circulation of items described in subsection*
18 *(a)(1).*

19 “(d) *INTERNATIONAL SERVICE.—The Librarian of*
20 *Congress is authorized to provide items described in sub-*
21 *paragraphs (A) and (B) of subsection (a)(1) to authorized*
22 *entities located in a country that is a party to the Marra-*
23 *kesh Treaty, if any such items are delivered to authorized*
24 *entities through online, not physical, means. The Librarian*
25 *may contract or otherwise arrange with such authorized en-*

1 *tities to deliver such items to eligible persons located in*
2 *their countries in any accessible format and consistent with*
3 *section 121A of title 17, United States Code.*

4 “(e) *CONTRACTING PREFERENCE.*—*In the purchase*
5 *and maintenance of items described in subsection (a), the*
6 *Librarian of Congress, without regard to section 6101 of*
7 *title 41, United States Code, shall give preference to non-*
8 *profit institutions or agencies whose activities are pri-*
9 *marily concerned with the blind and with other physically*
10 *disabled persons, in all cases where, considering all the cir-*
11 *cumstances and needs involved, the Librarian determines*
12 *that the prices submitted are fair and reasonable.*

13 “(f) *REGULATIONS.*—*The Librarian of Congress shall*
14 *prescribe regulations for services under this section, in con-*
15 *sultation with eligible persons and authorized entities. Such*
16 *regulations shall include procedures that shall be used by*
17 *an individual to establish that the individual is an eligible*
18 *person.*

19 “(g) *DEFINITIONS.*—*In this section—*

20 “(1) *the terms ‘accessible format’, ‘authorized en-*
21 *tity’, and ‘eligible person’ have the meanings given*
22 *those terms in section 121 of title 17, United States*
23 *Code; and*

24 “(2) *the term ‘Marrakesh Treaty’ has the mean-*
25 *ing given in section 121A of such title 17.*

1 “(h) *AUTHORIZATION OF APPROPRIATIONS.*—There
2 *are authorized to be appropriated to carry out this section*
3 *such sums as may be necessary.*”

4 (b) *CONFORMING AMENDMENT.*—The Act entitled “An
5 *Act to establish in the Library of Congress a library of mu-*
6 *sical scores and other instructional materials to further edu-*
7 *cational, vocational, and cultural opportunities in the field*
8 *of music for blind persons*”, approved October 9, 1962 (2
9 *U.S.C. 135a–1*), is repealed.

10 **SEC. 1404. UNIFORM PAY SCALE FOR LIBRARY OF CON-**
11 **GRESS CAREER SENIOR EXECUTIVE POSI-**
12 **TIONS.**

13 (a) *EXECUTIVE SCHEDULE POSITIONS.*—

14 (1) *DEPUTY LIBRARIAN OF CONGRESS.*—Para-
15 *graph (2) of section 904 of the Supplemental Appro-*
16 *propriations Act, 1983 (2 U.S.C. 136a–2) is amended to*
17 *read as follows:*

18 “(2) *the Deputy Librarian of Congress shall be*
19 *compensated at the greater of the rate of pay in effect*
20 *for level III of the Executive Schedule under section*
21 *5314 of title 5, United States Code, or the maximum*
22 *annual rate of basic pay payable under section 5376*
23 *of such title for positions at agencies with a perform-*
24 *ance appraisal system certified under section 5307(d)*
25 *of such title.*”

1 (2) *DIRECTOR, CONGRESSIONAL RESEARCH*
2 *SERVICE.*—*The second sentence of section 203(c)(1) of*
3 *the Legislative Reorganization Act of 1946 (2 U.S.C.*
4 *166(c)(1)) is amended to read as follows: “The Direc-*
5 *tor shall be compensated at the greater of the rate of*
6 *pay in effect for level III of the Executive Schedule*
7 *under section 5314 of title 5, United States Code, or*
8 *the maximum annual rate of basic pay payable under*
9 *section 5376 of such title for positions at agencies*
10 *with a performance appraisal system certified under*
11 *section 5307(d) of such title.”.*

12 (3) *REGISTER OF COPYRIGHTS.*—*The first sen-*
13 *tence of section 701(f) of title 17, United States Code,*
14 *is amended to read as follows: “The Register of Copy-*
15 *rights shall be compensated at the greater of the rate*
16 *of pay in effect for level III of the Executive Schedule*
17 *under section 5314 of title 5 or the maximum annual*
18 *rate of basic pay payable under section 5376 of such*
19 *title for positions at agencies with a performance ap-*
20 *praisal system certified under section 5307(d) of such*
21 *title.”.*

22 (b) *REFERENCES TO GS GRADES 16, 17, AND 18 AND*
23 *SENIOR LEVEL CLASSIFICATION.*—

1 (1) *CONGRESSIONAL RESEARCH SERVICE.*—*Sec-*
2 *tion 203(c)(2) of the Legislative Reorganization Act of*
3 *1946 (2 U.S.C. 166(c)(2)) is amended—*

4 (A) *in the second sentence of the matter pre-*
5 *ceding subparagraph (A), by deleting “sub-*
6 *chapter III” and all that follows through “such*
7 *title.” and inserting “section 5376 of title 5,*
8 *United States Code.”; and*

9 (B) *in subparagraph (B), by striking “may*
10 *be placed in GS–16, 17, and 18” and all that*
11 *follows through the period at the end and insert-*
12 *ing “may be classified above GS–15 in accord-*
13 *ance with section 5108(c) of title 5, United*
14 *States Code, and the rate of basic pay for such*
15 *positions may be fixed in accordance with sec-*
16 *tion 5376 of such title, subject to the prior ap-*
17 *proval of the Joint Committee on the Library.”.*

18 (2) *U.S. COPYRIGHT OFFICE.*—*Section 701(f) of*
19 *title 17, United States Code, is amended by striking*
20 *the last sentence and inserting “The rate of basic pay*
21 *for each Associate Register of Copyrights shall be*
22 *fixed in accordance with section 5376 of title 5.”.*

1 **SEC. 1405. STAFFING FOR COPYRIGHT ROYALTY JUDGES**
 2 **PROGRAM.**

3 (a) *REMOVAL OF CAP ON PERSONNEL.*—Chapter 8 of
 4 title 17, United States Code, is amended—

5 (1) in section 802—

6 (A) in subsection (b), by striking “3”; and

7 (B) in subsection (e), by striking paragraph

8 (2) and inserting the following:

9 “(2) *STAFF MEMBERS.*—Staff members ap-
 10 pointed under subsection (b) shall be compensated at
 11 a rate not more than the basic rate of pay payable
 12 for level 10 of GS–15 of the General Schedule.”; and

13 (2) in section 803(e)(1)(A), by striking “3”.

14 (b) *EFFECTIVE DATE.*—The amendments made by this
 15 section shall take effect with respect to fiscal year 2020 and
 16 each fiscal year thereafter.

17 **TITLE XV—SENATE ENTITIES**

18 *SEC. 1501.* Section 2(c) of chapter VIII of title I of
 19 Public Law 100–71 (2 U.S.C. 6567(c)) is amended by strik-
 20 ing “\$10,000” and inserting “\$15,000”.

21 *SEC. 1502.* Section 902 of the Emergency Supple-
 22 mental Act, 2002 (2 U.S.C. 6616) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (1)—

25 (i) by striking “subsection (b)” and in-
 26 serting “paragraph (3)”; and

1 **SEC. 1602. PAY, LIMITS ON BONUSES, COUNSEL, AND AU-**
2 **THORITIES.**

3 (a) *LIBRARY OF CONGRESS.*—Section 1307 of the Leg-
4 *islative Branch Appropriations Act, 2006 (2 U.S.C. 185)*
5 *is amended—*

6 (1) *in subsection (c)—*

7 (A) *in the subsection heading, by inserting*
8 *“; PAY; LIMITS ON BONUSES; COUNSEL” after*
9 *“REMOVAL”;*

10 (B) *by striking paragraph (2) and inserting*
11 *the following:*

12 “(2) *REMOVAL OR TRANSFER.*—

13 “(A) *IN GENERAL.*—*The Inspector General*
14 *may be removed from office, or transferred to an-*
15 *other position within, or another location of, the*
16 *Library of Congress, by the Librarian of Con-*
17 *gress.*

18 “(B) *NOTICE.*—*Not later than 30 days be-*
19 *fore the Librarian of Congress removes or trans-*
20 *fers the Inspector General under subparagraph*
21 *(A), the Librarian of Congress shall commu-*
22 *nicate in writing the reason for the removal or*
23 *transfer to—*

24 “(i) *the Committee on House Adminis-*
25 *tration and the Committee on Appropria-*
26 *tions of the House of Representatives; and*

1 “(ii) the Committee on Rules and Ad-
2 ministration and the Committee on Appro-
3 priations of the Senate.

4 “(C) *APPLICABILITY.*—Nothing in this
5 paragraph shall prohibit a personnel action (ex-
6 cept for removal or transfer) that is otherwise
7 authorized by law.”; and

8 (C) by adding at the end the following:

9 “(3) *PAY.*—

10 “(A) *IN GENERAL.*—The position of Inspec-
11 tor General shall—

12 “(i) be classified as a position above
13 GS–15 in accordance with section 5108 of
14 title 5, United States Code; and

15 “(ii) have a rate of basic pay that is
16 not less than the average rate of basic pay
17 of all other employees in positions classified
18 as above GS–15 of the Library of Congress
19 calculated on an annual basis.

20 “(B) *ADJUSTMENTS.*—The Librarian of
21 Congress shall establish the amount of the an-
22 nual adjustment in the rate of basic pay for the
23 Inspector General in an amount equal to the av-
24 erage of the annual adjustments in the rate of
25 basic pay provided to all other employees in po-

1 *sitions classified as above GS-15 of the Library*
2 *of Congress, in a manner consistent with section*
3 *5376 of title 5, United States Code.*

4 “(4) *NO BONUSES.—The Inspector General may*
5 *not receive any cash award or cash bonus, including*
6 *a cash award under chapter 45 of title 5, United*
7 *States Code.*

8 “(5) *COUNSEL.—The Inspector General shall, in*
9 *accordance with applicable laws and regulations gov-*
10 *erning selections, appointments, and employment at*
11 *the Library of Congress, obtain legal advice from a*
12 *counsel reporting directly to the Inspector General or*
13 *another Inspector General.”; and*

14 (2) *in subsection (d)(1), by striking “Sections 4”*
15 *and all that follows through “and 7” and inserting*
16 *“Sections 4, 5 (other than subsection (a)(13)), 6*
17 *(other than subsection (a)(7)), and 7”.*

18 (b) *OFFICE OF THE ARCHITECT OF THE CAPITOL.—*
19 *Section 1301(c) of the Architect of the Capitol Inspector*
20 *General Act of 2007 (2 U.S.C. 1808(c)) is amended—*

21 (1) *in the subsection heading, by inserting “;*
22 *PAY; LIMITS ON BONUSES; COUNSEL” after “RE-*
23 *MOVAL”;*

24 (2) *by striking paragraph (2) and inserting the*
25 *following:*

1 “(2) *REMOVAL OR TRANSFER.*—

2 “(A) *IN GENERAL.*—*The Inspector General*
3 *may be removed from office, or transferred to an-*
4 *other position within, or another location of, the*
5 *Office of the Architect of the Capitol, by the Ar-*
6 *chitect of the Capitol.*

7 “(B) *NOTICE.*—*Not later than 30 days be-*
8 *fore the Architect of the Capitol removes or*
9 *transfers the Inspector General under subpara-*
10 *graph (A), the Architect of the Capitol shall com-*
11 *municate in writing the reason for the removal*
12 *or transfer to—*

13 “(i) *the Committee on House Adminis-*
14 *tration and the Committee on Appropria-*
15 *tions of the House of Representatives; and*

16 “(ii) *the Committee on Rules and Ad-*
17 *ministration and the Committee on Appro-*
18 *priations of the Senate.*

19 “(C) *APPLICABILITY.*—*Nothing in this*
20 *paragraph shall prohibit a personnel action (ex-*
21 *cept for removal or transfer) that is otherwise*
22 *authorized by law.”; and*

23 (3) *by adding at the end the following:*

24 “(4) *NO BONUSES.*—*The Inspector General may*
25 *not receive any cash award or cash bonus, including*

1 *a cash award under chapter 45 of title 5, United*
2 *States Code.*

3 “(5) COUNSEL.—*The Inspector General shall, in*
4 *accordance with applicable laws and regulations gov-*
5 *erning selections, appointments, and employment at*
6 *the Office of the Architect of the Capitol, obtain legal*
7 *advice from a counsel reporting directly to the Inspec-*
8 *tor General or another Inspector General.”.*

9 (c) GOVERNMENT PUBLISHING OFFICE.—

10 (1) IN GENERAL.—*Section 3902 of title 44,*
11 *United States Code, is amended—*

12 (A) *in the section heading, by inserting “;*
13 *pay; limits on bonuses; counsel” after*
14 *“removal”;*

15 (B) *by striking subsection (b) and inserting*
16 *the following:*

17 “(b)(1) *The Inspector General may be removed from*
18 *office, or transferred to another position within, or another*
19 *location of, the Government Publishing Office, by the Direc-*
20 *tor of the Government Publishing Office.*

21 “(2) *Not later than 30 days before the Director removes*
22 *or transfers the Inspector General under paragraph (1), the*
23 *Director shall communicate in writing the reason for the*
24 *removal or transfer to—*

1 “(A) *the Committee on House Administration*
2 *and the Committee on Appropriations of the House of*
3 *Representatives; and*

4 “(B) *the Committee on Rules and Administra-*
5 *tion and the Committee on Appropriations of the*
6 *Senate.*

7 “(3) *Nothing in this subsection shall prohibit a per-*
8 *sonnel action (except for removal or transfer) that is other-*
9 *wise authorized by law.”; and*

10 *(C) by adding at the end the following:*

11 “(c)(1) *The position of Inspector General shall be—*

12 “(A) *classified as a position as a senior level em-*
13 *ployee, in accordance with this title; and*

14 “(B) *have a rate of basic pay that is not less*
15 *than the average rate of basic pay of all other senior*
16 *level employees of the Government Publishing Office*
17 *calculated on an annual basis.*

18 “(2) *The Director of the Government Publishing Office*
19 *shall establish the amount of the annual adjustment in the*
20 *rate of basic pay for the Inspector General in an amount*
21 *equal to the average of the annual adjustments in the rate*
22 *of basic pay provided to all other senior level employees of*
23 *the Government Publishing Office, consistent with this title.*

1 “(d) *The Inspector General may not receive any cash*
 2 *award or cash bonus, including a cash award under chapter*
 3 *45 of title 5.*

4 “(e) *The Inspector General shall, in accordance with*
 5 *applicable laws and regulations governing selections, ap-*
 6 *pointments, and employment at the Government Publishing*
 7 *Office, obtain legal advice from a counsel reporting directly*
 8 *to the Inspector General or another Inspector General.*”.

9 (2) *TECHNICAL AND CONFORMING AMEND-*
 10 *MENT.—The table of sections for chapter 39 of title*
 11 *44, United States Code, is amended by striking the*
 12 *item relating to section 3902 and inserting the fol-*
 13 *lowing:*

“3902. *Appointment of Inspector General; supervision; removal; pay; limits on bo-*
nuses; counsel.”.

14 **SEC. 1603. LAW ENFORCEMENT AUTHORITY.**

15 (a) *LIBRARY OF CONGRESS.—Section 1307(d) of the*
 16 *Legislative Branch Appropriations Act, 2006 (2 U.S.C.*
 17 *185(d)) is amended by adding at the end the following:*

18 “(3) *LAW ENFORCEMENT AUTHORITY.—*

19 “(A) *IN GENERAL.—Subject to subpara-*
 20 *graph (B), any supervisory special agent under*
 21 *the Inspector General and any special agent su-*
 22 *pervised by such a supervisory special agent is*
 23 *authorized to—*

1 “(i) make an arrest without a warrant
2 while engaged in official duties as author-
3 ized under this section or any other statute
4 for any offense against the United States
5 committed in the presence of such super-
6 visory special agent or special agent, or for
7 any felony cognizable under the laws of the
8 United States if such supervisory special
9 agent or special agent has reasonable
10 grounds to believe that the person to be ar-
11 rested has committed or is committing such
12 felony;

13 “(ii) seek and execute warrants for ar-
14 rest, search of a premises, or seizure of evi-
15 dence issued under the authority of the
16 United States upon probable cause to believe
17 that a violation has been committed; and

18 “(iii) carry a firearm while engaged in
19 official duties as authorized under this sec-
20 tion or any other statute.

21 “(B) REQUIREMENTS TO EXERCISE AU-
22 THORITY.—

23 “(i) REQUIRED CERTIFICATION.—

24 “(I) IN GENERAL.—In order to ex-
25 ercise the authority under subpara-

1 *graph (A), a supervisory special agent*
2 *or a special agent supervised by such a*
3 *supervisory special agent shall certify*
4 *that he or she—*

5 *“(aa) is a citizen of the*
6 *United States;*

7 *“(bb) has successfully com-*
8 *pleted a basic law enforcement*
9 *training program or military or*
10 *other equivalent; and*

11 *“(cc) is not prohibited from*
12 *receiving a firearm under Federal*
13 *law, including under section*
14 *922(g)(9) of title 18, United*
15 *States Code, because of a convic-*
16 *tion of a misdemeanor crime of*
17 *domestic violence.*

18 *“(II) ADDITIONAL REQUIRE-*
19 *MENTS.—After providing notice to the*
20 *appropriate committees of Congress,*
21 *the Inspector General may add re-*
22 *quirements to the certification required*
23 *under subclause (I), as determined ap-*
24 *propriate by the Inspector General.*

1 “(ii) *MAINTENANCE OF REQUIRE-*
2 *MENTS.—The Inspector General shall main-*
3 *tain firearms-related requirements (includ-*
4 *ing quarterly firearms qualifications) and*
5 *use of force training requirements that, ex-*
6 *cept to the extent the Inspector General de-*
7 *termines necessary to effectively carry out*
8 *the duties of the Office of the Inspector Gen-*
9 *eral, are in accordance with the Council of*
10 *the Inspectors General on Integrity and Ef-*
11 *iciency use of force policies, which incor-*
12 *porate Department of Justice guidelines.*

13 “(iii) *ELIGIBILITY DETERMINATION.—*

14 “(I) *IN GENERAL.—The Inspector*
15 *General shall—*

16 “(aa) *determine whether an*
17 *individual meets the requirements*
18 *under this paragraph; and*

19 “(bb) *revoke any authority*
20 *granted to an individual under*
21 *subparagraph (A) if the indi-*
22 *vidual is not in compliance with*
23 *the requirements of this para-*
24 *graph.*

1 “(II) *REAUTHORIZATION.*—*The*
2 *Inspector General may reauthorize an*
3 *individual to exercise the authority*
4 *granted under subparagraph (A) if the*
5 *Inspector General determines the indi-*
6 *vidual has achieved compliance with*
7 *the requirements under this paragraph.*

8 “(III) *LIMITATION ON APPEAL.*—
9 *A revocation of the authority granted*
10 *under subparagraph (A) shall not be*
11 *subject to administrative, judicial, or*
12 *other review, unless the revocation re-*
13 *sults in an adverse action. Such an ad-*
14 *verse action may, at the election of the*
15 *applicable individual, be reviewed in*
16 *accordance with the otherwise applica-*
17 *ble procedures.*

18 “(C) *SEMIANNUAL CERTIFICATION OF PRO-*
19 *GRAM.*—

20 “(i) *IN GENERAL.*—*Before the first*
21 *grant of authority under subparagraph (A),*
22 *and semiannually thereafter as part of the*
23 *report under section 5 of the Inspector Gen-*
24 *eral Act of 1978 (5 U.S.C. App.), the In-*
25 *spector General shall submit to the appro-*

1 *priate committees of Congress a written cer-*
2 *tification that adequate internal safeguards*
3 *and management procedures exist that, ex-*
4 *cept to the extent the Inspector General de-*
5 *termines necessary to effectively carry out*
6 *the duties of the Office of the Inspector Gen-*
7 *eral, are in compliance with standards es-*
8 *tablished by the Council of the Inspectors*
9 *General on Integrity and Efficiency, which*
10 *incorporate Department of Justice guide-*
11 *lines, to ensure proper exercise of the powers*
12 *authorized under this paragraph.*

13 “(ii) *SUSPENSION OF AUTHORITY.—*
14 *The authority granted under this paragraph*
15 *(including any grant of authority to an in-*
16 *dividual under subparagraph (A), without*
17 *regard to whether the individual is in com-*
18 *pliance with subparagraph (B)) may be*
19 *suspended by the Inspector General if the*
20 *Office of Inspector General fails to comply*
21 *with the reporting and review requirements*
22 *under clause (i) of this subparagraph or*
23 *subparagraph (D). Any suspension of au-*
24 *thority under this clause shall be reported to*
25 *the appropriate committees of Congress.*

1 “(D) *PEER REVIEW.*—*To ensure the proper*
2 *exercise of the law enforcement powers authorized*
3 *under this paragraph, the Office of Inspector*
4 *General shall submit to and participate in the*
5 *external review process established by the Council*
6 *of the Inspectors General on Integrity and Effi-*
7 *ciency for ensuring that adequate internal safe-*
8 *guards and management procedures continue to*
9 *exist. Under the review process, the exercise of*
10 *the law enforcement powers by the Office of In-*
11 *pector General shall be reviewed periodically by*
12 *another Office of Inspector General or by a com-*
13 *mittee of Inspectors General. The results of each*
14 *review shall be communicated in writing to the*
15 *Inspector General, the Council of the Inspectors*
16 *General on Integrity and Efficiency, and the ap-*
17 *propriate committees of Congress.*

18 “(E) *ALLEGED MISCONDUCT.*—*Any allega-*
19 *tion of misconduct by an individual granted au-*
20 *thority under subparagraph (A) may be reviewed*
21 *by the Integrity Committee of the Council of the*
22 *Inspectors General on Integrity and Efficiency.*

23 “(F) *APPROPRIATE COMMITTEES OF CON-*
24 *GRESS.*—*In this paragraph, the term ‘appro-*
25 *priate committees of Congress’ means—*

1 “(i) the Committee on Rules and Ad-
2 ministration and the Committee on Appro-
3 priations of the Senate; and

4 “(ii) the Committee on House Admin-
5 istration and the Committee on Appropria-
6 tions of the House of Representatives.”.

7 (b) *ARCHITECT OF THE CAPITOL*.—Section 1301(d) of
8 *the Architect of the Capitol Inspector General Act of 2007*
9 *(2 U.S.C. 1808(d)) is amended by adding at the end the*
10 *following:*

11 “(3) *LAW ENFORCEMENT AUTHORITY*.—

12 “(A) *IN GENERAL*.—Subject to subpara-
13 *graph (B), any supervisory special agent under*
14 *the Inspector General and any special agent su-*
15 *pervised by such a supervisory special agent is*
16 *authorized to—*

17 “(i) *make an arrest without a warrant*
18 *while engaged in official duties as author-*
19 *ized under this section or any other statute*
20 *for any offense against the United States*
21 *committed in the presence of such super-*
22 *visory special agent or special agent, or for*
23 *any felony cognizable under the laws of the*
24 *United States if such supervisory special*
25 *agent or special agent has reasonable*

1 grounds to believe that the person to be ar-
2 rested has committed or is committing such
3 felony;

4 “(ii) seek and execute warrants for ar-
5 rest, search of a premises, or seizure of evi-
6 dence issued under the authority of the
7 United States upon probable cause to believe
8 that a violation has been committed; and

9 “(iii) carry a firearm while engaged in
10 official duties as authorized under this sec-
11 tion or any other statute.

12 “(B) REQUIREMENTS TO EXERCISE AU-
13 THORITY.—

14 “(i) REQUIRED CERTIFICATION.—

15 “(I) IN GENERAL.—In order to ex-
16 ercise the authority under subpara-
17 graph (A), a supervisory special agent
18 or a special agent supervised by such a
19 supervisory special agent shall certify
20 that he or she—

21 “(aa) is a citizen of the
22 United States;

23 “(bb) has successfully com-
24 pleted a basic law enforcement

1 *training program or military or*
2 *other equivalent; and*

3 “(cc) *is not prohibited from*
4 *receiving a firearm under Federal*
5 *law, including under section*
6 *922(g)(9) of title 18, United*
7 *States Code, because of a convic-*
8 *tion of a misdemeanor crime of*
9 *domestic violence.*

10 “(II) *ADDITIONAL REQUIRE-*
11 *MENTS.—After providing notice to the*
12 *appropriate committees of Congress,*
13 *the Inspector General may add re-*
14 *quirements to the certification required*
15 *under subclause (I), as determined ap-*
16 *propriate by the Inspector General.*

17 “(ii) *MAINTENANCE OF REQUIRE-*
18 *MENTS.—The Inspector General shall main-*
19 *tain firearms-related requirements (includ-*
20 *ing quarterly firearms qualifications) and*
21 *use of force training requirements that, ex-*
22 *cept to the extent the Inspector General de-*
23 *termines necessary to effectively carry out*
24 *the duties of the Office of the Inspector Gen-*
25 *eral, are in accordance with the Council of*

1 *the Inspectors General on Integrity and Ef-*
2 *iciency use of force policies, which incor-*
3 *porate Department of Justice guidelines.*

4 “(iii) *ELIGIBILITY DETERMINATION.—*

5 “(I) *IN GENERAL.—The Inspector*
6 *General shall—*

7 “(aa) *determine whether an*
8 *individual meets the requirements*
9 *under this paragraph; and*

10 “(bb) *revoke any authority*
11 *granted to an individual under*
12 *subparagraph (A) if the indi-*
13 *vidual is not in compliance with*
14 *the requirements of this para-*
15 *graph.*

16 “(II) *REAUTHORIZATION.—The*
17 *Inspector General may reauthorize an*
18 *individual to exercise the authority*
19 *granted under subparagraph (A) if the*
20 *Inspector General determines the indi-*
21 *vidual has achieved compliance with*
22 *the requirements under this paragraph.*

23 “(III) *LIMITATION ON APPEAL.—*
24 *A revocation of the authority granted*
25 *under subparagraph (A) shall not be*

1 *subject to administrative, judicial, or*
2 *other review, unless the revocation re-*
3 *sults in an adverse action. Such an ad-*
4 *verse action may, at the election of the*
5 *applicable individual, be reviewed in*
6 *accordance with the otherwise applica-*
7 *ble procedures.*

8 “(C) *SEMIANNUAL CERTIFICATION OF PRO-*
9 *GRAM.—*

10 “(i) *IN GENERAL.—*Before the first
11 *grant of authority under subparagraph (A),*
12 *and semiannually thereafter as part of the*
13 *report under section 5 of the Inspector Gen-*
14 *eral Act of 1978 (5 U.S.C. App.), the In-*
15 *pector General shall submit to the appro-*
16 *priate committees of Congress a written cer-*
17 *tification that adequate internal safeguards*
18 *and management procedures exist that, ex-*
19 *cept to the extent the Inspector General de-*
20 *termines necessary to effectively carry out*
21 *the duties of the Office of the Inspector Gen-*
22 *eral, are in compliance with standards es-*
23 *tablished by the Council of the Inspectors*
24 *General on Integrity and Efficiency, which*
25 *incorporate Department of Justice guide-*

1 *lines, to ensure proper exercise of the powers*
2 *authorized under this paragraph.*

3 “(ii) *SUSPENSION OF AUTHORITY.—*

4 *The authority granted under this paragraph*
5 *(including any grant of authority to an in-*
6 *dividual under subparagraph (A), without*
7 *regard to whether the individual is in com-*
8 *pliance with subparagraph (B)) may be*
9 *suspended by the Inspector General if the*
10 *Office of Inspector General fails to comply*
11 *with the reporting and review requirements*
12 *under clause (i) of this subparagraph or*
13 *subparagraph (D). Any suspension of au-*
14 *thority under this clause shall be reported to*
15 *the appropriate committees of Congress.*

16 “(D) *PEER REVIEW.—To ensure the proper*
17 *exercise of the law enforcement powers authorized*
18 *under this paragraph, the Office of Inspector*
19 *General shall submit to and participate in the*
20 *external review process established by the Council*
21 *of the Inspectors General on Integrity and Effi-*
22 *ciency for ensuring that adequate internal safe-*
23 *guards and management procedures continue to*
24 *exist. Under the review process, the exercise of*
25 *the law enforcement powers by the Office of In-*

1 *spector General shall be reviewed periodically by*
2 *another Office of Inspector General or by a com-*
3 *mittee of Inspectors General. The results of each*
4 *review shall be communicated in writing to the*
5 *Inspector General, the Council of the Inspectors*
6 *General on Integrity and Efficiency, and the ap-*
7 *propriate committees of Congress.*

8 “(E) *ALLEGED MISCONDUCT.*—*Any allega-*
9 *tion of misconduct by an individual granted au-*
10 *thority under subparagraph (A) may be reviewed*
11 *by the Integrity Committee of the Council of the*
12 *Inspectors General on Integrity and Efficiency.*

13 “(F) *APPROPRIATE COMMITTEES OF CON-*
14 *GRESS.*—*In this paragraph, the term ‘appro-*
15 *priate committees of Congress’ means—*

16 “(i) *the Committee on Rules and Ad-*
17 *ministration and the Committee on Appro-*
18 *priations of the Senate; and*

19 “(ii) *the Committee on House Admin-*
20 *istration and the Committee on Appropria-*
21 *tions of the House of Representatives.”.*

22 “(c) *GOVERNMENT PUBLISHING OFFICE.*—*Section 3903*
23 *of title 44, United States Code, is amended is amended by*
24 *adding at the end the following:*

1 “(c)(1) Subject to paragraph (2), any supervisory spe-
2 cial agent under the Inspector General and any special
3 agent supervised by such a supervisory special agent is au-
4 thorized to—

5 “(A) make an arrest without a warrant while
6 engaged in official duties as authorized under this
7 chapter or any other statute for any offense against
8 the United States committed in the presence of such
9 supervisory special agent or special agent, or for any
10 felony cognizable under the laws of the United States
11 if such supervisory special agent or special agent has
12 reasonable grounds to believe that the person to be ar-
13 rested has committed or is committing such felony;

14 “(B) seek and execute warrants for arrest, search
15 of a premises, or seizure of evidence issued under the
16 authority of the United States upon probable cause to
17 believe that a violation has been committed; and

18 “(C) carry a firearm while engaged in official
19 duties as authorized under this chapter or any other
20 statute.

21 “(2)(A)(i) In order to exercise the authority under
22 paragraph (1), a supervisory special agent or a special
23 agent supervised by such a supervisory special agent shall
24 certify that he or she—

25 “(I) is a citizen of the United States;

1 “(II) has successfully completed a basic law en-
2 forcement training program or military or other
3 equivalent; and

4 “(III) is not prohibited from receiving a firearm
5 under Federal law, including under section 922(g)(9)
6 of title 18, United States Code, because of a convic-
7 tion of a misdemeanor crime of domestic violence.

8 “(ii) After providing notice to the appropriate commit-
9 tees of Congress, the Inspector General may add require-
10 ments to the certification required under clause (i), as deter-
11 mined appropriate by the Inspector General.

12 “(B) The Inspector General shall maintain firearms-
13 related requirements (including quarterly firearms quali-
14 fications) and use of force training requirements that, ex-
15 cept to the extent the Inspector General determines nec-
16 essary to effectively carry out the duties of the Office of the
17 Inspector General, are in accordance with the Council of
18 the Inspectors General on Integrity and Efficiency use of
19 force policies, which incorporate Department of Justice
20 guidelines.

21 “(C)(i) The Inspector General shall—

22 “(I) determine whether an individual meets the
23 requirements under this subsection; and

24 “(II) revoke any authority granted to an indi-
25 vidual under paragraph (1) if the individual is not

1 *in compliance with the requirements of this sub-*
2 *section.*

3 “(ii) *The Inspector General may reauthorize an indi-*
4 *vidual to exercise the authority granted under paragraph*
5 *(1) if the Inspector General determines the individual has*
6 *achieved compliance with the requirements under this sub-*
7 *section.*

8 “(iii) *A revocation of the authority granted under*
9 *paragraph (1) shall not be subject to administrative, judi-*
10 *cial, or other review, unless the revocation results in an ad-*
11 *verse action. Such an adverse action may, at the election*
12 *of the applicable individual, be reviewed in accordance with*
13 *the otherwise applicable procedures.*

14 “(3)(A) *Before the first grant of authority under para-*
15 *graph (1), and semiannually thereafter as part of the report*
16 *under section 5 of the Inspector General Act of 1978 (5*
17 *U.S.C. App.), the Inspector General shall submit to the ap-*
18 *propriate committees of Congress a written certification*
19 *that adequate internal safeguards and management proce-*
20 *dures exist that, except to the extent the Inspector General*
21 *determines necessary to effectively carry out the duties of*
22 *the Office of the Inspector General, are in compliance with*
23 *standards established by the Council of the Inspectors Gen-*
24 *eral on Integrity and Efficiency, which incorporate Depart-*

1 *ment of Justice guidelines, to ensure proper exercise of the*
2 *powers authorized under this subsection.*

3 “(B) *The authority granted under this subsection (in-*
4 *cluding any grant of authority to an individual under*
5 *paragraph (1), without regard to whether the individual is*
6 *in compliance with paragraph (2)) may be suspended by*
7 *the Inspector General if the Office of Inspector General fails*
8 *to comply with the reporting and review requirements*
9 *under subparagraph (A) of this paragraph or paragraph*
10 *(4). Any suspension of authority under this subparagraph*
11 *shall be reported to the appropriate committees of Congress.*

12 “(4) *To ensure the proper exercise of the law enforce-*
13 *ment powers authorized under this subsection, the Office of*
14 *Inspector General shall submit to and participate in the*
15 *external review process established by the Council of the In-*
16 *spectors General on Integrity and Efficiency for ensuring*
17 *that adequate internal safeguards and management proce-*
18 *dures continue to exist. Under the review process, the exer-*
19 *cise of the law enforcement powers by the Office of Inspector*
20 *General shall be reviewed periodically by another Office of*
21 *Inspector General or by a committee of Inspectors General.*
22 *The results of each review shall be communicated in writing*
23 *to the Inspector General, the Council of the Inspectors Gen-*
24 *eral on Integrity and Efficiency, and the appropriate com-*
25 *mittees of Congress.*

1 “(5) *Any allegation of misconduct by an individual*
2 *granted authority under paragraph (1) may be reviewed*
3 *by the Integrity Committee of the Council of the Inspectors*
4 *General on Integrity and Efficiency.*

5 “(6) *In this subsection, the term ‘appropriate commit-*
6 *tees of Congress’ means—*

7 “(A) *the Committee on Rules and Administra-*
8 *tion and the Committee on Appropriations of the*
9 *Senate; and*

10 “(B) *the Committee on House Administration*
11 *and the Committee on Appropriations of the House of*
12 *Representatives.”.*

13 **SEC. 1604. BUDGET INDEPENDENCE.**

14 (a) *LIBRARY OF CONGRESS.—*

15 (1) *AUTHORITY.—Section 1307(d) of the Legisla-*
16 *tive Branch Appropriations Act, 2006 (2 U.S.C.*
17 *185(d)), as amended by section 1603 of this Act, is*
18 *amended by adding at the end the following:*

19 “(4) *BUDGET INDEPENDENCE.—The Librarian*
20 *of Congress shall include the annual budget request of*
21 *the Inspector General in the budget of the Library of*
22 *Congress without change.”.*

23 (b) *OFFICE OF THE ARCHITECT OF THE CAPITOL.—*
24 *Section 1301(d) of the Architect of the Capitol Inspector*
25 *General Act of 2007 (2 U.S.C. 1808(d)), as amended by sec-*

1 *tion 1603 of this Act, is amended by adding at the end*
2 *the following:*

3 “(4) *BUDGET INDEPENDENCE.*—*The Architect of*
4 *the Capitol shall include the annual budget request of*
5 *the Inspector General in the budget of the Office of the*
6 *Architect of the Capitol without change.*”.

7 “(c) *GOVERNMENT PUBLISHING OFFICE.*—*Section 3903*
8 *of title 44, United States Code, as amended by section 1603*
9 *of this Act, is amended by adding at the end the following:*

10 “(d) *The Director of the Government Publishing Office*
11 *shall include the annual budget request of the Inspector*
12 *General in the budget of the Government Publishing Office*
13 *without change.*”.

14 “(d) *SEPARATE ALLOCATIONS.*—

15 “(1) *LEGISLATIVE BRANCH INSTRUMENTALITY DE-*
16 *FINED.*—*In this subsection, the term “legislative*
17 *branch instrumentality” means the Library of Con-*
18 *gress, the Office of the Architect of the Capitol, or the*
19 *Government Publishing Office.*

20 “(2) *ALLOCATION.*—*For fiscal year 2021, and*
21 *each fiscal year thereafter, Congress shall provide,*
22 *within the amounts made available for salaries and*
23 *expenses of each legislative branch instrumentality, a*
24 *separate allocation of amounts for salaries and ex-*

1 *penses of the Office of the Inspector General of the*
2 *covered legislative branch instrumentality.*

3 **SEC. 1605. HIRING AUTHORITY.**

4 *(a) LIBRARY OF CONGRESS.—Section 1307(d)(2) of the*
5 *Legislative Branch Appropriations Act, 2006 (2 U.S.C.*
6 *185(d)(2)) is amended—*

7 *(1) by striking “The Inspector” and inserting the*
8 *following:*

9 *“(A) IN GENERAL.—The Inspector”;*

10 *(2) in subparagraph (A), as so designated, by in-*
11 *serting “, without the supervision or approval of any*
12 *other employee, office, or other entity within the Li-*
13 *brary of Congress,” after “is authorized”; and*

14 *(3) by adding at the end the following:*

15 *“(B) SECURITY AND SUITABILITY.—Ap-*
16 *pointments under the authority under subpara-*
17 *graph (A) shall be made consistent with per-*
18 *sonnel security and suitability requirements.*

19 *“(C) CONSULTANTS.—Any appointment of*
20 *a consultant under the authority under subpara-*
21 *graph (A) shall be made consistent with section*
22 *6(a)(8) of the Inspector General Act of 1978 (5*
23 *U.S.C. App.).”.*

1 (b) *OFFICE OF THE ARCHITECT OF THE CAPITOL.*—
2 *Section 1301(d)(2) of the Architect of the Capitol Inspector*
3 *General Act of 2007 (2 U.S.C. 1808(d)(2)) is amended—*

4 (1) *by striking “The Inspector” and inserting the*
5 *following:*

6 “(A) *IN GENERAL.—The Inspector*”;

7 (2) *in subparagraph (A), as so designated, by in-*
8 *serting “, without the supervision or approval of any*
9 *other employee, office, or other entity within the Of-*
10 *fice of the Architect of the Capitol,” after “is author-*
11 *ized”; and*

12 (3) *by adding at the end the following:*

13 “(B) *SECURITY AND SUITABILITY.—Ap-*
14 *pointments under the authority under subpara-*
15 *graph (A) shall be made consistent with per-*
16 *sonnel security and suitability requirements.*

17 “(C) *CONSULTANTS.—Any appointment of*
18 *a consultant under the authority under subpara-*
19 *graph (A) shall be made consistent with section*
20 *6(a)(8) of the Inspector General Act of 1978 (5*
21 *U.S.C. App.).”.*

22 (c) *GOVERNMENT PUBLISHING OFFICE.*—*Section*
23 *3903(b) of title 44, United States Code, is amended—*

24 (1) *by inserting “(1)” before “The Inspector”;*

1 (2) *in paragraph (1), as so designated, by insert-*
2 *ing “, without the supervision or approval of any*
3 *other employee, office, or other entity within the Gov-*
4 *ernment Publishing Office,” after “is authorized”;*
5 *and*

6 (3) *by adding at the end the following:*

7 “(2) *Appointments under the authority under para-*
8 *graph (1) shall be made consistent with personnel security*
9 *and suitability requirements.*

10 “(3) *Any appointment of a consultant under the au-*
11 *thority under paragraph (1) shall be made consistent with*
12 *section 6(a)(8) of the Inspector General Act of 1978 (5*
13 *U.S.C. App.).”.*

14 **TITLE XVII—MANAGING**
15 **POLITICAL FUND ACTIVITY**

16 **SEC. 1701. MANAGING POLITICAL FUND ACTIVITY.**

17 *The Majority Leader and the Minority Leader may*
18 *each designate up to 2 employees of their respective leader-*
19 *ship office staff as designees referred to in the second sen-*
20 *tence of paragraph 1 of rule XLI of the Standing Rules*
21 *of the Senate.*

1 **TITLE** **XVIII—KENTUCKY**
 2 **WILDLANDS NATIONAL HER-**
 3 **ITAGE AREA STUDY**

4 **SEC. 1801. SHORT TITLE.**

5 *This title may be cited as the “Kentucky Wildlands*
 6 *National Heritage Area Study Act”.*

7 **SEC. 1802. DEFINITIONS.**

8 *In this Act:*

9 (1) *HERITAGE AREA.*—*The term “Heritage*
 10 *Area” means the Kentucky Wildlands National Herit-*
 11 *age Area.*

12 (2) *SECRETARY.*—*The term “Secretary” means*
 13 *the Secretary of the Interior.*

14 (3) *STATE.*—*The term “State” means the State*
 15 *of Kentucky.*

16 (4) *STUDY AREA.*—*The term “study area”*
 17 *means—*

18 (A) *Adair, Bath, Bell, Boyd, Breathitt, Car-*
 19 *ter, Casey, Clay, Clinton, Cumberland, Elliott,*
 20 *Floyd, Green, Harlan, Jackson, Johnson, Knott,*
 21 *Knox, Laurel, Lawrence, Lee, Leslie, Letcher,*
 22 *Lincoln, Magoffin, Martin, McCreary, Menifee,*
 23 *Metcalf, Monroe, Morgan, Owsley, Perry, Pike,*
 24 *Pulaski, Rockcastle, Rowan, Russell, Wayne,*
 25 *Whitley, and Wolfe Counties in the State; and*

- 1 (B) any other areas in the State that—
- 2 (i) have heritage aspects that are simi-
- 3 lar to the heritage aspects of the areas de-
- 4 scribed in subparagraph (A); and
- 5 (ii) are adjacent to, or in the vicinity
- 6 of, the areas described in that subpara-
- 7 graph.

8 **SEC. 1803. STUDY.**

9 (a) *IN GENERAL.*—The Secretary, in consultation with

10 State and local historic preservation officers, State and

11 local historical societies, State and local tourism offices, and

12 other appropriate organizations and governmental agencies,

13 shall conduct a study to assess the suitability and feasibility

14 of designating the study area as a National Heritage Area,

15 to be known as the “Kentucky Wildlands National Heritage

16 Area”.

17 (b) *REQUIREMENTS.*—The study shall include anal-

18 ysis, documentation, and determinations on whether the

19 study area—

20 (1) has an assemblage of natural, historic, and

21 cultural resources that—

22 (A) represent distinctive aspects of the herit-

23 age of the United States;

24 (B) are worthy of recognition, conservation,

25 interpretation, and continuing use; and

1 (C) *would be best managed—*

2 (i) *through partnerships among public*
3 *and private entities; and*

4 (ii) *by linking diverse and sometimes*
5 *noncontiguous resources and active commu-*
6 *nities;*

7 (2) *reflects traditions, customs, beliefs, and*
8 *folklife that are a valuable part of the story of the*
9 *United States;*

10 (3) *provides outstanding opportunities—*

11 (A) *to conserve natural, historic, cultural,*
12 *or scenic features; and*

13 (B) *for recreation and education;*

14 (4) *contains resources that—*

15 (A) *are important to any identified themes*
16 *of the study area; and*

17 (B) *retain a degree of integrity capable of*
18 *supporting interpretation;*

19 (5) *includes residents, business interests, non-*
20 *profit organizations, and State and local governments*
21 *that—*

22 (A) *are involved in the planning of the Her-*
23 *itage Area;*

24 (B) *have developed a conceptual financial*
25 *plan that outlines the roles of all participants in*

1 *the Heritage Area, including the Federal Govern-*
2 *ment; and*

3 *(C) have demonstrated support for the des-*
4 *ignation of the Heritage Area;*

5 *(6) has a potential management entity to work*
6 *in partnership with the individuals and entities de-*
7 *scribed in paragraph (5) to develop the Heritage Area*
8 *while encouraging State and local economic activity;*

9 *(7) could impact the rights of private property*
10 *owners with respect to private property; and*

11 *(8) has a conceptual boundary map that is sup-*
12 *ported by the public.*

13 **SEC. 1804. REPORT.**

14 *Not later than 3 years after the date on which funds*
15 *are first made available to carry out this Act, the Secretary*
16 *shall submit to the Committee on Energy and Natural Re-*
17 *sources of the Senate and the Committee on Natural Re-*
18 *sources of the House of Representatives a report that de-*
19 *scribes—*

20 *(1) the findings of the study under section 1803;*
21 *and*

22 *(2) any conclusions and recommendations of the*
23 *Secretary.*

1 **TITLE** **XIX—INTERNATIONAL**
2 **BANK FOR RECONSTRUCTION**
3 **AND DEVELOPMENT**

4 **SEC. 1901. INTERNATIONAL BANK FOR RECONSTRUCTION**
5 **AND DEVELOPMENT.**

6 *The Bretton Woods Agreements Act (22 U.S.C. 286 et*
7 *seq.) is amended by adding at the end the following new*
8 *section:*

9 **“SEC. 73. CAPITAL STOCK INCREASES.**

10 *“(a) INCREASES AUTHORIZED.—The United States*
11 *Governor of the Bank is authorized—*

12 *“(1)(A) to vote in favor of a resolution to in-*
13 *crease the capital stock of the Bank on a selective*
14 *basis by 245,773 shares; and*

15 *“(B) to subscribe on behalf of the United States*
16 *to 42,298 additional shares of the capital stock of the*
17 *Bank, as part of the selective increase in the capital*
18 *stock of the Bank, except that any subscription to*
19 *such additional shares shall be effective only to the ex-*
20 *tent or in such amounts as are provided in advance*
21 *in appropriations Acts; and*

22 *“(2)(A) to vote in favor of a resolution to in-*
23 *crease the capital stock of the Bank on a general basis*
24 *by 230,500 shares; and*

1 “(B) to subscribe on behalf of the United States
2 to 38,662 additional shares of the capital stock of the
3 Bank, as part of the general increase in the capital
4 stock of the Bank, except that any subscription to
5 such additional shares shall be effective only to the ex-
6 tent or in such amounts as are provided in advance
7 in appropriations Acts.

8 “(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIA-
9 TIONS.—(1) In order to pay for the increase in the United
10 States subscription to the Bank under subsection (a)(2)(B),
11 there are authorized to be appropriated, without fiscal year
12 limitation, \$4,663,990,370 for payment by the Secretary of
13 the Treasury.

14 “(2) Of the amount authorized to be appropriated
15 under paragraph (1), \$932,798,074 shall be for paid in
16 shares of the Bank, and \$3,731,192,296 shall be for callable
17 shares of the Bank.

18 “(3) In order to pay for the increase in the United
19 States subscription to the Bank under subsection (a)(1)(B),
20 there are authorized to be appropriated, without fiscal year
21 limitation \$5,102,619,230 for payment by the Secretary of
22 the Treasury.

23 “(4) Of the amount authorized to be appropriated
24 under paragraph (3), \$306,157,153.80 shall be for paid in

1 *shares of the Bank, and \$4,796,462,076.20 shall be for call-*
2 *able shares of the Bank.”.*

3 **TITLE XX—EUROPEAN ENERGY**
4 **SECURITY AND DIVERSIFICA-**
5 **TION ACT OF 2019**

6 **SEC. 2001. SHORT TITLE.**

7 *This title may be cited as the “European Energy Secu-*
8 *rity and Diversification Act of 2019”.*

9 **SEC. 2002. DEFINITIONS.**

10 *In this title:*

11 (1) *EARLY-STAGE PROJECT SUPPORT.*—*The term*
12 *“early-stage project support” includes—*

13 (A) *feasibility studies;*

14 (B) *resource evaluations;*

15 (C) *project appraisal and costing;*

16 (D) *pilot projects;*

17 (E) *commercial support, such as trade mis-*
18 *sions, reverse trade missions, technical work-*
19 *shops, international buyer programs, and inter-*
20 *national partner searchers to link suppliers to*
21 *projects;*

22 (F) *technical assistance and other guidance*
23 *to improve the local regulatory environment and*
24 *market frameworks to encourage transparent*
25 *competition and enhance energy security; and*

1 (G) long-term energy sector planning.

2 (2) *LATE-STAGE PROJECT SUPPORT*.—The term
3 “late-stage project support” includes debt financing,
4 insurance, and transaction advisory services.

5 **SEC. 2003. STATEMENT OF POLICY.**

6 (a) *SENSE OF CONGRESS*.—It is the sense of Congress
7 that the United States has economic and national security
8 interests in assisting European and Eurasian countries
9 achieve energy security through diversification of their en-
10 ergy sources and supply routes.

11 (b) *STATEMENT OF POLICY*.—It is the policy of the
12 United States—

13 (1) to advance United States foreign policy and
14 development goals by assisting European and Eur-
15 asian countries to reduce their dependence on energy
16 resources from countries that use energy dependence
17 for undue political influence, such as the Russian
18 Federation, which has used natural gas to coerce, in-
19 timidate, and influence other countries;

20 (2) to promote the energy security of allies and
21 partners of the United States by encouraging the de-
22 velopment of accessible, transparent, and competitive
23 energy markets that provide diversified sources, types,
24 and routes of energy;

1 (3) to encourage United States public and pri-
2 vate sector investment in European energy infrastruc-
3 ture projects to bridge the gap between energy security
4 requirements and commercial demand in a way that
5 is consistent with the region's absorptive capacity;
6 and

7 (4) to help facilitate the export of United States
8 energy resources, technology, and expertise to global
9 markets in a way that benefits the energy security of
10 allies and partners of the United States, including in
11 Europe and Eurasia.

12 **SEC. 2004. PRIORITIZATION OF EFFORTS AND ASSISTANCE**
13 **FOR ENERGY INFRASTRUCTURE PROJECTS IN**
14 **EUROPE AND EURASIA.**

15 (a) *IN GENERAL.*—In pursuing the policy described in
16 section 2003, the Secretary of State, in consultation with
17 the Secretary of Energy and the heads of other relevant
18 United States agencies, shall, as appropriate, prioritize and
19 expedite the efforts of the Department of State and those
20 agencies in supporting the efforts of the European Commis-
21 sion and the governments of European and Eurasian coun-
22 tries to increase their energy security, including through—
23 (1) providing diplomatic and political support
24 to the European Commission and those governments,
25 as necessary—

1 (A) to facilitate international negotiations
2 concerning cross-border infrastructure;

3 (B) to enhance Europe's regulatory environ-
4 ment with respect to energy; and

5 (C) to develop accessible, transparent, and
6 competitive energy markets supplied by diverse
7 sources, types, and routes of energy; and

8 (2) providing support to improve European and
9 Eurasian energy markets, including early-stage
10 project support and late-stage project support for the
11 construction or improvement of energy and related
12 infrastructure, as necessary—

13 (A) to diversify the energy sources and sup-
14 ply routes of European and Eurasian countries;

15 (B) to enhance energy market integration
16 across the region; and

17 (C) to increase competition within energy
18 markets.

19 (b) *PROJECT SELECTION.*—

20 (1) *IN GENERAL.*—The agencies described in sub-
21 section (a) shall identify energy infrastructure
22 projects that would be appropriate for United States
23 assistance under this section.

1 (2) *PROJECT ELIGIBILITY.*—A project is eligible
2 for United States assistance under this section if the
3 project—

4 (A)(i) improves electricity transmission in-
5 frastructure, power generation through the use of
6 a broad power mix (including fossil fuel and re-
7 newable energy), or energy efficiency; or

8 (ii) advances electricity storage projects,
9 smart grid projects, distributed generation mod-
10 els, or other technological innovations, as appro-
11 priate; and

12 (B) is located in a European or Eurasian
13 country.

14 (3) *PREFERENCE.*—In selecting among projects
15 that are eligible under paragraph (2), the agencies de-
16 scribed in subsection (a) shall give preference to
17 projects that—

18 (A) link the energy systems of 2 or more
19 European or Eurasian countries;

20 (B) have already been identified by the Eu-
21 ropean Commission as being integral for the en-
22 ergy security of European countries;

23 (C) are expected to enhance energy market
24 integration;

1 (D) can attract funding from the private
2 sector, an international financial institution, the
3 government of the country in which the project
4 will be carried out, or the European Commis-
5 sion; or

6 (E) have the potential to use United States
7 goods and services during project implementa-
8 tion.

9 (c) *TYPES OF ASSISTANCE.*—

10 (1) *DIPLOMATIC AND POLITICAL SUPPORT.*—The
11 Secretary of State shall provide diplomatic and polit-
12 ical support to the European Commission and the
13 governments of European and Eurasian countries, as
14 necessary, including by using the diplomatic and po-
15 litical influence and expertise of the Department of
16 State to build the capacity of those countries to re-
17 solve any impediments to the development of projects
18 selected under subsection (b).

19 (2) *EARLY-STAGE PROJECT SUPPORT.*—The Di-
20 rector of the Trade and Development Agency shall
21 provide early-stage project support with respect to
22 projects selected under subsection (b), as necessary.

23 (3) *LATE-STAGE PROJECT SUPPORT.*—Agencies
24 described in subsection (a) that provide late-stage

1 *project support shall do so with respect to projects se-*
2 *lected under subsection (b), as necessary.*

3 *(d) FUNDING.—*

4 *(1) TRADE AND DEVELOPMENT AGENCY.—Section*
5 *661(f)(1)(A) of the Foreign Assistance Act of*
6 *1961 (22 U.S.C. 2421(f)(1)(A)) is amended by strik-*
7 *ing “\$48,000,000 for fiscal year 2000” and inserting*
8 *“\$79,500,000 for fiscal year 2020”.*

9 *(2) COUNTERING RUSSIAN INFLUENCE FUND.—*
10 *Section 254 of the Countering Russian Influence in*
11 *Europe and Eurasia Act of 2017 (22 U.S.C. 9543) is*
12 *amended—*

13 *(A) in subsection (a), by striking “fiscal*
14 *years 2018 and 2019” and inserting “fiscal*
15 *years 2020, 2021, 2022, and 2023”; and*

16 *(B) in subsection (b), by adding at the end*
17 *the following new paragraph:*

18 *“(7) To assist United States agencies that oper-*
19 *ate under the foreign policy guidance of the Secretary*
20 *of State in providing assistance under section 2004 of*
21 *the European Energy Security and Diversification*
22 *Act of 2019.”.*

23 *(e) EXCEPTION FROM CERTAIN LIMITATION UNDER*
24 *BUILD ACT.—*

1 (1) *IN GENERAL.*—*For purposes of providing*
2 *support for projects under this section—*

3 (A) *the United States International Devel-*
4 *opment Finance Corporation may provide sup-*
5 *port for projects in countries with upper-middle-*
6 *income economies or high-income economies (as*
7 *those terms are defined by the World Bank);*

8 (B) *the restriction under section 1412(c)(2)*
9 *of the Better Utilization of Investments Leading*
10 *to Development Act of 2018 (22 U.S.C.*
11 *9612(c)(2)) shall not apply; and*

12 (C) *the Corporation shall restrict the provi-*
13 *sion of such support in a country described in*
14 *subparagraph (A) unless—*

15 (i) *the President certifies to the appro-*
16 *priate congressional committees that such*
17 *support furthers the national economic or*
18 *foreign policy interests of the United States;*
19 *and*

20 (ii) *such support is—*

21 (I) *designed to produce significant*
22 *developmental outcomes or provide de-*
23 *velopmental benefits to the poorest pop-*
24 *ulation of that country; or*

1 (II) necessary to preempt or
2 counter efforts by a strategic compet-
3 itor of the United States to secure sig-
4 nificant political or economic leverage
5 or acquire national security-sensitive
6 technologies or infrastructure in a
7 country that is an ally or partner of
8 the United States.

9 (2) *DEFINITIONS.*—In this subsection, the terms
10 “appropriate congressional committees” and “less de-
11 veloped country” have the meanings given those terms
12 in section 1402 of the Better Utilization of Invest-
13 ments Leading to Development Act of 2018 (22
14 U.S.C. 9601).

15 **SEC. 2005. PROGRESS REPORTS.**

16 Not later than one year after the date of the enactment
17 of this Act, and annually thereafter, the President shall sub-
18 mit to the Committee on Foreign Relations of the Senate
19 and the Committee on Foreign Affairs of the House of Rep-
20 resentatives a report on progress made in providing assist-
21 ance for projects under section 2004 that includes—

22 (1) a description of the energy infrastructure
23 projects the United States has identified for such as-
24 sistance; and

25 (2) for each such project—

1 (A) a description of the role of the United
2 States in the project, including in early-stage
3 project support and late-stage project support;

4 (B) the amount and form of any debt fi-
5 nancing and insurance provided by the United
6 States Government for the project;

7 (C) the amount and form of any early-stage
8 project support; and

9 (D) an update on the progress made on the
10 project as of the date of the report.

11 ***DIVISION Q—REVENUE***
12 ***PROVISIONS***

13 ***SECTION 1. SHORT TITLE; ETC.***

14 (a) *SHORT TITLE.*—This division may be cited as the
15 “Taxpayer Certainty and Disaster Tax Relief Act of 2019”.

16 (b) *TABLE OF CONTENTS.*—The table of contents for
17 this division is as follows:

Sec. 1. Short title; etc.

TITLE I—EXTENSION OF CERTAIN EXPIRING PROVISIONS

Subtitle A—Tax Relief and Support for Families and Individuals

*Sec. 101. Exclusion from gross income of discharge of qualified principal resi-
dence indebtedness.*

*Sec. 102. Treatment of mortgage insurance premiums as qualified residence inter-
est.*

Sec. 103. Reduction in medical expense deduction floor.

Sec. 104. Deduction of qualified tuition and related expenses.

Sec. 105. Black lung disability trust fund excise tax.

*Subtitle B—Incentives for Employment, Economic Growth, and Community
Development*

Sec. 111. Indian employment credit.

Sec. 112. Railroad track maintenance credit.

- Sec. 113. Mine rescue team training credit.*
- Sec. 114. Classification of certain race horses as 3-year property.*
- Sec. 115. 7-year recovery period for motorsports entertainment complexes.*
- Sec. 116. Accelerated depreciation for business property on Indian reservations.*
- Sec. 117. Expensing rules for certain productions.*
- Sec. 118. Empowerment zone tax incentives.*
- Sec. 119. American Samoa economic development credit.*

Subtitle C—Incentives for Energy Production, Efficiency, and Green Economy Jobs

- Sec. 121. Biodiesel and renewable diesel.*
- Sec. 122. Second generation biofuel producer credit.*
- Sec. 123. Nonbusiness energy property.*
- Sec. 124. Qualified fuel cell motor vehicles.*
- Sec. 125. Alternative fuel refueling property credit.*
- Sec. 126. 2-wheeled plug-in electric vehicle credit.*
- Sec. 127. Credit for electricity produced from certain renewable resources.*
- Sec. 128. Production credit for Indian coal facilities.*
- Sec. 129. Energy efficient homes credit.*
- Sec. 130. Special allowance for second generation biofuel plant property.*
- Sec. 131. Energy efficient commercial buildings deduction.*
- Sec. 132. Special rule for sales or dispositions to implement FERC or State electric restructuring policy for qualified electric utilities.*
- Sec. 133. Extension and clarification of excise tax credits relating to alternative fuels.*
- Sec. 134. Oil spill liability trust fund rate.*

Subtitle D—Certain Provisions Expiring at the End of 2019

- Sec. 141. New markets tax credit.*
- Sec. 142. Employer credit for paid family and medical leave.*
- Sec. 143. Work opportunity credit.*
- Sec. 144. Certain provisions related to beer, wine, and distilled spirits.*
- Sec. 145. Look-thru rule for related controlled foreign corporations.*
- Sec. 146. Credit for health insurance costs of eligible individuals.*

TITLE II—DISASTER TAX RELIEF

- Sec. 201. Definitions.*
- Sec. 202. Special disaster-related rules for use of retirement funds.*
- Sec. 203. Employee retention credit for employers affected by qualified disasters.*
- Sec. 204. Other disaster-related tax relief provisions.*
- Sec. 205. Automatic extension of filing deadlines in case of certain taxpayers affected by Federally declared disasters.*
- Sec. 206. Modification of the tax rate for the excise tax on investment income of private foundations.*
- Sec. 207. Additional low-income housing credit allocations for qualified 2017 and 2018 California disaster areas.*
- Sec. 208. Treatment of certain possessions.*

TITLE III—OTHER PROVISIONS

- Sec. 301. Modification of income for purposes of determining tax-exempt status of certain mutual or cooperative telephone or electric companies.*
- Sec. 302. Repeal of increase in unrelated business taxable income for certain fringe benefit expenses.*

1 (c) *AMENDMENT OF 1986 CODE.*—*Except as otherwise*
2 *expressly provided, whenever in this division an amend-*
3 *ment or repeal is expressed in terms of an amendment to,*
4 *or repeal of, a section or other provision, the reference shall*
5 *be considered to be made to a section or other provision*
6 *of the Internal Revenue Code of 1986.*

7 ***TITLE I—EXTENSION OF***
8 ***CERTAIN EXPIRING PROVISIONS***
9 ***Subtitle A—Tax Relief and Support***
10 ***for Families and Individuals***

11 ***SEC. 101. EXCLUSION FROM GROSS INCOME OF DISCHARGE***
12 ***OF QUALIFIED PRINCIPAL RESIDENCE IN-***
13 ***DEBTEDNESS.***

14 (a) *IN GENERAL.*—*Section 108(a)(1)(E) is amended*
15 *by striking “January 1, 2018” each place it appears and*
16 *inserting “January 1, 2021”.*

17 (b) *CONFORMING AMENDMENT.*—*Section 108(h)(2) is*
18 *amended by inserting “and determined without regard to*
19 *the substitution described in section 163(h)(3)(F)(i)(II)”*
20 *after “clause (ii) thereof”.*

21 (c) *EFFECTIVE DATE.*—*The amendments made by this*
22 *section shall apply to discharges of indebtedness after De-*
23 *cember 31, 2017.*

1 **SEC. 102. TREATMENT OF MORTGAGE INSURANCE PRE-**
2 **MIUMS AS QUALIFIED RESIDENCE INTEREST.**

3 (a) *IN GENERAL.*—Section 163(h)(3)(E)(iv)(I) is
4 amended by striking “December 31, 2017” and inserting
5 “December 31, 2020”.

6 (b) *EFFECTIVE DATE.*—The amendment made by this
7 section shall apply to amounts paid or accrued after Decem-
8 ber 31, 2017.

9 **SEC. 103. REDUCTION IN MEDICAL EXPENSE DEDUCTION**
10 **FLOOR.**

11 (a) *IN GENERAL.*—Section 213(f) is amended to read
12 as follows:

13 “(f) *TEMPORARY SPECIAL RULE.*—In the case of tax-
14 able years beginning before January 1, 2021, subsection (a)
15 shall be applied with respect to a taxpayer by substituting
16 ‘7.5 percent’ for ‘10 percent’.”

17 (b) *ALTERNATIVE MINIMUM TAX.*—Section 56(b)(1) is
18 amended by striking subparagraph (B) and by redesignig-
19 nating subparagraphs (C), (D), (E), and (F), as subpara-
20 graphs (B), (C), (D), and (E), respectively.

21 (c) *EFFECTIVE DATE.*—The amendments made by this
22 section shall apply to taxable years ending after December
23 31, 2018.

1 **SEC. 104. DEDUCTION OF QUALIFIED TUITION AND RE-**
2 **LATED EXPENSES.**

3 (a) *IN GENERAL.*—Section 222(e) is amended by strik-
4 ing “December 31, 2017” and inserting “December 31,
5 2020”.

6 (b) *EFFECTIVE DATE.*—The amendment made by this
7 section shall apply to taxable years beginning after Decem-
8 ber 31, 2017.

9 **SEC. 105. BLACK LUNG DISABILITY TRUST FUND EXCISE**
10 **TAX.**

11 (a) *IN GENERAL.*—Section 4121(e)(2)(A) is amended
12 by striking “December 31, 2018” and inserting “December
13 31, 2020”.

14 (b) *EFFECTIVE DATE.*—The amendment made by this
15 section shall apply on and after the first day of the first
16 calendar month beginning after the date of the enactment
17 of this Act.

18 **Subtitle B—Incentives for Employ-**
19 **ment, Economic Growth, and**
20 **Community Development**

21 **SEC. 111. INDIAN EMPLOYMENT CREDIT.**

22 (a) *IN GENERAL.*—Section 45A(f) is amended by strik-
23 ing “December 31, 2017” and inserting “December 31,
24 2020”.

1 (b) *EFFECTIVE DATE.*—*The amendment made by this*
2 *section shall apply to taxable years beginning after Decem-*
3 *ber 31, 2017.*

4 **SEC. 112. RAILROAD TRACK MAINTENANCE CREDIT.**

5 (a) *IN GENERAL.*—*Section 45G(f) is amended by strik-*
6 *ing “January 1, 2018” and inserting “January 1, 2023”.*

7 (b) *SAFE HARBOR ASSIGNMENTS.*—*Any assignment,*
8 *including related expenditures paid or incurred, under sec-*
9 *tion 45G(b)(2) of the Internal Revenue Code of 1986 for*
10 *a taxable year beginning on or after January 1, 2018, and*
11 *ending before January 1, 2020, shall be treated as effective*
12 *as of the close of such taxable year if made pursuant to*
13 *a written agreement entered into no later than 90 days fol-*
14 *lowing the date of the enactment of this Act.*

15 (c) *EFFECTIVE DATE.*—*The amendment made by this*
16 *section shall apply to expenditures paid or incurred during*
17 *taxable years beginning after December 31, 2017.*

18 **SEC. 113. MINE RESCUE TEAM TRAINING CREDIT.**

19 (a) *IN GENERAL.*—*Section 45N(e) is amended by*
20 *striking “December 31, 2017” and inserting “December 31,*
21 *2020”.*

22 (b) *EFFECTIVE DATE.*—*The amendment made by this*
23 *section shall apply to taxable years beginning after Decem-*
24 *ber 31, 2017.*

1 **SEC. 114. CLASSIFICATION OF CERTAIN RACE HORSES AS 3-**
2 **YEAR PROPERTY.**

3 (a) *IN GENERAL.*—Section 168(e)(3)(A)(i) is amend-
4 ed—

5 (1) by striking “January 1, 2018” in subclause
6 (I) and inserting “January 1, 2021”, and

7 (2) by striking “December 31, 2017” in sub-
8 clause (II) and inserting “December 31, 2020”.

9 (b) *EFFECTIVE DATE.*—The amendments made by this
10 section shall apply to property placed in service after De-
11 cember 31, 2017.

12 **SEC. 115. 7-YEAR RECOVERY PERIOD FOR MOTORSPORTS**
13 **ENTERTAINMENT COMPLEXES.**

14 (a) *IN GENERAL.*—Section 168(i)(15)(D) is amended
15 by striking “December 31, 2017” and inserting “December
16 31, 2020”.

17 (b) *EFFECTIVE DATE.*—The amendment made by this
18 section shall apply to property placed in service after De-
19 cember 31, 2017.

20 **SEC. 116. ACCELERATED DEPRECIATION FOR BUSINESS**
21 **PROPERTY ON INDIAN RESERVATIONS.**

22 (a) *IN GENERAL.*—Section 168(j)(9) is amended by
23 striking “December 31, 2017” and inserting “December 31,
24 2020”.

1 (b) *EFFECTIVE DATE.*—*The amendment made by this*
2 *section shall apply to property placed in service after De-*
3 *cember 31, 2017.*

4 **SEC. 117. EXPENSING RULES FOR CERTAIN PRODUCTIONS.**

5 (a) *IN GENERAL.*—*Section 181(g) is amended by strik-*
6 *ing “December 31, 2017” and inserting “December 31,*
7 *2020”.*

8 (b) *EFFECTIVE DATE.*—*The amendment made by this*
9 *section shall apply to productions commencing after Decem-*
10 *ber 31, 2017.*

11 **SEC. 118. EMPOWERMENT ZONE TAX INCENTIVES.**

12 (a) *IN GENERAL.*—*Section 1391(d)(1)(A)(i) is amend-*
13 *ed by striking “December 31, 2017” and inserting “Decem-*
14 *ber 31, 2020”.*

15 (b) *TREATMENT OF CERTAIN TERMINATION DATES*
16 *SPECIFIED IN NOMINATIONS.*—*In the case of a designation*
17 *of an empowerment zone the nomination for which included*
18 *a termination date which is contemporaneous with the date*
19 *specified in subparagraph (A)(i) of section 1391(d)(1) of*
20 *the Internal Revenue Code of 1986 (as in effect before the*
21 *enactment of this Act), subparagraph (B) of such section*
22 *shall not apply with respect to such designation if, after*
23 *the date of the enactment of this section, the entity which*
24 *made such nomination amends the nomination to provide*

1 *for a new termination date in such manner as the Secretary*
2 *of the Treasury (or the Secretary’s designee) may provide.*

3 (c) *EFFECTIVE DATE.*—*The amendment made by sub-*
4 *section (a) shall apply to taxable years beginning after De-*
5 *cember 31, 2017.*

6 **SEC. 119. AMERICAN SAMOA ECONOMIC DEVELOPMENT**
7 **CREDIT.**

8 (a) *IN GENERAL.*—*Section 119(d) of division A of the*
9 *Tax Relief and Health Care Act of 2006 is amended—*

10 (1) *by striking “January 1, 2018” each place it*
11 *appears and inserting “January 1, 2021”,*

12 (2) *by striking “first 12 taxable years” in para-*
13 *graph (1) and inserting “first 15 taxable years”,*

14 (3) *by striking “first 6 taxable years” in para-*
15 *graph (2) and inserting “first 9 taxable years”, and*

16 (4) *by adding at the end the following flush sen-*
17 *tence:*

18 *“In the case of a corporation described in subsection (a)(2),*
19 *the Internal Revenue Code of 1986 shall be applied and ad-*
20 *ministered without regard to the amendments made by sec-*
21 *tion 401(d)(1) of the Tax Technical Corrections Act of*
22 *2018.”.*

23 (b) *CONFORMING AMENDMENT.*—*Section 119(e) of di-*
24 *vision A of the Tax Relief and Health Care Act of 2006*

1 *is amended by inserting “(as in effect before its repeal)”*
2 *after “section 199 of the Internal Revenue Code of 1986”.*

3 *(c) EFFECTIVE DATE.—The amendments made by this*
4 *section shall apply to taxable years beginning after Decem-*
5 *ber 31, 2017.*

6 ***Subtitle C—Incentives for Energy***
7 ***Production, Efficiency, and***
8 ***Green Economy Jobs***

9 ***SEC. 121. BIODIESEL AND RENEWABLE DIESEL.***

10 *(a) INCOME TAX CREDIT.—*

11 *(1) IN GENERAL.—Section 40A(g) is amended by*
12 *striking “December 31, 2017” and inserting “Decem-*
13 *ber 31, 2022”.*

14 *(2) EFFECTIVE DATE.—The amendment made by*
15 *this subsection shall apply to fuel sold or used after*
16 *December 31, 2017.*

17 *(b) EXCISE TAX INCENTIVES.—*

18 *(1) TERMINATION.—*

19 *(A) IN GENERAL.—Section 6426(c)(6) is*
20 *amended by striking “December 31, 2017” and*
21 *inserting “December 31, 2022”.*

22 *(B) PAYMENTS.—Section 6427(e)(6)(B) is*
23 *amended by striking “December 31, 2017” and*
24 *inserting “December 31, 2022”.*

1 (2) *EFFECTIVE DATE.*—*The amendments made*
2 *by this subsection shall apply to fuel sold or used*
3 *after December 31, 2017.*

4 (3) *SPECIAL RULE.*—*Notwithstanding any other*
5 *provision of law, in the case of any biodiesel mixture*
6 *credit properly determined under section 6426(c) of*
7 *the Internal Revenue Code of 1986 for the period be-*
8 *ginning on January 1, 2018, and ending with the*
9 *close of the last calendar quarter beginning before the*
10 *date of the enactment of this Act, such credit shall be*
11 *allowed, and any refund or payment attributable to*
12 *such credit (including any payment under section*
13 *6427(e) of such Code) shall be made, only in such*
14 *manner as the Secretary of the Treasury (or the Sec-*
15 *retary’s delegate) shall provide. Such Secretary shall*
16 *issue guidance within 30 days after the date of the*
17 *enactment of this Act providing for a one-time sub-*
18 *mission of claims covering periods described in the*
19 *preceding sentence. Such guidance shall provide for a*
20 *180-day period for the submission of such claims (in*
21 *such manner as prescribed by such Secretary) to*
22 *begin not later than 30 days after such guidance is*
23 *issued. Such claims shall be paid by such Secretary*
24 *not later than 60 days after receipt. If such Secretary*
25 *has not paid pursuant to a claim filed under this*

1 **SEC. 127. CREDIT FOR ELECTRICITY PRODUCED FROM CER-**
 2 **TAIN RENEWABLE RESOURCES.**

3 (a) *IN GENERAL.*—The following provisions of section
 4 45(d) are each amended by striking “January 1, 2018”
 5 each place it appears and inserting “January 1, 2021”:

6 (1) Paragraph (2)(A).

7 (2) Paragraph (3)(A).

8 (3) Paragraph (4)(B).

9 (4) Paragraph (6).

10 (5) Paragraph (7).

11 (6) Paragraph (9).

12 (7) Paragraph (11)(B).

13 (b) *EXTENSION OF ELECTION TO TREAT QUALIFIED*
 14 *FACILITIES AS ENERGY PROPERTY.*—Section
 15 48(a)(5)(C)(ii) is amended by striking “January 1, 2018
 16 (January 1, 2020, in the case of any facility which is de-
 17 scribed in paragraph (1) of section 45(d))” and inserting
 18 “January 1, 2021”.

19 (c) *APPLICATION OF EXTENSION TO WIND FACILI-*
 20 *TIES.*—

21 (1) *IN GENERAL.*—Section 45(d)(1) is amended
 22 by striking “January 1, 2020” and inserting “Janu-
 23 ary 1, 2021”.

24 (2) *APPLICATION OF PHASEOUT PERCENTAGE.*—

25 (A) *IN GENERAL.*—Section 45(b)(5) is
 26 amended by striking “and” at the end of sub-

1 paragraph (B), by striking the period at the end
2 of subparagraph (C) and inserting “, and”, and
3 by adding at the end the following new subpara-
4 graph:

5 “(D) in the case of any facility the con-
6 struction of which begins after December 31,
7 2019, and before January 1, 2021, 40 percent.”.

8 (B) TREATMENT AS ENERGY PROPERTY.—
9 Section 48(a)(5)(E) is amended by striking
10 “and” at the end of clause (ii), by striking the
11 period at the end of clause (iii) and inserting “,
12 and”, and by adding at the end the following
13 new clause:

14 “(iv) in the case of any facility the
15 construction of which begins after December
16 31, 2019, and before January 1, 2021, 40
17 percent.”.

18 (d) EFFECTIVE DATE.—The amendments made by this
19 section shall take effect on January 1, 2018.

20 **SEC. 128. PRODUCTION CREDIT FOR INDIAN COAL FACILI-**
21 **TIES.**

22 (a) IN GENERAL.—Section 45(e)(10)(A) is amended by
23 striking “12-year period” each place it appears and insert-
24 ing “15-year period”.

1 (b) *EFFECTIVE DATE.*—*The amendment made by this*
2 *section shall apply to coal produced after December 31,*
3 *2017.*

4 **SEC. 129. ENERGY EFFICIENT HOMES CREDIT.**

5 (a) *IN GENERAL.*—*Section 45L(g) is amended by*
6 *striking “December 31, 2017” and inserting “December 31,*
7 *2020”.*

8 (b) *EFFECTIVE DATE.*—*The amendment made by this*
9 *section shall apply to homes acquired after December 31,*
10 *2017.*

11 **SEC. 130. SPECIAL ALLOWANCE FOR SECOND GENERATION**
12 **BIOFUEL PLANT PROPERTY.**

13 (a) *IN GENERAL.*—*Section 168(l)(2)(D) is amended by*
14 *striking “January 1, 2018” and inserting “January 1,*
15 *2021”.*

16 (b) *EFFECTIVE DATE.*—*The amendment made by this*
17 *section shall apply to property placed in service after De-*
18 *cember 31, 2017.*

19 **SEC. 131. ENERGY EFFICIENT COMMERCIAL BUILDINGS DE-**
20 **DUCTION.**

21 (a) *IN GENERAL.*—*Section 179D(h) is amended by*
22 *striking “December 31, 2017” and inserting “December 31,*
23 *2020”.*

1 (b) *EFFECTIVE DATES.*—*The amendment made by*
2 *subsection (a) shall apply to property placed in service after*
3 *December 31, 2017.*

4 **SEC. 132. SPECIAL RULE FOR SALES OR DISPOSITIONS TO**
5 **IMPLEMENT FERC OR STATE ELECTRIC RE-**
6 **STRUCTURING POLICY FOR QUALIFIED ELEC-**
7 **TRIC UTILITIES.**

8 (a) *IN GENERAL.*—*Section 451(k)(3) is amended by*
9 *striking “January 1, 2018” and inserting “January 1,*
10 *2021”.*

11 (b) *EFFECTIVE DATE.*—*The amendment made by this*
12 *section shall apply to dispositions after December 31, 2017.*

13 **SEC. 133. EXTENSION AND CLARIFICATION OF EXCISE TAX**
14 **CREDITS RELATING TO ALTERNATIVE FUELS.**

15 (a) *EXTENSION.*—

16 (1) *IN GENERAL.*—*Sections 6426(d)(5) and*
17 *6426(e)(3) are each amended by striking “December*
18 *31, 2017” and inserting “December 31, 2020”.*

19 (2) *OUTLAY PAYMENTS FOR ALTERNATIVE*
20 *FUELS.*—*Section 6427(e)(6)(C) is amended by strik-*
21 *ing “December 31, 2017” and inserting “December*
22 *31, 2020”.*

23 (3) *SPECIAL RULE.*—*Notwithstanding any other*
24 *provision of law, in the case of any alternative fuel*
25 *credit properly determined under section 6426(d) of*

1 *the Internal Revenue Code of 1986 for the period be-*
2 *ginning on January 1, 2018, and ending with the*
3 *close of the last calendar quarter beginning before the*
4 *date of the enactment of this Act, such credit shall be*
5 *allowed, and any refund or payment attributable to*
6 *such credit (including any payment under section*
7 *6427(e) of such Code) shall be made, only in such*
8 *manner as the Secretary of the Treasury (or the Sec-*
9 *retary's delegate) shall provide. Such Secretary shall*
10 *issue guidance within 30 days after the date of the*
11 *enactment of this Act providing for a one-time sub-*
12 *mission of claims covering periods described in the*
13 *preceding sentence. Such guidance shall provide for a*
14 *180-day period for the submission of such claims (in*
15 *such manner as prescribed by such Secretary) to*
16 *begin not later than 30 days after such guidance is*
17 *issued. Such claims shall be paid by such Secretary*
18 *not later than 60 days after receipt. If such Secretary*
19 *has not paid pursuant to a claim filed under this*
20 *subsection within 60 days after the date of the filing*
21 *of such claim, the claim shall be paid with interest*
22 *from such date determined by using the overpayment*
23 *rate and method under section 6621 of such Code.*

1 (4) *EFFECTIVE DATE.*—*The amendments made*
2 *by this subsection shall apply to fuel sold or used*
3 *after December 31, 2017.*

4 (b) *CLARIFICATION OF RULES REGARDING ALTER-*
5 *NATIVE FUEL MIXTURE CREDIT.*—

6 (1) *IN GENERAL.*—*Paragraph (2) of section*
7 *6426(e) is amended by striking “mixture of alter-*
8 *native fuel” and inserting “mixture of alternative fuel*
9 *(other than a fuel described in subparagraph (A), (C),*
10 *or (F) of subsection (d)(2))”.*

11 (2) *EFFECTIVE DATE.*—*The amendment made by*
12 *this subsection shall apply to—*

13 (A) *fuel sold or used on or after the date of*
14 *the enactment of this Act, and*

15 (B) *fuel sold or used before such date of en-*
16 *actment, but only to the extent that claims for*
17 *the credit under section 6426(e) of the Internal*
18 *Revenue Code of 1986 with respect to such sale*
19 *or use—*

20 (i) *have not been paid or allowed as of*
21 *such date, and*

22 (ii) *were made on or after January 8,*
23 *2018.*

24 (3) *NO INFERENCE.*—*Nothing contained in this*
25 *subsection or the amendments made by this subsection*

1 *shall be construed to create any inference as to a*
2 *change in law or guidance in effect prior to enact-*
3 *ment of this subsection.*

4 **SEC. 134. OIL SPILL LIABILITY TRUST FUND RATE.**

5 *(a) IN GENERAL.—Section 4611(f)(2) is amended by*
6 *striking “December 31, 2018” and inserting “December 31,*
7 *2020”.*

8 *(b) EFFECTIVE DATE.—The amendment made by this*
9 *section shall apply on and after the first day of the first*
10 *calendar month beginning after the date of the enactment*
11 *of this Act.*

12 ***Subtitle D—Certain Provisions***
13 ***Expiring at the End of 2019***

14 **SEC. 141. NEW MARKETS TAX CREDIT.**

15 *(a) IN GENERAL.—Section 45D(f)(1) is amended by*
16 *striking “and” at the end of subparagraph (F), by striking*
17 *the period at the end of subparagraph (G) and inserting*
18 *“, and”, and by adding at the end the following new sub-*
19 *paragraph:*

20 *“(H) \$5,000,000,000 for 2020.”.*

21 *(b) CARRYOVER OF UNUSED LIMITATION.—Section*
22 *45D(f)(3) is amended by striking “2024” and inserting*
23 *“2025”.*

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall apply to calendar years beginning after De-*
3 *cember 31, 2019.*

4 **SEC. 142. EMPLOYER CREDIT FOR PAID FAMILY AND MED-**
5 **ICAL LEAVE.**

6 (a) *IN GENERAL.*—*Section 45S(i) is amended by strik-*
7 *ing “December 31, 2019” and inserting “December 31,*
8 *2020”.*

9 (b) *EFFECTIVE DATE.*—*The amendment made by this*
10 *section shall apply to wages paid in taxable years begin-*
11 *ning after December 31, 2019.*

12 **SEC. 143. WORK OPPORTUNITY CREDIT.**

13 (a) *IN GENERAL.*—*Section 51(c)(4) is amended by*
14 *striking “December 31, 2019” and inserting “December 31,*
15 *2020”.*

16 (b) *EFFECTIVE DATE.*—*The amendment made by this*
17 *section shall apply to individuals who begin work for the*
18 *employer after December 31, 2019.*

19 **SEC. 144. CERTAIN PROVISIONS RELATED TO BEER, WINE,**
20 **AND DISTILLED SPIRITS.**

21 (a) *EXEMPTION FOR AGING PROCESS OF BEER, WINE,*
22 *AND DISTILLED SPIRITS.*—

23 (1) *IN GENERAL.*—*Section 263A(f)(4)(B) is*
24 *amended by striking “December 31, 2019” and insert-*
25 *ing “December 31, 2020”.*

1 (2) *EFFECTIVE DATE.*—*The amendment made by*
2 *this subsection shall apply to interest costs paid or*
3 *accrued after December 31, 2019.*

4 (b) *REDUCED RATE OF EXCISE TAX ON BEER.*—

5 (1) *IN GENERAL.*—*Paragraphs (1)(C) and (2)(A)*
6 *of section 5051(a) are each amended by striking*
7 *“January 1, 2020” and inserting “January 1, 2021”.*

8 (2) *EFFECTIVE DATE.*—*The amendments made*
9 *by this subsection shall apply to beer removed after*
10 *December 31, 2019.*

11 (c) *TRANSFER OF BEER BETWEEN BONDED FACILI-*
12 *TIES.*—

13 (1) *IN GENERAL.*—*Section 5414(b)(3) is amend-*
14 *ed by striking “December 31, 2019” and inserting*
15 *“December 31, 2020”.*

16 (2) *EFFECTIVE DATE.*—*The amendment made by*
17 *this subsection shall apply to calendar quarters begin-*
18 *ning after December 31, 2019.*

19 (d) *REDUCED RATE OF EXCISE TAX ON CERTAIN*
20 *WINE.*—

21 (1) *IN GENERAL.*—*Section 5041(c)(8)(A) is*
22 *amended by striking “January 1, 2020” and insert-*
23 *ing “January 1, 2021”.*

24 (2) *CONFORMING AMENDMENT.*—*The heading of*
25 *section 5041(c)(8) is amended by striking “SPECIAL*

1 *RULE FOR 2018 AND 2019*” and inserting “*TEM-*
2 *PORARY SPECIAL RULE*”.

3 (3) *EFFECTIVE DATE*.—*The amendments made*
4 *by this subsection shall apply to wine removed after*
5 *December 31, 2019.*

6 (e) *ADJUSTMENT OF ALCOHOL CONTENT LEVEL FOR*
7 *APPLICATION OF EXCISE TAXES*.—

8 (1) *IN GENERAL*.—*Paragraphs (1) and (2) of*
9 *section 5041(b) are each amended by striking “Janu-*
10 *ary 1, 2020” and inserting “January 1, 2021”.*

11 (2) *EFFECTIVE DATE*.—*The amendments made*
12 *by this subsection shall apply to wine removed after*
13 *December 31, 2019.*

14 (f) *DEFINITION OF MEAD AND LOW ALCOHOL BY VOL-*
15 *UME WINE*.—

16 (1) *IN GENERAL*.—*Section 5041(h)(3) is amend-*
17 *ed by striking “December 31, 2019” and inserting*
18 *“December 31, 2020”.*

19 (2) *EFFECTIVE DATE*.—*The amendment made by*
20 *this subsection shall apply to wine removed after De-*
21 *cember 31, 2019.*

22 (g) *REDUCED RATE OF EXCISE TAX ON CERTAIN DIS-*
23 *TILLED SPIRITS*.—

1 (1) *IN GENERAL.*—Section 5001(c)(4) is amend-
2 ed by striking “December 31, 2019” and inserting
3 “December 31, 2020”.

4 (2) *CONFORMING AMENDMENT.*—The heading of
5 section 5001(c) is amended by striking “*REDUCED*
6 *RATE FOR 2018 AND 2019*” and inserting “*TEM-*
7 *PORARY REDUCED RATE*”.

8 (3) *EFFECTIVE DATE.*—The amendments made
9 by this subsection shall apply to distilled spirits re-
10 moved after December 31, 2019.

11 (h) *BULK DISTILLED SPIRITS.*—

12 (1) *IN GENERAL.*—Section 5212 is amended by
13 striking “January 1, 2020” and inserting “January
14 1, 2021”.

15 (2) *EFFECTIVE DATE.*—The amendment made by
16 this subsection shall apply to distilled spirits trans-
17 ferred in bond after December 31, 2019.

18 (i) *SIMPLIFICATION OF RULES REGARDING RECORDS,*
19 *STATEMENTS, AND RETURNS.*—

20 (1) *IN GENERAL.*—Section 5555(a) is amended
21 by striking “January 1, 2020” and inserting “Janu-
22 ary 1, 2021”.

23 (2) *EFFECTIVE DATE.*—The amendment made by
24 this subsection shall apply to calendar quarters begin-
25 ning after December 31, 2019.

1 (j) *TECHNICAL CORRECTION.*—

2 (1) *IN GENERAL.*—Section 5041(c)(8) is amend-
3 ed by adding at the end the following new subpara-
4 graph:

5 “(C) *APPLICATION OF CERTAIN RULES.*—
6 Paragraphs (3) and (6) shall be applied by sub-
7 stituting ‘paragraph (1) or (8)’ for ‘paragraph
8 (1)’ each place it appears therein.”.

9 (2) *EFFECTIVE DATE.*—The amendment made by
10 this subsection shall take effect as if included in sec-
11 tion 13804 of Public Law 115-97.

12 **SEC. 145. LOOK-THRU RULE FOR RELATED CONTROLLED**
13 **FOREIGN CORPORATIONS.**

14 (a) *IN GENERAL.*—Section 954(c)(6)(C) is amended by
15 striking “January 1, 2020” and inserting “January 1,
16 2021”.

17 (b) *EFFECTIVE DATE.*—The amendment made by this
18 section shall apply to taxable years of foreign corporations
19 beginning after December 31, 2019, and to taxable years
20 of United States shareholders with or within which such
21 taxable years of foreign corporations end.

1 **SEC. 146. CREDIT FOR HEALTH INSURANCE COSTS OF ELI-**
2 **GIBLE INDIVIDUALS.**

3 (a) *IN GENERAL.*—Section 35(b)(1)(B) is amended by
4 striking “January 1, 2020” and inserting “January 1,
5 2021”.

6 (b) *EFFECTIVE DATE.*—The amendment made by this
7 section shall apply to months beginning after December 31,
8 2019.

9 **TITLE II—DISASTER TAX RELIEF**

10 **SEC. 201. DEFINITIONS.**

11 *For purposes of this title—*

12 (1) *QUALIFIED DISASTER AREA.*—

13 (A) *IN GENERAL.*—The term “qualified dis-
14 aster area” means any area with respect to
15 which a major disaster was declared, during the
16 period beginning on January 1, 2018, and end-
17 ing on the date which is 60 days after the date
18 of the enactment of this Act, by the President
19 under section 401 of the Robert T. Stafford Dis-
20 aster Relief and Emergency Assistance Act if the
21 incident period of the disaster with respect to
22 which such declaration is made begins on or be-
23 fore the date of the enactment of this Act.

24 (B) *DENIAL OF DOUBLE BENEFIT.*—Such
25 term shall not include the California wildfire
26 disaster area (as defined in section 20101 of sub-

1 *division 2 of division B of the Bipartisan Budg-*
2 *et Act of 2018).*

3 (2) *QUALIFIED DISASTER ZONE.*—*The term*
4 *“qualified disaster zone” means that portion of any*
5 *qualified disaster area which was determined by the*
6 *President, during the period beginning on January 1,*
7 *2018, and ending on the date which is 60 days after*
8 *the date of the enactment of this Act, to warrant indi-*
9 *vidual or individual and public assistance from the*
10 *Federal Government under the Robert T. Stafford*
11 *Disaster Relief and Emergency Assistance Act by rea-*
12 *son of the qualified disaster with respect to such dis-*
13 *aster area.*

14 (3) *QUALIFIED DISASTER.*—*The term “qualified*
15 *disaster” means, with respect to any qualified dis-*
16 *aster area, the disaster by reason of which a major*
17 *disaster was declared with respect to such area.*

18 (4) *INCIDENT PERIOD.*—*The term “incident pe-*
19 *riod” means, with respect to any qualified disaster,*
20 *the period specified by the Federal Emergency Man-*
21 *agement Agency as the period during which such dis-*
22 *aster occurred (except that for purposes of this title*
23 *such period shall not be treated as beginning before*
24 *January 1, 2018, or ending after the date which is*
25 *30 days after the date of the enactment of this Act).*

1 **SEC. 202. SPECIAL DISASTER-RELATED RULES FOR USE OF**
2 **RETIREMENT FUNDS.**

3 (a) *TAX-FAVORED WITHDRAWALS FROM RETIREMENT*
4 *PLANS.*—

5 (1) *IN GENERAL.*—Section 72(t) of the Internal
6 Revenue Code of 1986 shall not apply to any quali-
7 fied disaster distribution.

8 (2) *AGGREGATE DOLLAR LIMITATION.*—

9 (A) *IN GENERAL.*—For purposes of this sub-
10 section, the aggregate amount of distributions re-
11 ceived by an individual which may be treated as
12 qualified disaster distributions for any taxable
13 year shall not exceed the excess (if any) of—

14 (i) \$100,000, over

15 (ii) the aggregate amounts treated as
16 qualified disaster distributions received by
17 such individual for all prior taxable years.

18 (B) *TREATMENT OF PLAN DISTRIBUTIONS.*—If a distribution to an individual would
19 (without regard to subparagraph (A)) be a quali-
20 fied disaster distribution, a plan shall not be
21 treated as violating any requirement of the In-
22 ternal Revenue Code of 1986 merely because the
23 plan treats such distribution as a qualified dis-
24 aster distribution, unless the aggregate amount
25 of such distributions from all plans maintained
26

1 *by the employer (and any member of any con-*
2 *trolled group which includes the employer) to*
3 *such individual exceeds \$100,000.*

4 (C) *CONTROLLED GROUP.*—*For purposes of*
5 *subparagraph (B), the term “controlled group”*
6 *means any group treated as a single employer*
7 *under subsection (b), (c), (m), or (o) of section*
8 *414 of the Internal Revenue Code of 1986.*

9 (D) *SPECIAL RULE FOR INDIVIDUALS AF-*
10 *FECTED BY MORE THAN ONE DISASTER.*—*The*
11 *limitation of subparagraph (A) shall be applied*
12 *separately with respect to distributions made*
13 *with respect to each qualified disaster.*

14 (3) *AMOUNT DISTRIBUTED MAY BE REPAYED.*—

15 (A) *IN GENERAL.*—*Any individual who re-*
16 *ceives a qualified disaster distribution may, at*
17 *any time during the 3-year period beginning on*
18 *the day after the date on which such distribution*
19 *was received, make 1 or more contributions in*
20 *an aggregate amount not to exceed the amount*
21 *of such distribution to an eligible retirement*
22 *plan of which such individual is a beneficiary*
23 *and to which a rollover contribution of such dis-*
24 *tribution could be made under section 402(c),*
25 *403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16), of*

1 *the Internal Revenue Code of 1986, as the case*
2 *may be.*

3 (B) *TREATMENT OF REPAYMENTS OF DIS-*
4 *TRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS*
5 *OTHER THAN IRAS.—For purposes of the Inter-*
6 *nal Revenue Code of 1986, if a contribution is*
7 *made pursuant to subparagraph (A) with respect*
8 *to a qualified disaster distribution from an eligi-*
9 *ble retirement plan other than an individual re-*
10 *irement plan, then the taxpayer shall, to the ex-*
11 *tent of the amount of the contribution, be treated*
12 *as having received the qualified disaster distribu-*
13 *tion in an eligible rollover distribution (as de-*
14 *fin ed in section 402(c)(4) of such Code) and as*
15 *having transferred the amount to the eligible re-*
16 *irement plan in a direct trustee to trustee trans-*
17 *fer within 60 days of the distribution.*

18 (C) *TREATMENT OF REPAYMENTS OF DIS-*
19 *TRIBUTIONS FROM IRAS.—For purposes of the*
20 *Internal Revenue Code of 1986, if a contribution*
21 *is made pursuant to subparagraph (A) with re-*
22 *spect to a qualified disaster distribution from an*
23 *individual retirement plan (as defined by section*
24 *7701(a)(37) of such Code), then, to the extent of*
25 *the amount of the contribution, the qualified dis-*

1 *aster distribution shall be treated as a distribu-*
2 *tion described in section 408(d)(3) of such Code*
3 *and as having been transferred to the eligible re-*
4 *irement plan in a direct trustee to trustee trans-*
5 *fer within 60 days of the distribution.*

6 (4) *DEFINITIONS.—For purposes of this sub-*
7 *section—*

8 (A) *QUALIFIED DISASTER DISTRIBUTION.—*
9 *Except as provided in paragraph (2), the term*
10 *“qualified disaster distribution” means any dis-*
11 *tribution from an eligible retirement plan*
12 *made—*

13 (i) *on or after the first day of the inci-*
14 *dent period of a qualified disaster and be-*
15 *fore the date which is 180 days after the*
16 *date of the enactment of this Act, and*

17 (ii) *to an individual whose principal*
18 *place of abode at any time during the inci-*
19 *dent period of such qualified disaster is lo-*
20 *cated in the qualified disaster area with re-*
21 *spect to such qualified disaster and who has*
22 *sustained an economic loss by reason of*
23 *such qualified disaster.*

24 (B) *ELIGIBLE RETIREMENT PLAN.—The*
25 *term “eligible retirement plan” shall have the*

1 *meaning given such term by section 402(c)(8)(B)*
2 *of the Internal Revenue Code of 1986.*

3 (5) *INCOME INCLUSION SPREAD OVER 3-YEAR PE-*
4 *RIOD.—*

5 (A) *IN GENERAL.—In the case of any quali-*
6 *fied disaster distribution, unless the taxpayer*
7 *elects not to have this paragraph apply for any*
8 *taxable year, any amount required to be in-*
9 *cluded in gross income for such taxable year*
10 *shall be so included ratably over the 3-taxable-*
11 *year period beginning with such taxable year.*

12 (B) *SPECIAL RULE.—For purposes of sub-*
13 *paragraph (A), rules similar to the rules of sub-*
14 *paragraph (E) of section 408A(d)(3) of the Inter-*
15 *nal Revenue Code of 1986 shall apply.*

16 (6) *SPECIAL RULES.—*

17 (A) *EXEMPTION OF DISTRIBUTIONS FROM*
18 *TRUSTEE TO TRUSTEE TRANSFER AND WITH-*
19 *HOLDING RULES.—For purposes of sections*
20 *401(a)(31), 402(f), and 3405 of the Internal Rev-*
21 *enue Code of 1986, qualified disaster distribu-*
22 *tions shall not be treated as eligible rollover dis-*
23 *tributions.*

24 (B) *QUALIFIED DISASTER DISTRIBUTIONS*
25 *TREATED AS MEETING PLAN DISTRIBUTION RE-*

1 *QUIREMENTS.—For purposes the Internal Rev-*
2 *enue Code of 1986, a qualified disaster distribu-*
3 *tion shall be treated as meeting the requirements*
4 *of sections 401(k)(2)(B)(i), 403(b)(7)(A)(ii),*
5 *403(b)(11), and 457(d)(1)(A) of such Code.*

6 *(b) RECONTRIBUTIONS OF WITHDRAWALS FOR HOME*
7 *PURCHASES.—*

8 *(1) RECONTRIBUTIONS.—*

9 *(A) IN GENERAL.—Any individual who re-*
10 *ceived a qualified distribution may, during the*
11 *applicable period, make 1 or more contributions*
12 *in an aggregate amount not to exceed the*
13 *amount of such qualified distribution to an eligi-*
14 *ble retirement plan (as defined in section*
15 *402(c)(8)(B) of the Internal Revenue Code of*
16 *1986) of which such individual is a beneficiary*
17 *and to which a rollover contribution of such dis-*
18 *tribution could be made under section 402(c),*
19 *403(a)(4), 403(b)(8), or 408(d)(3), of such Code,*
20 *as the case may be.*

21 *(B) TREATMENT OF REPAYMENTS.—Rules*
22 *similar to the rules of subparagraphs (B) and*
23 *(C) of subsection (a)(3) shall apply for purposes*
24 *of this subsection.*

1 (2) *QUALIFIED DISTRIBUTION.*—For purposes of
2 this subsection, the term “qualified distribution”
3 means any distribution—

4 (A) described in section 401(k)(2)(B)(i)(IV),
5 403(b)(7)(A)(ii) (but only to the extent such dis-
6 tribution relates to financial hardship),
7 403(b)(11)(B), or 72(t)(2)(F), of the Internal
8 Revenue Code of 1986,

9 (B) which was to be used to purchase or
10 construct a principal residence in a qualified
11 disaster area, but which was not so used on ac-
12 count of the qualified disaster with respect to
13 such area, and

14 (C) which was received during the period
15 beginning on the date which is 180 days before
16 the first day of the incident period of such quali-
17 fied disaster and ending on the date which is 30
18 days after the last day of such incident period.

19 (3) *APPLICABLE PERIOD.*—For purposes of this
20 subsection, the term “applicable period” means, in the
21 case of a principal residence in a qualified disaster
22 area with respect to any qualified disaster, the period
23 beginning on the first day of the incident period of
24 such qualified disaster and ending on the date which
25 is 180 days after the date of the enactment of this Act.

1 (c) *LOANS FROM QUALIFIED PLANS.*—

2 (1) *INCREASE IN LIMIT ON LOANS NOT TREATED*
3 *AS DISTRIBUTIONS.*—*In the case of any loan from a*
4 *qualified employer plan (as defined under section*
5 *72(p)(4) of the Internal Revenue Code of 1986) to a*
6 *qualified individual made during the 180-day period*
7 *beginning on the date of the enactment of this Act—*

8 (A) *clause (i) of section 72(p)(2)(A) of such*
9 *Code shall be applied by substituting “\$100,000”*
10 *for “\$50,000”, and*

11 (B) *clause (ii) of such section shall be ap-*
12 *plied by substituting “the present value of the*
13 *nonforfeitable accrued benefit of the employee*
14 *under the plan” for “one-half of the present*
15 *value of the nonforfeitable accrued benefit of the*
16 *employee under the plan”.*

17 (2) *DELAY OF REPAYMENT.*—*In the case of a*
18 *qualified individual (with respect to any qualified*
19 *disaster) with an outstanding loan (on or after the*
20 *first day of the incident period of such qualified dis-*
21 *aster) from a qualified employer plan (as defined in*
22 *section 72(p)(4) of the Internal Revenue Code of*
23 *1986)—*

24 (A) *if the due date pursuant to subpara-*
25 *graph (B) or (C) of section 72(p)(2) of such Code*

1 *for any repayment with respect to such loan oc-*
2 *curs during the period beginning on the first day*
3 *of the incident period of such qualified disaster*
4 *and ending on the date which is 180 days after*
5 *the last day of such incident period, such due*
6 *date shall be delayed for 1 year (or, if later,*
7 *until the date which is 180 days after the date*
8 *of the enactment of this Act),*

9 *(B) any subsequent repayments with respect*
10 *to any such loan shall be appropriately adjusted*
11 *to reflect the delay in the due date under sub-*
12 *paragraph (A) and any interest accruing during*
13 *such delay, and*

14 *(C) in determining the 5-year period and*
15 *the term of a loan under subparagraph (B) or*
16 *(C) of section 72(p)(2) of such Code, the period*
17 *described in subparagraph (A) of this paragraph*
18 *shall be disregarded.*

19 (3) *QUALIFIED INDIVIDUAL.—For purposes of*
20 *this subsection, the term “qualified individual” means*
21 *any individual—*

22 *(A) whose principal place of abode at any*
23 *time during the incident period of any qualified*
24 *disaster is located in the qualified disaster area*
25 *with respect to such qualified disaster, and*

1 (B) who has sustained an economic loss by
2 reason of such qualified disaster.

3 (d) PROVISIONS RELATING TO PLAN AMENDMENTS.—

4 (1) IN GENERAL.—If this subsection applies to
5 any amendment to any plan or annuity contract,
6 such plan or contract shall be treated as being oper-
7 ated in accordance with the terms of the plan during
8 the period described in paragraph (2)(B)(i).

9 (2) AMENDMENTS TO WHICH SUBSECTION AP-
10 PLIES.—

11 (A) IN GENERAL.—This subsection shall
12 apply to any amendment to any plan or annu-
13 ity contract which is made—

14 (i) pursuant to any provision of this
15 section, or pursuant to any regulation
16 issued by the Secretary or the Secretary of
17 Labor under any provision of this section,
18 and

19 (ii) on or before the last day of the first
20 plan year beginning on or after January 1,
21 2020, or such later date as the Secretary
22 may prescribe.

23 In the case of a governmental plan (as defined
24 in section 414(d) of the Internal Revenue Code
25 of 1986), clause (ii) shall be applied by sub-

1 *stituting the date which is 2 years after the date*
2 *otherwise applied under clause (ii).*

3 *(B) CONDITIONS.—This subsection shall not*
4 *apply to any amendment unless—*

5 *(i) during the period—*

6 *(I) beginning on the date that this*
7 *section or the regulation described in*
8 *subparagraph (A)(i) takes effect (or in*
9 *the case of a plan or contract amend-*
10 *ment not required by this section or*
11 *such regulation, the effective date speci-*
12 *fied by the plan), and*

13 *(II) ending on the date described*
14 *in subparagraph (A)(ii) (or, if earlier,*
15 *the date the plan or contract amend-*
16 *ment is adopted),*

17 *the plan or contract is operated as if such plan*
18 *or contract amendment were in effect, and*

19 *(ii) such plan or contract amendment*
20 *applies retroactively for such period.*

21 **SEC. 203. EMPLOYEE RETENTION CREDIT FOR EMPLOYERS**

22 **AFFECTED BY QUALIFIED DISASTERS.**

23 *(a) IN GENERAL.—For purposes of section 38 of the*
24 *Internal Revenue Code of 1986, in the case of an eligible*
25 *employer, the 2018 through 2019 qualified disaster em-*

1 *ployee retention credit shall be treated as a credit listed at*
2 *the end of subsection (b) of such section. For purposes of*
3 *this subsection, the 2018 through 2019 qualified disaster*
4 *employee retention credit for any taxable year is an amount*
5 *equal to 40 percent of the qualified wages with respect to*
6 *each eligible employee of such employer for such taxable*
7 *year. The amount of qualified wages with respect to any*
8 *employee which may be taken into account under this sub-*
9 *section by the employer for any taxable year shall not exceed*
10 *\$6,000 (reduced by the amount of qualified wages with re-*
11 *spect to such employee which may be so taken into account*
12 *for any prior taxable year).*

13 *(b) DEFINITIONS.—For purposes of this section—*

14 *(1) ELIGIBLE EMPLOYER.—The term “eligible*
15 *employer” means any employer—*

16 *(A) which conducted an active trade or*
17 *business in a qualified disaster zone at any time*
18 *during the incident period of the qualified dis-*
19 *aster with respect to such qualified disaster zone,*
20 *and*

21 *(B) with respect to whom the trade or busi-*
22 *ness described in subparagraph (A) is inoperable*
23 *at any time during the period beginning on the*
24 *first day of the incident period of such qualified*
25 *disaster and ending on the date of the enactment*

1 *of this Act, as a result of damage sustained by*
2 *reason of such qualified disaster.*

3 (2) *ELIGIBLE EMPLOYEE.*—*The term “eligible*
4 *employee” means with respect to an eligible employer*
5 *an employee whose principal place of employment*
6 *with such eligible employer (determined immediately*
7 *before the qualified disaster referred to in paragraph*
8 *(1)) was in the qualified disaster zone referred to in*
9 *such paragraph.*

10 (3) *QUALIFIED WAGES.*—*The term “qualified*
11 *wages” means wages (as defined in section 51(c)(1) of*
12 *the Internal Revenue Code of 1986, but without re-*
13 *gard to section 3306(b)(2)(B) of such Code) paid or*
14 *incurred by an eligible employer with respect to an*
15 *eligible employee at any time on or after the date on*
16 *which the trade or business described in paragraph*
17 *(1) first became inoperable at the principal place of*
18 *employment of the employee (determined immediately*
19 *before the qualified disaster referred to in such para-*
20 *graph) and before the earlier of—*

21 (A) *the date on which such trade or business*
22 *has resumed significant operations at such prin-*
23 *cipal place of employment, or*

1 *contributions shall be disregarded in applying sub-*
2 *sections (b) and (d) of section 170 of the Internal*
3 *Revenue Code of 1986.*

4 (2) *APPLICATION OF INCREASED LIMITATION.—*
5 *For purposes of section 170 of the Internal Revenue*
6 *Code of 1986—*

7 (A) *INDIVIDUALS.—In the case of an indi-*
8 *vidual—*

9 (i) *LIMITATION.—Any qualified con-*
10 *tribution shall be allowed as a deduction*
11 *only to the extent that the aggregate of such*
12 *contributions does not exceed the excess of*
13 *the taxpayer's contribution base (as defined*
14 *in subparagraph (H) of section 170(b)(1) of*
15 *such Code) over the amount of all other*
16 *charitable contributions allowed under sec-*
17 *tion 170(b)(1) of such Code.*

18 (ii) *CARRYOVER.—If the aggregate*
19 *amount of qualified contributions made in*
20 *the contribution year (within the meaning*
21 *of section 170(d)(1) of such Code) exceeds*
22 *the limitation of clause (i), such excess shall*
23 *be added to the excess described in section*
24 *170(b)(1)(G)(ii).*

1 (B) *CORPORATIONS.*—*In the case of a cor-*
2 *poration—*

3 (i) *LIMITATION.*—*Any qualified con-*
4 *tribution shall be allowed as a deduction*
5 *only to the extent that the aggregate of such*
6 *contributions does not exceed the excess of*
7 *the taxpayer’s taxable income (as deter-*
8 *mined under paragraph (2) of section*
9 *170(b) of such Code) over the amount of all*
10 *other charitable contributions allowed under*
11 *such paragraph.*

12 (ii) *CARRYOVER.*—*If the aggregate*
13 *amount of qualified contributions made in*
14 *the contribution year (within the meaning*
15 *of section 170(d)(2) of such Code) exceeds*
16 *the limitation of clause (i), such excess shall*
17 *be appropriately taken into account under*
18 *section 170(d)(2) subject to the limitations*
19 *thereof.*

20 (3) *QUALIFIED CONTRIBUTIONS.*—

21 (A) *IN GENERAL.*—*For purposes of this sub-*
22 *section, the term “qualified contribution” means*
23 *any charitable contribution (as defined in sec-*
24 *tion 170(c) of the Internal Revenue Code of*
25 *1986) if—*

1 (i) *such contribution—*

2 (I) *is paid, during the period be-*
3 *ginning on January 1, 2018, and end-*
4 *ing on the date which is 60 days after*
5 *the date of the enactment of this Act,*
6 *in cash to an organization described in*
7 *section 170(b)(1)(A) of such Code, and*

8 (II) *is made for relief efforts in*
9 *one or more qualified disaster areas,*

10 (ii) *the taxpayer obtains from such or-*
11 *ganization contemporaneous written ac-*
12 *knowledgment (within the meaning of sec-*
13 *tion 170(f)(8) of such Code) that such con-*
14 *tribution was used (or is to be used) for re-*
15 *lief efforts described in clause (i)(II), and*

16 (iii) *the taxpayer has elected the appli-*
17 *cation of this subsection with respect to such*
18 *contribution.*

19 (B) *EXCEPTION.—Such term shall not in-*
20 *clude a contribution by a donor if the contribu-*
21 *tion is—*

22 (i) *to an organization described in sec-*
23 *tion 509(a)(3) of the Internal Revenue Code*
24 *of 1986, or*

1 (ii) for the establishment of a new, or
2 maintenance of an existing, donor advised
3 fund (as defined in section 4966(d)(2) of
4 such Code).

5 (C) APPLICATION OF ELECTION TO PART-
6 NERSHIPS AND S CORPORATIONS.—In the case of
7 a partnership or S corporation, the election
8 under subparagraph (A)(iii) shall be made sepa-
9 rately by each partner or shareholder.

10 (b) SPECIAL RULES FOR QUALIFIED DISASTER-RE-
11 LATED PERSONAL CASUALTY LOSSES.—

12 (1) IN GENERAL.—If an individual has a net
13 disaster loss for any taxable year—

14 (A) the amount determined under section
15 165(h)(2)(A)(ii) of the Internal Revenue Code of
16 1986 shall be equal to the sum of—

17 (i) such net disaster loss, and

18 (ii) so much of the excess referred to in
19 the matter preceding clause (i) of section
20 165(h)(2)(A) of such Code (reduced by the
21 amount in clause (i) of this subparagraph)
22 as exceeds 10 percent of the adjusted gross
23 income of the individual,

24 (B) section 165(h)(1) of such Code shall be
25 applied by substituting “\$500” for “\$500 (\$100

1 *for taxable years beginning after December 31,*
2 *2009)”*,

3 *(C) the standard deduction determined*
4 *under section 63(c) of such Code shall be in-*
5 *creased by the net disaster loss, and*

6 *(D) section 56(b)(1)(E) of such Code (sec-*
7 *tion 56(b)(1)(D) of such Code in the case of tax-*
8 *able years ending after December 31, 2018) shall*
9 *not apply to so much of the standard deduction*
10 *as is attributable to the increase under subpara-*
11 *graph (C) of this paragraph.*

12 *(2) NET DISASTER LOSS.—For purposes of this*
13 *subsection, the term “net disaster loss” means the ex-*
14 *cess of qualified disaster-related personal casualty*
15 *losses over personal casualty gains (as defined in sec-*
16 *tion 165(h)(3)(A) of the Internal Revenue Code of*
17 *1986).*

18 *(3) QUALIFIED DISASTER-RELATED PERSONAL*
19 *CASUALTY LOSSES.—For purposes of this subsection,*
20 *the term “qualified disaster-related personal casualty*
21 *losses” means losses described in section 165(c)(3) of*
22 *the Internal Revenue Code of 1986 which arise in a*
23 *qualified disaster area on or after the first day of the*
24 *incident period of the qualified disaster to which such*

1 *area relates, and which are attributable to such quali-*
2 *fied disaster.*

3 (c) *SPECIAL RULE FOR DETERMINING EARNED IN-*
4 *COME.—*

5 (1) *IN GENERAL.—In the case of a qualified in-*
6 *dividual, if the earned income of the taxpayer for the*
7 *applicable taxable year is less than the earned income*
8 *of the taxpayer for the preceding taxable year, the*
9 *credits allowed under sections 24(d) and 32 of the In-*
10 *ternal Revenue Code of 1986 may, at the election of*
11 *the taxpayer, be determined by substituting—*

12 (A) *such earned income for the preceding*
13 *taxable year, for*

14 (B) *such earned income for the applicable*
15 *taxable year.*

16 (2) *QUALIFIED INDIVIDUAL.—For purposes of*
17 *this subsection, the term “qualified individual” means*
18 *any individual whose principal place of abode at any*
19 *time during the incident period of any qualified dis-*
20 *aster was located—*

21 (A) *in the qualified disaster zone with re-*
22 *spect to such qualified disaster, or*

23 (B) *in the qualified disaster area with re-*
24 *spect to such qualified disaster (but outside the*
25 *qualified disaster zone with respect to such quali-*

1 *fied disaster) and such individual was displaced*
2 *from such principal place of abode by reason of*
3 *such qualified disaster.*

4 (3) *APPLICABLE TAXABLE YEAR.*—*For purposes*
5 *of this subsection, the term “applicable taxable year”*
6 *means—*

7 (A) *in the case of a qualified individual*
8 *other than an individual described in subpara-*
9 *graph (B), any taxable year which includes any*
10 *portion of the incident period of the qualified*
11 *disaster to which the qualified disaster area re-*
12 *ferred to in paragraph (2)(A) relates, or*

13 (B) *in the case of a qualified individual de-*
14 *scribed in subparagraph (B) of paragraph (2),*
15 *any taxable year which includes any portion of*
16 *the period described in such subparagraph.*

17 (4) *EARNED INCOME.*—*For purposes of this sub-*
18 *section, the term “earned income” has the meaning*
19 *given such term under section 32(c) of the Internal*
20 *Revenue Code of 1986.*

21 (5) *SPECIAL RULES.*—

22 (A) *APPLICATION TO JOINT RETURNS.*—*For*
23 *purposes of paragraph (1), in the case of a joint*
24 *return for an applicable taxable year—*

1 (i) such paragraph shall apply if ei-
2 ther spouse is a qualified individual, and

3 (ii) the earned income of the taxpayer
4 for the preceding taxable year shall be the
5 sum of the earned income of each spouse for
6 such preceding taxable year.

7 (B) *UNIFORM APPLICATION OF ELECTION.*—
8 Any election made under paragraph (1) shall
9 apply with respect to both sections 24(d) and 32
10 of the Internal Revenue Code of 1986.

11 (C) *ERRORS TREATED AS MATHEMATICAL*
12 *ERROR.*—For purposes of section 6213 of the In-
13 ternal Revenue Code of 1986, an incorrect use on
14 a return of earned income pursuant to para-
15 graph (1) shall be treated as a mathematical or
16 clerical error.

17 (D) *NO EFFECT ON DETERMINATION OF*
18 *GROSS INCOME, ETC.*—Except as otherwise pro-
19 vided in this subsection, the Internal Revenue
20 Code of 1986 shall be applied without regard to
21 any substitution under paragraph (1).

1 **SEC. 205. AUTOMATIC EXTENSION OF FILING DEADLINES IN**
2 **CASE OF CERTAIN TAXPAYERS AFFECTED BY**
3 **FEDERALLY DECLARED DISASTERS.**

4 (a) *IN GENERAL.*—Section 7508A is amended by add-
5 ing at the end the following new subsection:

6 “(d) *MANDATORY 60-DAY EXTENSION.*—

7 “(1) *IN GENERAL.*—In the case of any qualified
8 taxpayer, the period—

9 “(A) beginning on the earliest incident date
10 specified in the declaration to which the disaster
11 area referred to in paragraph (2) relates, and

12 “(B) ending on the date which is 60 days
13 after the latest incident date so specified,
14 shall be disregarded in the same manner as a period
15 specified under subsection (a).

16 “(2) *QUALIFIED TAXPAYER.*—For purposes of
17 this subsection, the term ‘qualified taxpayer’ means—

18 “(A) any individual whose principal resi-
19 dence (for purposes of section 1033(h)(4)) is lo-
20 cated in a disaster area,

21 “(B) any taxpayer if the taxpayer’s prin-
22 cipal place of business (other than the business
23 of performing services as an employee) is located
24 in a disaster area,

25 “(C) any individual who is a relief worker
26 affiliated with a recognized government or phil-

1 *anthropic organization and who is assisting in*
2 *a disaster area,*

3 “(D) *any taxpayer whose records necessary*
4 *to meet a deadline for an act described in section*
5 *7508(a)(1) are maintained in a disaster area,*

6 “(E) *any individual visiting a disaster*
7 *area who was killed or injured as a result of the*
8 *disaster, and*

9 “(F) *solely with respect to a joint return,*
10 *any spouse of an individual described in any*
11 *preceding subparagraph of this paragraph.*

12 “(3) *DISASTER AREA.—For purposes of this sub-*
13 *section, the term ‘disaster area’ has the meaning*
14 *given such term under subparagraph (B) of section*
15 *165(i)(5) with respect to a Federally declared disaster*
16 *(as defined in subparagraph (A) of such section).*

17 “(4) *APPLICATION TO RULES REGARDING PEN-*
18 *SIONS.—In the case of any person described in sub-*
19 *section (b), a rule similar to the rule of paragraph (1)*
20 *shall apply for purposes of subsection (b) with respect*
21 *to—*

22 “(A) *making contributions to a qualified re-*
23 *tirement plan (within the meaning of section*
24 *4974(c)) under section 219(f)(3), 404(a)(6),*
25 *404(h)(1)(B), or 404(m)(2),*

1 “(B) making distributions under section
2 408(d)(4),

3 “(C) recharacterizing contributions under
4 section 408A(d)(6), and

5 “(D) making a rollover under section
6 402(c), 403(a)(4), 403(b)(8), or 408(d)(3).

7 “(5) COORDINATION WITH PERIODS SPECIFIED
8 BY THE SECRETARY.—Any period described in para-
9 graph (1) with respect to any person (including by
10 reason of the application of paragraph (4)) shall be
11 in addition to (or concurrent with, as the case may
12 be) any period specified under subsection (a) or (b)
13 with respect to such person.”.

14 (b) EFFECTIVE DATE.—The amendment made by this
15 section shall apply to federally declared disasters declared
16 after the date of the enactment of this Act.

17 **SEC. 206. MODIFICATION OF THE TAX RATE FOR THE EX-**
18 **CISE TAX ON INVESTMENT INCOME OF PRI-**
19 **VATE FOUNDATIONS.**

20 (a) IN GENERAL.—Section 4940(a) is amended by
21 striking “2 percent” and inserting “1.39 percent”.

22 (b) ELIMINATION OF REDUCED TAX WHERE FOUNDA-
23 TION MEETS CERTAIN DISTRIBUTION REQUIREMENTS.—
24 Section 4940 is amended by striking subsection (e).

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall apply to taxable years beginning after the date*
3 *of the enactment of this Act.*

4 **SEC. 207. ADDITIONAL LOW-INCOME HOUSING CREDIT AL-**
5 **LOCATIONS FOR QUALIFIED 2017 AND 2018**
6 **CALIFORNIA DISASTER AREAS.**

7 (a) *IN GENERAL.*—*For purposes of section 42 of the*
8 *Internal Revenue Code of 1986, the State housing credit*
9 *ceiling for California for calendar year 2020 shall be in-*
10 *creased by the lesser of—*

11 (1) *the aggregate housing credit dollar amount*
12 *allocated by the State housing credit agencies of Cali-*
13 *fornia for such calendar year to buildings located in*
14 *qualified 2017 and 2018 California disaster areas, or*

15 (2) *50 percent of the sum of the State housing*
16 *credit ceilings for California for calendar years 2017*
17 *and 2018.*

18 (b) *ALLOCATIONS TREATED AS MADE FIRST FROM*
19 *ADDITIONAL ALLOCATION FOR PURPOSES OF DETERMINING*
20 *CARRYOVER.*—*For purposes of determining the unused*
21 *State housing credit ceiling for any calendar year under*
22 *section 42(h)(3)(C) of the Internal Revenue Code of 1986,*
23 *any increase in the State housing credit ceiling under sub-*
24 *section (a) shall be treated as an amount described in clause*
25 *(ii) of such section.*

1 (c) *DEFINITIONS.*—*For purposes of this section—*

2 (1) *QUALIFIED 2017 AND 2018 CALIFORNIA DIS-*
3 *ASTER AREAS.*—*The term “qualified 2017 and 2018*
4 *California disaster areas” means any area in Cali-*
5 *formia which was determined by the President (before*
6 *January 1, 2019) to warrant individual or indi-*
7 *vidual and public assistance from the Federal Gov-*
8 *ernment under the Robert T. Stafford Disaster Relief*
9 *and Emergency Assistance Act by reason of a major*
10 *disaster the incident period of which begins or ends*
11 *in calendar year 2017 or 2018. Notwithstanding sec-*
12 *tion 201, for purposes of the preceding sentence, the*
13 *term “incident period” means the period specified by*
14 *the Federal Emergency Management Agency as the*
15 *period during which the disaster occurred.*

16 (2) *OTHER DEFINITIONS.*—*Terms used in this*
17 *section which are also used in section 42 of the Inter-*
18 *nal Revenue Code of 1986 shall have the same mean-*
19 *ing in this section as in such section 42.*

20 **SEC. 208. TREATMENT OF CERTAIN POSSESSIONS.**

21 (a) *PAYMENTS TO POSSESSIONS WITH MIRROR CODE*
22 *TAX SYSTEMS.*—*The Secretary of the Treasury shall pay*
23 *to each possession of the United States which has a mirror*
24 *code tax system amounts equal to the loss (if any) to that*
25 *possession by reason of the application of the provisions of*

1 *this title. Such amounts shall be determined by the Sec-*
2 *retary of the Treasury based on information provided by*
3 *the government of the respective possession.*

4 **(b) PAYMENTS TO OTHER POSSESSIONS.**—*The Sec-*
5 *retary of the Treasury shall pay to each possession of the*
6 *United States which does not have a mirror code tax system*
7 *amounts estimated by the Secretary of the Treasury as*
8 *being equal to the aggregate benefits (if any) that would*
9 *have been provided to residents of such possession by reason*
10 *of the provisions of this title if a mirror code tax system*
11 *had been in effect in such possession. The preceding sentence*
12 *shall not apply unless the respective possession has a plan,*
13 *which has been approved by the Secretary of the Treasury,*
14 *under which such possession will promptly distribute such*
15 *payments to its residents.*

16 **(c) MIRROR CODE TAX SYSTEM.**—*For purposes of this*
17 *section, the term “mirror code tax system” means, with re-*
18 *spect to any possession of the United States, the income tax*
19 *system of such possession if the income tax liability of the*
20 *residents of such possession under such system is determined*
21 *by reference to the income tax laws of the United States*
22 *as if such possession were the United States.*

23 **(d) TREATMENT OF PAYMENTS.**—*For purposes of sec-*
24 *tion 1324 of title 31, United States Code, the payments*
25 *under this section shall be treated in the same manner as*

1 *a refund due from a credit provision referred to in sub-*
 2 *section (b)(2) of such section.*

3 **TITLE III—OTHER PROVISIONS**

4 **SEC. 301. MODIFICATION OF INCOME FOR PURPOSES OF**
 5 **DETERMINING TAX-EXEMPT STATUS OF CER-**
 6 **TAIN MUTUAL OR COOPERATIVE TELEPHONE**
 7 **OR ELECTRIC COMPANIES.**

8 *(a) IN GENERAL.—Section 501(c)(12) is amended by*
 9 *adding at the end the following new subparagraph:*

10 *“(J) In the case of a mutual or cooperative*
 11 *telephone or electric company described in this*
 12 *paragraph, subparagraph (A) shall be applied*
 13 *without taking into account any income received*
 14 *or accrued from—*

15 *“(i) any grant, contribution, or assist-*
 16 *ance provided pursuant to the Robert T.*
 17 *Stafford Disaster Relief and Emergency As-*
 18 *sistance Act or any similar grant, contribu-*
 19 *tion, or assistance by any local, State, or*
 20 *regional governmental entity for the pur-*
 21 *pose of relief, recovery, or restoration from,*
 22 *or preparation for, a disaster or emergency,*
 23 *or*

24 *“(ii) any grant or contribution by any*
 25 *governmental entity (other than a contribu-*

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**HOUSE AMENDMENT TO
SENATE AMENDMENT**