

## Union Calendar No. 145

114TH CONGRESS  
1ST SESSION

# H. R. 3020

[Report No. 114-195]

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2015

Mr. COLE, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## A BILL

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for the  
5 Departments of Labor, Health and Human Services, and  
6 Education, and related agencies for the fiscal year ending  
7 September 30, 2016, and for other purposes, namely:

8                   TITLE I—DEPARTMENT OF LABOR

9                   EMPLOYMENT AND TRAINING ADMINISTRATION

10                   TRAINING AND EMPLOYMENT SERVICES

11       For necessary expenses of the Workforce Innovation  
12 and Opportunity Act (referred to in this Act as “WIOA”)  
13 and the Second Chance Act of 2007, \$3,003,314,000, plus  
14 reimbursements, shall be available. Of the amounts pro-  
15 vided:

16                   (1) for grants to States for adult employment  
17 and training activities, youth activities, and dis-  
18 located worker employment and training activities,  
19 \$2,624,108,000 as follows:

20                   (A) \$776,736,000 for adult employment  
21 and training activities, of which \$64,736,000  
22 shall be available for the period July 1, 2016,  
23 through June 30, 2017, and of which  
24 \$712,000,000 shall be available for the period  
25 October 1, 2016 through June 30, 2017;

1 (B) \$831,842,000 for youth activities,  
2 which shall be available for the period April 1,  
3 2016 through June 30, 2017; and

4 (C) \$1,015,530,000 for dislocated worker  
5 employment and training activities, of which  
6 \$155,530,000 shall be available for the period  
7 July 1, 2016 through June 30, 2017, and of  
8 which \$860,000,000 shall be available for the  
9 period October 1, 2016 through June 30, 2017:

10 *Provided*, That notwithstanding section 128(a)(1) of  
11 the WIOA, the amount available to the Governor for  
12 statewide workforce investment activities shall not  
13 exceed 11 percent of the amount allotted to the  
14 State from each of the appropriations under the pre-  
15 ceding subparagraphs;

16 (2) for national programs, \$379,206,000 as fol-  
17 lows:

18 (A) \$74,000,000 for the dislocated workers  
19 assistance national reserve, of which  
20 \$14,800,000 shall be available for the period  
21 July 1, 2016 through September 30, 2017, and  
22 of which \$59,200,000 shall be available for the  
23 period October 1, 2016 through September 30,  
24 2017: *Provided*, That funds provided to carry  
25 out section 132(a)(2)(A) of the WIOA may be

1 used to provide assistance to a State for state-  
2 wide or local use in order to address cases  
3 where there have been worker dislocations  
4 across multiple sectors or across multiple local  
5 areas and such workers remain dislocated; co-  
6 ordinate the State workforce development plan  
7 with emerging economic development needs; and  
8 train such eligible dislocated workers: *Provided*  
9 *further*, That funds provided to carry out sec-  
10 tions 168(b) and 169(c) of the WIOA may be  
11 used for technical assistance and demonstration  
12 projects, respectively, that provide assistance to  
13 new entrants in the workforce and incumbent  
14 workers;

15 (B) \$50,000,000 for Native American pro-  
16 grams under section 166 of the WIOA, which  
17 shall be available for the period July 1, 2016  
18 through June 30, 2017;

19 (C) \$81,896,000 for migrant and seasonal  
20 farmworker programs under section 167 of the  
21 WIOA, including \$75,885,000 for formula  
22 grants (of which not less than 70 percent shall  
23 be for employment and training services),  
24 \$5,517,000 for migrant and seasonal housing  
25 (of which not less than 70 percent shall be for

1 permanent housing), and \$494,000 for other  
2 discretionary purposes, which shall be available  
3 for the period July 1, 2016 through June 30,  
4 2017: *Provided*, That notwithstanding any  
5 other provision of law or related regulation, the  
6 Department of Labor shall take no action lim-  
7 iting the number or proportion of eligible par-  
8 ticipants receiving related assistance services or  
9 discouraging grantees from providing such serv-  
10 ices;

11 (D) \$82,000,000 for YouthBuild activities  
12 as described in section 171 of the WIOA, which  
13 shall be available for the period April 1, 2016  
14 through June 30, 2017;

15 (E) \$3,232,000 for technical assistance ac-  
16 tivities under section 168 of the WIOA, which  
17 shall be available for the period July 1, 2016  
18 through June 30, 2017;

19 (F) \$82,078,000 for ex-offender activities,  
20 under the authority of section 169 of the WIOA  
21 and section 212 of the Second Chance Act of  
22 2007, which shall be available for the period  
23 April 1, 2016 through June 30, 2017: *Provided*,  
24 That of this amount, \$20,000,000 shall be for  
25 competitive grants to national and regional

1 intermediaries for activities that prepare young  
2 ex-offenders and school dropouts for employ-  
3 ment, with a priority for projects serving high-  
4 crime, high-poverty areas; and

5 (G) \$6,000,000 for the Workforce Data  
6 Quality Initiative, under the authority of section  
7 169 of the WIOA, which shall be available for  
8 the period July 1, 2016 through June 30,  
9 2017.

10 JOB CORPS  
11 (INCLUDING TRANSFER OF FUNDS)

12 To carry out subtitle C of title I of the WIOA, includ-  
13 ing Federal administrative expenses, the purchase and  
14 hire of passenger motor vehicles, the construction, alter-  
15 ation, and repairs of buildings and other facilities, and the  
16 purchase of real property for training centers as author-  
17 ized by the WIOA, \$1,688,155,000, plus reimbursements,  
18 as follows:

19 (1) \$1,580,825,000 for Job Corps Operations,  
20 which shall be available for the period July 1, 2016  
21 through June 30, 2017;

22 (2) \$75,000,000 for construction, rehabilitation  
23 and acquisition of Job Corps Centers, which shall be  
24 available for the period July 1, 2016 through June  
25 30, 2019, and which may include the acquisition,

1 maintenance, and repair of major items of equip-  
2 ment: *Provided*, That the Secretary may transfer up  
3 to 15 percent of such funds to meet the operational  
4 needs of such centers or to achieve administrative ef-  
5 ficiencies: *Provided further*, That any funds trans-  
6 ferred pursuant to the preceding proviso shall not be  
7 available for obligation after June 30, 2017: *Pro-*  
8 *vided further*, That the Committees on Appropria-  
9 tions of the House of Representatives and the Sen-  
10 ate are notified at least 15 days in advance of any  
11 transfer; and

12 (3) \$32,330,000 for necessary expenses of Job  
13 Corps, which shall be available for obligation for the  
14 period October 1, 2015 through September 30,  
15 2016:

16 *Provided*, That no funds from any other appropriation  
17 shall be used to provide meal services at or for Job Corps  
18 centers.

19 COMMUNITY SERVICE EMPLOYMENT FOR OLDER  
20 AMERICANS

21 To carry out title V of the Older Americans Act of  
22 1965 (referred to in this Act as “OAA”), \$434,371,000,  
23 which shall be available for the period July 1, 2016  
24 through June 30, 2017, and may be recaptured and reobli-  
25 gated in accordance with section 517(c) of the OAA.

1 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT  
2 SERVICE OPERATIONS

3 For authorized administrative expenses,  
4 \$81,566,000, together with not to exceed \$3,468,557,000  
5 which may be expended from the Employment Security  
6 Administration Account in the Unemployment Trust Fund  
7 (“the Trust Fund”), of which:

8 (1) \$2,715,550,000 from the Trust Fund is for  
9 grants to States for the administration of State un-  
10 employment insurance laws as authorized under title  
11 III of the Social Security Act (including not less  
12 than \$120,000,000 to conduct in-person reemploy-  
13 ment and eligibility assessments and unemployment  
14 insurance improper payment reviews, and to provide  
15 reemployment services and referrals to training as  
16 appropriate, for all claimants of unemployment in-  
17 surance for ex-service members under 5 U.S.C. 8521  
18 et. seq. and for the claimants of regular unemploy-  
19 ment compensation who are profiled as most likely  
20 to exhaust their benefits in each State, and  
21 \$3,000,000 for continued support of the Unemploy-  
22 ment Insurance Integrity Center of Excellence), the  
23 administration of unemployment insurance for Fed-  
24 eral employees and for ex-service members as au-  
25 thorized under 5 U.S.C. 8501–8523, and the admin-



1       istration of trade readjustment allowances, reem-  
2       ployment trade adjustment assistance, and alter-  
3       native trade adjustment assistance under the Trade  
4       Act of 1974 and under sections 231(a) and 233(b)  
5       of the Trade Adjustment Assistance Extension Act  
6       of 2011, and shall be available for obligation by the  
7       States through December 31, 2016, except that  
8       funds used for automation acquisitions shall be  
9       available for Federal obligation through December  
10      31, 2016, and for State obligation through Sep-  
11      tember 30, 2018, or, if the automation acquisition is  
12      being carried out through consortia of States, for  
13      State obligation through September 30, 2021, and  
14      for expenditure through September 30, 2022, and  
15      funds for competitive grants awarded to States for  
16      improved operations, to conduct in-person assess-  
17      ments and reviews and provide reemployment serv-  
18      ices and referrals, shall be available for Federal obli-  
19      gation through December 31, 2016 and for obliga-  
20      tion by the States through September 30, 2018, and  
21      funds used for unemployment insurance workloads  
22      experienced by the States through September 30,  
23      2016 shall be available for Federal obligation  
24      through December 31, 2016;

1           (2) \$14,547,000 from the Trust Fund is for na-  
2           tional activities necessary to support the administra-  
3           tion of the Federal-State unemployment insurance  
4           system;

5           (3) \$642,771,000 from the Trust Fund, to-  
6           gether with \$21,413,000 from the General Fund of  
7           the Treasury, is for grants to States in accordance  
8           with section 6 of the Wagner-Peyser Act, and shall  
9           be available for Federal obligation for the period  
10          July 1, 2016 through June 30, 2017;

11          (4) \$19,818,000 from the Trust Fund is for na-  
12          tional activities of the Employment Service, includ-  
13          ing administration of the work opportunity tax cred-  
14          it under section 51 of the Internal Revenue Code of  
15          1986, and the provision of technical assistance and  
16          staff training under the Wagner-Peyser Act;

17          (5) \$75,871,000 from the Trust Fund is for the  
18          administration of foreign labor certifications and re-  
19          lated activities under the Immigration and Nation-  
20          ality Act and related laws, of which \$61,589,000  
21          shall be available for the Federal administration of  
22          such activities, and \$14,282,000 shall be available  
23          for grants to States for the administration of such  
24          activities; and

1           (6) \$60,153,000 from the General Fund is to  
2       provide workforce information, national electronic  
3       tools, and one-stop system building under the Wag-  
4       ner-Peyser Act and shall be available for Federal ob-  
5       ligation for the period July 1, 2016 through June  
6       30, 2017:

7       *Provided*, That to the extent that the Average Weekly In-  
8       sured Unemployment (“AWIU”) for fiscal year 2016 is  
9       projected by the Department of Labor to exceed  
10      2,957,000, an additional \$28,600,000 from the Trust  
11      Fund shall be available for obligation for every 100,000  
12      increase in the AWIU level (including a pro rata amount  
13      for any increment less than 100,000) to carry out title  
14      III of the Social Security Act: *Provided further*, That  
15      funds appropriated in this Act that are allotted to a State  
16      to carry out activities under title III of the Social Security  
17      Act may be used by such State to assist other States in  
18      carrying out activities under such title III if the other  
19      States include areas that have suffered a major disaster  
20      declared by the President under the Robert T. Stafford  
21      Disaster Relief and Emergency Assistance Act: *Provided*  
22      *further*, That the Secretary may use funds appropriated  
23      for grants to States under title III of the Social Security  
24      Act to make payments on behalf of States for the use of  
25      the National Directory of New Hires under section

1 453(j)(8) of such Act: *Provided further*, That the Sec-  
2 retary may use funds appropriated for grants to States  
3 under title III of the Social Security Act to make pay-  
4 ments on behalf of States to the entity operating the State  
5 Information Data Exchange System: *Provided further*,  
6 That funds appropriated in this Act which are used to es-  
7 tablish a national one-stop career center system, or which  
8 are used to support the national activities of the Federal-  
9 State unemployment insurance, employment service, or  
10 immigration programs, may be obligated in contracts,  
11 grants, or agreements with States and non-State entities:  
12 *Provided further*, That States awarded competitive grants  
13 for improved operations under title III of the Social Secu-  
14 rity Act, or awarded grants to support the national activi-  
15 ties of the Federal-State unemployment insurance system,  
16 may award subgrants to other States under such grants,  
17 subject to the conditions applicable to the grants: *Provided*  
18 *further*, That funds appropriated under this Act for activi-  
19 ties authorized under title III of the Social Security Act  
20 and the Wagner-Peyser Act may be used by States to fund  
21 integrated Unemployment Insurance and Employment  
22 Service automation efforts, notwithstanding cost allocation  
23 principles prescribed under the Office of Management and  
24 Budget Circular A-87: *Provided further*, That the Sec-  
25 retary, at the request of a State participating in a consor-

1 tium with other States, may reallocate funds allotted to such  
2 State under title III of the Social Security Act to other  
3 States participating in the consortium in order to carry  
4 out activities that benefit the administration of the unem-  
5 ployment compensation law of the State making the re-  
6 quest: *Provided further*, That the Secretary may collect  
7 fees for the costs associated with additional data collec-  
8 tion, analyses, and reporting services relating to the Na-  
9 tional Agricultural Workers Survey requested by State  
10 and local governments, public and private institutions of  
11 higher education, and non-profit organizations and may  
12 utilize such sums, in accordance with the provisions of 29  
13 U.S.C. 9a, for the National Agricultural Workers Survey  
14 infrastructure, methodology, and data to meet the infor-  
15 mation collection and reporting needs of such entities,  
16 which shall be credited to this appropriation and shall re-  
17 main available until September 30, 2017, for such pur-  
18 poses.

19 In addition, \$30,000,000 from the Employment Se-  
20 curity Administration Account of the Unemployment  
21 Trust Fund shall be available for in-person reemployment  
22 and eligibility assessments and unemployment insurance  
23 improper payment reviews and to provide reemployment  
24 services and referrals to training as appropriate, for the  
25 claimants of regular unemployment compensation who are

1 profiled as most likely to exhaust their benefits in each  
2 State, which shall be available for Federal obligations  
3 through December 31, 2016, and for State obligation  
4 through September 30, 2018.

5       ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND  
6                                       OTHER FUNDS

7       For repayable advances to the Unemployment Trust  
8 Fund as authorized by sections 905(d) and 1203 of the  
9 Social Security Act, and to the Black Lung Disability  
10 Trust Fund as authorized by section 9501(c)(1) of the In-  
11 ternal Revenue Code of 1986; and for nonrepayable ad-  
12 vances to the revolving fund established by section 901(e)  
13 of the Social Security Act, to the Unemployment Trust  
14 Fund as authorized by 5 U.S.C. 8509, and to the “Federal  
15 Unemployment Benefits and Allowances” account, such  
16 sums as may be necessary, which shall be available for  
17 obligation through September 30, 2017.

18                                       PROGRAM ADMINISTRATION

19       For expenses of administering employment and train-  
20 ing programs, \$107,636,000, together with not to exceed  
21 \$50,732,000 which may be expended from the Employ-  
22 ment Security Administration Account in the Unemploy-  
23 ment Trust Fund.

1       EMPLOYEE BENEFITS SECURITY ADMINISTRATION

2                       SALARIES AND EXPENSES

3       For necessary expenses for the Employee Benefits  
4 Security Administration, \$180,699,000.

5       PENSION BENEFIT GUARANTY CORPORATION

6       PENSION BENEFIT GUARANTY CORPORATION FUND

7       The Pension Benefit Guaranty Corporation (“Cor-  
8 poration”) is authorized to make such expenditures, in-  
9 cluding financial assistance authorized by subtitle E of  
10 title IV of the Employee Retirement Income Security Act  
11 of 1974, within limits of funds and borrowing authority  
12 available to the Corporation, and in accord with law, and  
13 to make such contracts and commitments without regard  
14 to fiscal year limitations, as provided by 31 U.S.C. 9104,  
15 as may be necessary in carrying out the program, includ-  
16 ing associated administrative expenses, through Sep-  
17 tember 30, 2016, for the Corporation: *Provided*, That  
18 none of the funds available to the Corporation for fiscal  
19 year 2016 shall be available for obligations for administra-  
20 tive expenses in excess of \$431,799,000: *Provided further*,  
21 That to the extent that the number of new plan partici-  
22 pants in plans terminated by the Corporation exceeds  
23 100,000 in fiscal year 2016, an amount not to exceed an  
24 additional \$9,200,000 shall be available through Sep-  
25 tember 30, 2017, for obligation for administrative ex-

1 penses for every 20,000 additional terminated partici-  
2 pants: *Provided further*, That obligations in excess of the  
3 amounts provided in this paragraph may be incurred for  
4 unforeseen and extraordinary pretermination expenses or  
5 extraordinary multiemployer program related expenses  
6 after approval by the Office of Management and Budget  
7 and notification of the Committees on Appropriations of  
8 the House of Representatives and the Senate.

9                                   WAGE AND HOUR DIVISION

10                                   SALARIES AND EXPENSES

11           For necessary expenses for the Wage and Hour Divi-  
12 sion, including reimbursement to State, Federal, and local  
13 agencies and their employees for inspection services ren-  
14 dered, \$215,500,000.

15                                   OFFICE OF LABOR-MANAGEMENT STANDARDS

16                                   SALARIES AND EXPENSES

17           For necessary expenses for the Office of Labor-Man-  
18 agement Standards, \$42,000,000.

19                                   OFFICE OF FEDERAL CONTRACT COMPLIANCE

20                                   PROGRAMS

21                                   SALARIES AND EXPENSES

22           For necessary expenses for the Office of Federal Con-  
23 tract Compliance Programs, \$100,500,000.



## 1 OFFICE OF WORKERS' COMPENSATION PROGRAMS

## 2 SALARIES AND EXPENSES

3 For necessary expenses for the Office of Workers'  
4 Compensation Programs, \$112,665,000, together with  
5 \$2,177,000 which may be expended from the Special Fund  
6 in accordance with sections 39(c), 44(d), and 44(j) of the  
7 Longshore and Harbor Workers' Compensation Act.

## 8 SPECIAL BENEFITS

## 9 (INCLUDING TRANSFER OF FUNDS)

10 For the payment of compensation, benefits, and ex-  
11 penses (except administrative expenses) accruing during  
12 the current or any prior fiscal year authorized by 5 U.S.C.  
13 81; continuation of benefits as provided for under the  
14 heading "Civilian War Benefits" in the Federal Security  
15 Agency Appropriation Act, 1947; the Employees' Com-  
16 pensation Commission Appropriation Act, 1944; section  
17 5(f) of the War Claims Act (50 U.S.C. App. 2004); obliga-  
18 tions incurred under the War Hazards Compensation Act  
19 (42 U.S.C. 1701 et seq.); and 50 percent of the additional  
20 compensation and benefits required by section 10(h) of the  
21 Longshore and Harbor Workers' Compensation Act,  
22 \$210,000,000, together with such amounts as may be nec-  
23 essary to be charged to the subsequent year appropriation  
24 for the payment of compensation and other benefits for  
25 any period subsequent to August 15 of the current year,

1 for deposit into and to assume the attributes of the Em-  
2 ployees' Compensation Fund established under 5 U.S.C.  
3 8147(a): *Provided*, That amounts appropriated may be  
4 used under 5 U.S.C. 8104 by the Secretary to reimburse  
5 an employer, who is not the employer at the time of injury,  
6 for portions of the salary of a re-employed, disabled bene-  
7 ficiary: *Provided further*, That balances of reimbursements  
8 unobligated on September 30, 2015, shall remain available  
9 until expended for the payment of compensation, benefits,  
10 and expenses: *Provided further*, That in addition there  
11 shall be transferred to this appropriation from the Postal  
12 Service and from any other corporation or instrumentality  
13 required under 5 U.S.C. 8147(c) to pay an amount for  
14 its fair share of the cost of administration, such sums as  
15 the Secretary determines to be the cost of administration  
16 for employees of such fair share entities through Sep-  
17 tember 30, 2016: *Provided further*, That of those funds  
18 transferred to this account from the fair share entities to  
19 pay the cost of administration of the Federal Employees'  
20 Compensation Act, \$62,170,000 shall be made available  
21 to the Secretary as follows:

- 22           (1) For enhancement and maintenance of auto-  
23           mated data processing systems operations and tele-  
24           communications systems, \$21,140,000;

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

4           (3) For periodic roll disability management and  
5           medical review, \$16,668,000;

6           (4) For program integrity, \$1,394,000; and

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

9   *Provided further*, That the Secretary may require that any  
10 person filing a notice of injury or a claim for benefits  
11 under 5 U.S.C. 81, or the Longshore and Harbor Work-  
12 ers' Compensation Act, provide as part of such notice and  
13 claim, such identifying information (including Social Secu-  
14 rity account number) as such regulations may prescribe.

15           SPECIAL BENEFITS FOR DISABLED COAL MINERS

16           For carrying out title IV of the Federal Mine Safety  
17 and Health Act of 1977, as amended by Public Law 107-  
18 275, \$69,302,000, to remain available until expended.

19           For making after July 31 of the current fiscal year,  
20 benefit payments to individuals under title IV of such Act,  
21 for costs incurred in the current fiscal year, such amounts  
22 as may be necessary.

23           For making benefit payments under title IV for the  
24 first quarter of fiscal year 2017, \$19,000,000, to remain  
25 available until expended.

1 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

2 OCCUPATIONAL ILLNESS COMPENSATION FUND

3 For necessary expenses to administer the Energy  
4 Employees Occupational Illness Compensation Program  
5 Act, \$58,552,000, to remain available until expended: *Pro-*  
6 *vided*, That the Secretary may require that any person fil-  
7 ing a claim for benefits under the Act provide as part of  
8 such claim such identifying information (including Social  
9 Security account number) as may be prescribed.

10 BLACK LUNG DISABILITY TRUST FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 Such sums as may be necessary from the Black Lung  
13 Disability Trust Fund (the “Fund”), to remain available  
14 until expended, for payment of all benefits authorized by  
15 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-  
16 enue Code of 1986; and repayment of, and payment of  
17 interest on advances, as authorized by section 9501(d)(4)  
18 of that Act. In addition, the following amounts may be  
19 expended from the Fund for fiscal year 2016 for expenses  
20 of operation and administration of the Black Lung Bene-  
21 fits program, as authorized by section 9501(d)(5): not to  
22 exceed \$35,244,000 for transfer to the Office of Workers’  
23 Compensation Programs, “Salaries and Expenses”; not to  
24 exceed \$30,279,000 for transfer to Departmental Manage-  
25 ment, “Salaries and Expenses”; not to exceed \$327,000

1 for transfer to Departmental Management, “Office of In-  
2 spector General”; and not to exceed \$356,000 for pay-  
3 ments into miscellaneous receipts for the expenses of the  
4 Department of the Treasury.

5 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION  
6 SALARIES AND EXPENSES

7 For necessary expenses for the Occupational Safety  
8 and Health Administration, \$535,000,000, including not  
9 to exceed \$103,000,000 which shall be the maximum  
10 amount available for grants to States under section 23(g)  
11 of the Occupational Safety and Health Act (the “Act”),  
12 which grants shall be no less than 50 percent of the costs  
13 of State occupational safety and health programs required  
14 to be incurred under plans approved by the Secretary  
15 under section 18 of the Act; and, in addition, notwith-  
16 standing 31 U.S.C. 3302, the Occupational Safety and  
17 Health Administration may retain up to \$499,000 per fis-  
18 cal year of training institute course tuition and fees, other-  
19 wise authorized by law to be collected, and may utilize  
20 such sums for occupational safety and health training and  
21 education: *Provided*, That notwithstanding 31 U.S.C.  
22 3302, the Secretary is authorized, during the fiscal year  
23 ending September 30, 2016, to collect and retain fees for  
24 services provided to Nationally Recognized Testing Lab-  
25 oratories, and may utilize such sums, in accordance with

1 the provisions of 29 U.S.C. 9a, to administer national and  
2 international laboratory recognition programs that ensure  
3 the safety of equipment and products used by workers in  
4 the workplace: *Provided further*, That none of the funds  
5 appropriated under this paragraph shall be obligated or  
6 expended to prescribe, issue, administer, or enforce any  
7 standard, rule, regulation, or order under the Act which  
8 is applicable to any person who is engaged in a farming  
9 operation which does not maintain a temporary labor  
10 camp and employs 10 or fewer employees: *Provided fur-*  
11 *ther*, That no funds appropriated under this paragraph  
12 shall be obligated or expended to administer or enforce  
13 any standard, rule, regulation, or order under the Act with  
14 respect to any employer of 10 or fewer employees who is  
15 included within a category having a Days Away, Re-  
16 stricted, or Transferred (“DART”) occupational injury  
17 and illness rate, at the most precise industrial classifica-  
18 tion code for which such data are published, less than the  
19 national average rate as such rates are most recently pub-  
20 lished by the Secretary, acting through the Bureau of  
21 Labor Statistics, in accordance with section 24 of the Act,  
22 except—

23           (1) to provide, as authorized by the Act, con-  
24           sultation, technical assistance, educational and train-  
25           ing services, and to conduct surveys and studies;

1           (2) to conduct an inspection or investigation in  
2           response to an employee complaint, to issue a cita-  
3           tion for violations found during such inspection, and  
4           to assess a penalty for violations which are not cor-  
5           rected within a reasonable abatement period and for  
6           any willful violations found;

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

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

11          (5) to take any action authorized by the Act  
12          with respect to a report of an employment accident  
13          which is fatal to one or more employees or which re-  
14          sults in hospitalization of two or more employees,  
15          and to take any action pursuant to such investiga-  
16          tion authorized by the Act; and

17          (6) to take any action authorized by the Act  
18          with respect to complaints of discrimination against  
19          employees for exercising rights under the Act:

20 *Provided further*, That the foregoing proviso shall not  
21 apply to any person who is engaged in a farming operation  
22 which does not maintain a temporary labor camp and em-  
23 ploys 10 or fewer employees.

## 1 MINE SAFETY AND HEALTH ADMINISTRATION

## 2 SALARIES AND EXPENSES

3 For necessary expenses for the Mine Safety and  
4 Health Administration, \$371,000,000, including purchase  
5 and bestowal of certificates and trophies in connection  
6 with mine rescue and first-aid work, and the hire of pas-  
7 senger motor vehicles, including up to \$2,000,000 for  
8 mine rescue and recovery activities and not less than  
9 \$8,441,000 for state assistance grants: *Provided*, That  
10 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000  
11 may be collected by the National Mine Health and Safety  
12 Academy for room, board, tuition, and the sale of training  
13 materials, otherwise authorized by law to be collected, to  
14 be available for mine safety and health education and  
15 training activities: *Provided further*, That notwithstanding  
16 31 U.S.C. 3302, the Mine Safety and Health Administra-  
17 tion is authorized to collect and retain up to \$2,499,000  
18 from fees collected for the approval and certification of  
19 equipment, materials, and explosives for use in mines, and  
20 may utilize such sums for such activities: *Provided further*,  
21 That the Secretary is authorized to accept lands, build-  
22 ings, equipment, and other contributions from public and  
23 private sources and to prosecute projects in cooperation  
24 with other agencies, Federal, State, or private: *Provided*  
25 *further*, That the Mine Safety and Health Administration



1 is authorized to promote health and safety education and  
2 training in the mining community through cooperative  
3 programs with States, industry, and safety associations:  
4 *Provided further*, That the Secretary is authorized to rec-  
5 ognize the Joseph A. Holmes Safety Association as a prin-  
6 cipal safety association and, notwithstanding any other  
7 provision of law, may provide funds and, with or without  
8 reimbursement, personnel, including service of Mine Safe-  
9 ty and Health Administration officials as officers in local  
10 chapters or in the national organization: *Provided further*,  
11 That any funds available to the Department of Labor may  
12 be used, with the approval of the Secretary, to provide  
13 for the costs of mine rescue and survival operations in the  
14 event of a major disaster.

15 BUREAU OF LABOR STATISTICS

16 SALARIES AND EXPENSES

17 For necessary expenses for the Bureau of Labor Sta-  
18 tistics, including advances or reimbursements to State,  
19 Federal, and local agencies and their employees for serv-  
20 ices rendered, \$544,000,000, together with not to exceed  
21 \$65,000,000 which may be expended from the Employ-  
22 ment Security Administration account in the Unemploy-  
23 ment Trust Fund.

## 1 OFFICE OF DISABILITY EMPLOYMENT POLICY

## 2 SALARIES AND EXPENSES

3 For necessary expenses for the Office of Disability  
4 Employment Policy to provide leadership, develop policy  
5 and initiatives, and award grants furthering the objective  
6 of eliminating barriers to the training and employment of  
7 people with disabilities, \$38,203,000.

## 8 DEPARTMENTAL MANAGEMENT

## 9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses for Departmental Manage-  
12 ment, including the hire of three passenger motor vehicles,  
13 \$284,229,000, together with not to exceed \$308,000,  
14 which may be expended from the Employment Security  
15 Administration account in the Unemployment Trust  
16 Fund: *Provided*, That funds available to the Bureau of  
17 International Labor Affairs may be used to administer or  
18 operate international labor activities, bilateral and multi-  
19 lateral technical assistance, and microfinance programs,  
20 by or through contracts, grants, subgrants and other ar-  
21 rangements: *Provided further*, That \$8,161,000 shall be  
22 used for program evaluation and shall be available for obli-  
23 gation through September 30, 2017: *Provided further*,  
24 That funds available for program evaluation may be used  
25 to administer grants for the purpose of evaluation: *Pro-*

1 *vided further*, That grants made for the purpose of evalua-  
2 tion shall be awarded through fair and open competition:  
3 *Provided further*, That funds available for program evalua-  
4 tion may be transferred to any other appropriate account  
5 in the Department for such purpose: *Provided further*,  
6 That the Committees on Appropriations of the House of  
7 Representatives and the Senate are notified at least 15  
8 days in advance of any transfer: *Provided further*, That  
9 the funds available to the Women's Bureau may be used  
10 for grants to serve and promote the interests of women  
11 in the workforce.

12 VETERANS EMPLOYMENT AND TRAINING

13 Not to exceed \$233,001,000 may be derived from the  
14 Employment Security Administration account in the Un-  
15 employment Trust Fund to carry out the provisions of  
16 chapters 41, 42, and 43 of title 38, United States Code,  
17 of which:

18 (1) \$175,000,000 is for Jobs for Veterans State  
19 grants under 38 U.S.C. 4102A(b)(5) to support dis-  
20 abled veterans' outreach program specialists under  
21 section 4103A of such title and local veterans' em-  
22 ployment representatives under section 4104(b) of  
23 such title, and for the expenses described in section  
24 4102A(b)(5)(C), which shall be available for obliga-  
25 tion by the States through December 31, 2016 and

1 not to exceed 3 percent for the necessary Federal ex-  
2 penditures for data systems and contract support to  
3 allow for the tracking of participant and perform-  
4 ance information: *Provided*, That, in addition, such  
5 funds may be used to support such specialists and  
6 representatives in the provision of services to  
7 transitioning members of the Armed Forces who  
8 have participated in the Transition Assistance Pro-  
9 gram and have been identified as in need of inten-  
10 sive services, to members of the Armed Forces who  
11 are wounded, ill, or injured and receiving treatment  
12 in military treatment facilities or warrior transition  
13 units, and to the spouses or other family caregivers  
14 of such wounded, ill, or injured members;

15 (2) \$14,100,000 is for carrying out the Transi-  
16 tion Assistance Program under 38 U.S.C. 4113 and  
17 10 U.S.C. 1144;

18 (3) \$40,487,000 is for Federal administration  
19 of chapters 41, 42, and 43 of title 38, United States  
20 Code; and

21 (4) \$3,414,000 is for the National Veterans'  
22 Employment and Training Services Institute under  
23 38 U.S.C. 4109:

24 *Provided*, That the Secretary may reallocate among the  
25 appropriations provided under paragraphs (1) through (4)

1 above an amount not to exceed 3 percent of the appropria-  
2 tion from which such reallocation is made.

3 In addition, from the General Fund of the Treasury,  
4 \$38,109,000 is for carrying out programs to assist home-  
5 less veterans and veterans at risk of homelessness who are  
6 transitioning from certain institutions under sections  
7 2021, 2021A, and 2023 of title 38, United States Code:  
8 *Provided*, That notwithstanding subsections (c)(3) and (d)  
9 of section 2023, the Secretary may award grants through  
10 September 30, 2016, to provide services under such sec-  
11 tion: *Provided further*, That services provided under sec-  
12 tion 2023 may include, in addition to services to the indi-  
13 viduals described in subsection (e) of such section, services  
14 to veterans recently released from incarceration who are  
15 at risk of homelessness.

16 IT MODERNIZATION

17 For necessary expenses for Department of Labor cen-  
18 tralized infrastructure technology investment activities re-  
19 lated to support systems and modernization, \$29,778,000.

20 OFFICE OF INSPECTOR GENERAL

21 For salaries and expenses of the Office of Inspector  
22 General in carrying out the provisions of the Inspector  
23 General Act of 1978, \$79,000,000, together with not to  
24 exceed \$5,660,000 which may be expended from the Em-

1 ployment Security Administration account in the Unem-  
2 ployment Trust Fund.

3 GENERAL PROVISIONS

4 SEC. 101. None of the funds appropriated by this Act  
5 for the Job Corps shall be used to pay the salary and bo-  
6 nuses of an individual, either as direct costs or any prora-  
7 tion as an indirect cost, at a rate in excess of Executive  
8 Level III.

9 (TRANSFER OF FUNDS)

10 SEC. 102. Not to exceed 1 percent of any discre-  
11 tionary funds (pursuant to the Balanced Budget and  
12 Emergency Deficit Control Act of 1985) which are appro-  
13 priated for the current fiscal year for the Department of  
14 Labor in this Act may be transferred between a program,  
15 project, or activity, but no such program, project, or activ-  
16 ity shall be increased by more than 3 percent by any such  
17 transfer: *Provided*, That the transfer authority granted by  
18 this section shall not be used to create any new program  
19 or to fund any project or activity for which no funds are  
20 provided in this Act: *Provided further*, That the Commit-  
21 tees on Appropriations of the House of Representatives  
22 and the Senate are notified at least 15 days in advance  
23 of any transfer.

24 SEC. 103. In accordance with Executive Order  
25 13126, none of the funds appropriated or otherwise made

1 available pursuant to this Act shall be obligated or ex-  
2 pended for the procurement of goods mined, produced,  
3 manufactured, or harvested or services rendered, in whole  
4 or in part, by forced or indentured child labor in industries  
5 and host countries already identified by the United States  
6 Department of Labor prior to enactment of this Act.

7       SEC. 104. None of the funds made available to the  
8 Department of Labor for grants under section 414(c) of  
9 the American Competitiveness and Workforce Improve-  
10 ment Act of 1998 may be used for any purpose other than  
11 competitive grants for training individuals over the age of  
12 16 who are not currently enrolled in school within a local  
13 educational agency in the occupations and industries for  
14 which employers are using H-1B visas to hire foreign  
15 workers, and the related activities necessary to support  
16 such training: *Provided*, That the preceding limitation  
17 shall not apply to funding provided pursuant to solicita-  
18 tions for grant applications issued prior to January 15,  
19 2014.

20       SEC. 105. None of the funds made available by this  
21 Act under the heading “Employment and Training Ad-  
22 ministration” shall be used by a recipient or subrecipient  
23 of such funds to pay the salary and bonuses of an indi-  
24 vidual, either as direct costs or indirect costs, at a rate  
25 in excess of Executive Level III. This limitation shall not

1 apply to vendors providing goods and services as defined  
2 in Office of Management and Budget Circular A-133.  
3 Where States are recipients of such funds, States may es-  
4 tablish a lower limit for salaries and bonuses of those re-  
5 ceiving salaries and bonuses from subrecipients of such  
6 funds, taking into account factors including the relative  
7 cost-of-living in the State, the compensation levels for  
8 comparable State or local government employees, and the  
9 size of the organizations that administer Federal pro-  
10 grams involved including Employment and Training Ad-  
11 ministration programs.

12 (TRANSFER OF FUNDS)

13 SEC. 106. Notwithstanding section 102, the Sec-  
14 retary may transfer funds made available to the Employ-  
15 ment and Training Administration by this Act, either di-  
16 rectly or through a set-aside, for technical assistance serv-  
17 ices to grantees to “Program Administration” when it is  
18 determined that those services will be more efficiently per-  
19 formed by Federal employees: *Provided*, That this section  
20 shall not apply to section 171 of the WIOA.

21 (TRANSFER OF FUNDS)

22 SEC. 107. (a) The Secretary may reserve not more  
23 than 0.75 percent from each appropriation made available  
24 in this Act identified in subsection (b) in order to carry  
25 out evaluations of any of the programs or activities that



1 are funded under such accounts. Any funds reserved under  
2 this section shall be transferred to “Departmental Man-  
3 agement” for use by the Office of the Chief Evaluation  
4 Officer within the Department of Labor, and shall be  
5 available for obligation through September 30, 2017: *Pro-*  
6 *vided*, That such funds shall only be available if the Chief  
7 Evaluation Officer of the Department of Labor submits  
8 a plan to the Committees on Appropriations of the House  
9 of Representatives and the Senate describing the evalua-  
10 tions to be carried out 15 days in advance of any transfer.

11 (b) The accounts referred to in subsection (a) are:  
12 “Training and Employment Services”, “Job Corps”,  
13 “Community Service Employment for Older Americans”,  
14 “State Unemployment Insurance and Employment Service  
15 Operations”, “Employee Benefits Security Administra-  
16 tion”, “Office of Workers’ Compensation Programs”,  
17 “Wage and Hour Division”, “Office of Federal Contract  
18 Compliance Programs”, “Office of Labor Management  
19 Standards”, “Occupational Safety and Health Adminis-  
20 tration”, “Mine Safety and Health Administration”, “Of-  
21 fice of Disability Employment Policy”, funding made  
22 available to the “Bureau of International Affairs” and  
23 “Women’s Bureau” within the “Departmental Manage-  
24 ment, Salaries and Expenses” account, and “Veterans  
25 Employment and Training”.

1        SEC. 108. (a) FLEXIBILITY WITH RESPECT TO THE  
2 CROSSING OF H-2B NONIMMIGRANTS.—

3            (1) IN GENERAL.—Subject to paragraph (2), if  
4 a petition for H-2B nonimmigrants filed by an em-  
5 ployer is granted, the employer may bring the non-  
6 immigrants described in the petition into the United  
7 States at any time during the 120-day period begin-  
8 ning on the start date for which the employer is  
9 seeking the services of the nonimmigrants without  
10 filing another petition.

11            (2) REQUIREMENTS FOR CROSSINGS AFTER  
12 90TH DAY.—An employer may not bring H-2B non-  
13 immigrants into the United States after the date  
14 that is 90 days after the start date for which the  
15 employer is seeking the services of the non-  
16 immigrants unless the employer—

17            (A) completes a new assessment of the  
18 local labor market by—

19            (i) listing job orders in local news-  
20 papers on 2 separate Sundays; and

21            (ii) posting the job opportunity on the  
22 appropriate Department of Labor Elec-  
23 tronic Job Registry and at the employer's  
24 place of employment; and

1 (B) offers the job to an equally or better  
2 qualified United States worker who—

3 (i) applies for the job; and

4 (ii) will be available at the time and  
5 place of need.

6 (3) EXEMPTION FROM RULES WITH RESPECT  
7 TO STAGGERING.—The Secretary of Labor shall not  
8 consider an employer who brings H–2B non-  
9 immigrants into the United States during the 120-  
10 day period specified in paragraph (1) to be stag-  
11 gering the date of need in violation of section  
12 655.20(d) of title 20, Code of Federal Regulations,  
13 or any other applicable provision of law.

14 (b) H–2B NONIMMIGRANTS DEFINED.—In this sec-  
15 tion, the term “H–2B nonimmigrants” means aliens ad-  
16 mitted to the United States pursuant to section  
17 101(a)(15)(H)(ii)(B) of the Immigration and Nationality  
18 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

19 (TRANSFER OF FUNDS)

20 SEC. 109. (a) The Secretary may reserve not more  
21 than 0.25 percent from each appropriation made available  
22 in this Act identified in subsection (b) in order to carry  
23 out information technology purchases and upgrades for  
24 any of the programs or activities that are funded under  
25 such accounts. Any funds reserved under this section shall

1 be transferred to “Departmental Management” for use by  
2 the Office of the Chief Information Officer within the De-  
3 partment of Labor, and shall be available for obligation  
4 through September 30, 2017: *Provided*, That such funds  
5 shall only be available if the Chief Information Officer of  
6 the Department of Labor submits a plan to the Commit-  
7 tees on Appropriations of the House of Representatives  
8 and the Senate describing the purchases and upgrades to  
9 be carried out and an explanation of why funds are not  
10 needed in the donor account 15 days in advance of any  
11 transfer.

12 (b) The accounts referred to in subsection (a) are:  
13 “Employment and Training Administration Program Ad-  
14 ministration”, funding made available for Federal admin-  
15 istration within “Job Corps”, “Foreign Labor Certifi-  
16 cation Program Administration”, “Employee Benefits Se-  
17 curity Administration”, “Office of Workers’ Compensation  
18 Programs”, “Wage and Hour Division”, “Office of Fed-  
19 eral Contract Compliance Programs”, “Office of Labor  
20 Management Standards”, “Occupational Safety and  
21 Health Administration”, “Mine Safety and Health Admin-  
22 istration”, “Veterans Employment and Training”, “Bu-  
23 reau of Labor Statistics”, and “Office of Disability Em-  
24 ployment Policy”.

1        SEC. 110. Notwithstanding any other provision of  
2 law, beginning October 1, 2015, the Secretary of Labor,  
3 in consultation with the Secretary of Agriculture may se-  
4 lect an entity to operate a Civilian Conservation Center  
5 on a competitive basis in accordance with section 147 of  
6 the WIOA, if the Secretary of Labor determines such Cen-  
7 ter has had consistently low performance under the per-  
8 formance accountability system in effect for the Job Corps  
9 program prior to July 1, 2016, or with respect to expected  
10 levels of performance established under section 159(c) of  
11 such Act beginning on July 1, 2016.

12        SEC. 111. None of the funds made available by this  
13 Act may be used to implement, administer, or enforce the  
14 Establishing a Minimum Wage for Contractors regulation  
15 published by the Department of Labor in the Federal Reg-  
16 ister on October 7, 2014 (79 Fed. Reg. 60634 et seq.),  
17 with respect to federal contracts, permits, or other con-  
18 tract-like instruments entered into with the Federal Gov-  
19 ernment in connection with federal property or lands, re-  
20 lated to offering seasonal recreational services or seasonal  
21 recreation equipment rental for the general public.

22        SEC. 112. None of the funds made available by this  
23 Act for “Department of Labor—Departmental Manage-  
24 ment” may be used to establish the proposed Office of  
25 Labor Compliance.

1       SEC. 113. None of the funds made available by this  
2 Act may be used to finalize, implement, administer, or en-  
3 force the proposed Definition of the Term “Fiduciary”;  
4 Conflict of Interest Rule—Retirement Investment Advice  
5 regulation published by the Department of Labor in the  
6 Federal Register on April 20, 2015 (80 Fed. Reg. 21928  
7 et seq.).

8       SEC. 114. An Occupational Safety and Health Ad-  
9 ministration inspector shall not administer, enforce, or  
10 otherwise implement any policy or interpretation of the  
11 Occupational Safety and Health Administration that al-  
12 lows an individual affiliated with a third party organiza-  
13 tion to accompany such OSHA inspector on a walkaround  
14 inspection except in accordance with applicable laws and  
15 regulations and by a vote of approval of the employees  
16 of an affected worksite.

17       This title may be cited as the “Department of Labor  
18 Appropriations Act, 2016”.

19       TITLE II—DEPARTMENT OF HEALTH AND  
20                                   HUMAN SERVICES  
21       HEALTH RESOURCES AND SERVICES ADMINISTRATION  
22                                   PRIMARY HEALTH CARE

23       For carrying out titles II and III of the Public Health  
24 Service Act (referred to in this Act as the “PHS Act”)  
25 with respect to primary health care and the Native Hawai-

1   ian Health Care Act of 1988, \$1,491,522,000: *Provided*,  
2   That no more than \$100,000 shall be available until ex-  
3   pended for carrying out the provisions of section 224(o)  
4   of the PHS Act: *Provided further*, That no more than  
5   \$99,893,000 shall be available until expended for carrying  
6   out the provisions of Public Law 104–73 and for expenses  
7   incurred by the Department of Health and Human Serv-  
8   ices (referred to in this Act as “HHS”) pertaining to ad-  
9   ministrative claims made under such law.

10

## HEALTH WORKFORCE

11       For carrying out titles III, VII, and VIII of the PHS  
12   Act with respect to the health workforce, section 1128E  
13   of the Social Security Act, and the Health Care Quality  
14   Improvement Act of 1986, \$742,670,000: *Provided*, That  
15   sections 747(e)(2), 751(j)(2), 762(k), and the proportional  
16   funding amounts in paragraphs (1) through (4) of section  
17   756(e) of the PHS Act shall not apply to funds made  
18   available under this heading: *Provided further*, That for  
19   any program operating under section 751 of the PHS Act  
20   on or before January 1, 2009, the Secretary of Health  
21   and Human Services (referred to in this title as the “Sec-  
22   retary”) may hereafter waive any of the requirements con-  
23   tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such  
24   Act for the full project period of a grant under such sec-  
25   tion: *Provided further*, That no funds shall be available

1 for section 340G–1 of the PHS Act: *Provided further*,  
2 That fees collected for the disclosure of information under  
3 section 427(b) of the Health Care Quality Improvement  
4 Act of 1986 and sections 1128E(d)(2) and 1921 of the  
5 Social Security Act shall be sufficient to recover the full  
6 costs of operating the programs authorized by such sec-  
7 tions and shall remain available until expended for the Na-  
8 tional Practitioner Data Bank: *Provided further*, That  
9 funds transferred to this account to carry out section 846  
10 and subpart 3 of part D of title III of the PHS Act may  
11 be used to make prior year adjustments to awards made  
12 under such sections.

13 MATERNAL AND CHILD HEALTH

14 For carrying out titles III, XI, XII, and XIX of the  
15 PHS Act with respect to maternal and child health, title  
16 V of the Social Security Act, and section 712 of the Amer-  
17 ican Jobs Creation Act of 2004, \$843,617,000: *Provided*,  
18 That notwithstanding sections 502(a)(1) and 502(b)(1) of  
19 the Social Security Act, not more than \$77,093,000 shall  
20 be available for carrying out special projects of regional  
21 and national significance pursuant to section 501(a)(2) of  
22 such Act and \$10,276,000 shall be available for projects  
23 described in subparagraphs (A) through (F) of section  
24 501(a)(3) of such Act.



## 1 RYAN WHITE HIV/AIDS PROGRAM

2 For carrying out title XXVI of the PHS Act with  
3 respect to the Ryan White HIV/AIDS program,  
4 \$2,318,781,000, of which \$1,970,881,000 shall remain  
5 available to the Secretary through September 30, 2018,  
6 for parts A and B of title XXVI of the PHS Act, and  
7 of which not less than \$900,313,000 shall be for State  
8 AIDS Drug Assistance Programs under the authority of  
9 section 2616 or 311(c) of such Act.

## 10 HEALTH CARE SYSTEMS

11 For carrying out titles III and XII of the PHS Act  
12 with respect to health care systems, and the Stem Cell  
13 Therapeutic and Research Act of 2005, \$106,193,000, of  
14 which \$122,000 shall be available until expended for facili-  
15 ties renovations at the Gillis W. Long Hansen's Disease  
16 Center.

## 17 RURAL HEALTH

18 For carrying out titles III and IV of the PHS Act  
19 with respect to rural health, section 427(a) of the Federal  
20 Coal Mine Health and Safety Act of 1969, the Cardiac  
21 Arrest Survival Act of 2000, and sections 711 and 1820  
22 of the Social Security Act, \$147,471,000, of which  
23 \$41,609,000 from general revenues, notwithstanding sec-  
24 tion 1820(j) of the Social Security Act, shall be available  
25 for carrying out the Medicare rural hospital flexibility

1 grants program: *Provided*, That of the funds made avail-  
2 able under this heading for Medicare rural hospital flexi-  
3 bility grants, \$14,942,000 shall be available for the Small  
4 Rural Hospital Improvement Grant Program for quality  
5 improvement and adoption of health information tech-  
6 nology and up to \$1,000,000 shall be to carry out section  
7 1820(g)(6) of the Social Security Act, with funds provided  
8 for grants under section 1820(g)(6) available for the pur-  
9 chase and implementation of telehealth services, including  
10 pilots and demonstrations on the use of electronic health  
11 records to coordinate rural veterans care between rural  
12 providers and the Department of Veterans Affairs elec-  
13 tronic health record system: *Provided further*, That not-  
14 withstanding section 338J(k) of the PHS Act, \$9,511,000  
15 shall be available for State Offices of Rural Health.

16 PROGRAM MANAGEMENT

17 For program support in the Health Resources and  
18 Services Administration, \$154,000,000: *Provided*, That  
19 funds made available under this heading may be used to  
20 supplement program support funding provided under the  
21 headings “Primary Health Care”, “Health Workforce”,  
22 “Maternal and Child Health”, “Ryan White HIV/AIDS  
23 Program”, “Health Care Systems”, and “Rural Health”.

1 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

2 For payments from the Vaccine Injury Compensation  
3 Program Trust Fund (the “Trust Fund”), such sums as  
4 may be necessary for claims associated with vaccine-re-  
5 lated injury or death with respect to vaccines administered  
6 after September 30, 1988, pursuant to subtitle 2 of title  
7 XXI of the PHS Act, to remain available until expended:  
8 *Provided*, That for necessary administrative expenses, not  
9 to exceed \$7,500,000 shall be available from the Trust  
10 Fund to the Secretary.

11 CENTERS FOR DISEASE CONTROL AND PREVENTION

12 IMMUNIZATION AND RESPIRATORY DISEASES

13 For carrying out titles II, III, XVII, and XXI, and  
14 section 2821 of the PHS Act, titles II and IV of the Immi-  
15 gration and Nationality Act, and section 501 of the Ref-  
16 ugee Education Assistance Act, with respect to immuniza-  
17 tion and respiratory diseases, \$607,781,000.

18 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED

19 DISEASES, AND TUBERCULOSIS PREVENTION

20 For carrying out titles II, III, XVII, and XXIII of  
21 the PHS Act with respect to HIV/AIDS, viral hepatitis,  
22 sexually transmitted diseases, and tuberculosis prevention,  
23 \$1,117,609,000.

## 1 EMERGING AND ZONOTIC INFECTIOUS DISEASES

2 For carrying out titles II, III, and XVII, and section  
3 2821 of the PHS Act, titles II and IV of the Immigration  
4 and Nationality Act, and section 501 of the Refugee Edu-  
5 cation Assistance Act, with respect to emerging and  
6 zoonotic infectious diseases, \$460,598,000: *Provided*, That  
7 of the funds available under this heading, \$30,000,000  
8 shall be for the Advanced Molecular Detection initiative.

## 9 CHRONIC DISEASE PREVENTION AND HEALTH

## 10 PROMOTION

11 For carrying out titles II, III, XI, XV, XVII, and  
12 XIX of the PHS Act with respect to chronic disease pre-  
13 vention and health promotion, \$570,467,000: *Provided*,  
14 That funds appropriated under this account may be avail-  
15 able for making grants under section 1509 of the PHS  
16 Act for not less than 21 States, tribes, or tribal organiza-  
17 tions: *Provided further*, That of the funds available under  
18 this heading, \$10,000,000 shall be available to continue  
19 and expand community specific extension and outreach  
20 programs to combat obesity in counties with the highest  
21 levels of obesity.

1 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,  
2 DISABILITIES AND HEALTH

3 For carrying out titles II, III, XI, and XVII of the  
4 PHS Act with respect to birth defects, developmental dis-  
5 abilities, disabilities and health, \$133,510,000.

6 PUBLIC HEALTH SCIENTIFIC SERVICES

7 For carrying out titles II, III, and XVII of the PHS  
8 Act with respect to health statistics, surveillance, health  
9 informatics, and workforce development, \$496,597,000.

10 ENVIRONMENTAL HEALTH

11 For carrying out titles II, III, and XVII of the PHS  
12 Act with respect to environmental health, \$145,580,000.

13 INJURY PREVENTION AND CONTROL

14 For carrying out titles II, III, and XVII of the PHS  
15 Act with respect to injury prevention and control,  
16 \$211,300,000: *Provided*, That of the funds provided under  
17 this heading, \$70,000,000 shall be available for an evi-  
18 dence-based prescription drug overdose prevention pro-  
19 gram.

20 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND  
21 HEALTH

22 For carrying out titles II, III, and XVII of the PHS  
23 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501  
24 of the Federal Mine Safety and Health Act, section 13  
25 of the Mine Improvement and New Emergency Response

1 Act, and sections 20, 21, and 22 of the Occupational Safe-  
2 ty and Health Act, with respect to occupational safety and  
3 health, \$341,100,000.

4 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS  
5 COMPENSATION PROGRAM

6 For necessary expenses to administer the Energy  
7 Employees Occupational Illness Compensation Program  
8 Act, \$55,358,000, to remain available until expended: *Pro-*  
9 *vided*, That this amount shall be available consistent with  
10 the provision regarding administrative expenses in section  
11 151(b) of division B, title I of Public Law 106–554.

12 GLOBAL HEALTH

13 For carrying out titles II, III, and XVII of the PHS  
14 Act with respect to global health, \$426,925,000, of which  
15 \$128,425,000 for international HIV/AIDS shall remain  
16 available through September 30, 2017: *Provided*, That  
17 funds may be used for purchase and insurance of official  
18 motor vehicles in foreign countries.

19 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

20 For carrying out titles II, III, and XVII of the PHS  
21 Act with respect to public health preparedness and re-  
22 sponse, and for expenses necessary to support activities  
23 related to countering potential biological, nuclear, radio-  
24 logical, and chemical threats to civilian populations,  
25 \$1,460,836,000, of which \$610,136,000 shall remain

1 available until expended for the Strategic National Stock-  
2 pile: *Provided*, That in the event the Director of the CDC  
3 activates the Emergency Operations Center, the Director  
4 of the CDC may detail CDC staff without reimbursement  
5 for up to 45 days to support the work of the CDC Emer-  
6 gency Operations Center, so long as the Director provides  
7 a notice to the Committees on Appropriations of the  
8 House of Representatives and the Senate within 15 days  
9 of the use of this authority and a full report within 30  
10 days after use of this authority which includes the number  
11 of staff and funding level broken down by the originating  
12 center and number of days detailed: *Provided further*,  
13 That funds appropriated under this heading may be used  
14 to support a contract for the operation and maintenance  
15 of an aircraft in direct support of activities throughout  
16 CDC to ensure the agency is prepared to address public  
17 health preparedness emergencies.

18 BUILDINGS AND FACILITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For acquisition of real property, equipment, construc-  
21 tion, and renovation of facilities, \$10,000,000, which shall  
22 remain available until September 30, 2020: *Provided*,  
23 That funds previously set-aside by CDC for repair and up-  
24 grade of the Lake Lynn Experimental Mine and Labora-  
25 tory shall be used to acquire a replacement mine safety

1 research facility: *Provided further*, That in addition, the  
2 prior year unobligated balance of any amounts in accounts  
3 of CDC made available for Individual Learning Accounts  
4 shall be credited to and merged with the amounts made  
5 available under this heading to support the replacement  
6 of the mine safety research facility.

7 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

8 For carrying out titles II, III, XVII and XIX, and  
9 section 2821 of the PHS Act and for cross-cutting activi-  
10 ties and program support for activities funded in other  
11 appropriations included in this Act for the Centers for  
12 Disease Control and Prevention, \$113,500,000: *Provided*,  
13 That paragraphs (1) through (3) of subsection (b) of sec-  
14 tion 2821 of the PHS Act shall not apply to funds appro-  
15 priated under this heading and in all other accounts of  
16 the CDC: *Provided further*, That employees of CDC or the  
17 Public Health Service, both civilian and commissioned of-  
18 ficers, detailed to States, municipalities, or other organiza-  
19 tions under authority of section 214 of the PHS Act, or  
20 in overseas assignments, shall be treated as non-Federal  
21 employees for reporting purposes only and shall not be in-  
22 cluded within any personnel ceiling applicable to the Agen-  
23 cy, Service, or HHS during the period of detail or assign-  
24 ment: *Provided further*, That CDC may use up to \$10,000  
25 from amounts appropriated to CDC in this Act for official



1 reception and representation expenses when specifically  
2 approved by the Director of CDC: *Provided further*, That  
3 in addition, such sums as may be derived from authorized  
4 user fees, which shall be credited to the appropriation  
5 charged with the cost thereof: *Provided further*, That with  
6 respect to the previous proviso, authorized user fees from  
7 the Vessel Sanitation Program shall be available through  
8 September 30, 2017: *Provided further*, That of the funds  
9 provided in this section the Director shall support a com-  
10 prehensive Institute of Medicine (IOM) report on the safe  
11 sodium intake for healthy individuals.

12 NATIONAL INSTITUTES OF HEALTH

13 NATIONAL CANCER INSTITUTE

14 For carrying out section 301 and title IV of the PHS  
15 Act with respect to cancer, \$5,081,812,000, of which up  
16 to \$16,000,000 may be used for facilities repairs and im-  
17 provements at the National Cancer Institute—Frederick  
18 Federally Funded Research and Development Center in  
19 Frederick, Maryland.

20 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

21 For carrying out section 301 and title IV of the PHS  
22 Act with respect to cardiovascular, lung, and blood dis-  
23 eases, and blood and blood products, \$3,035,062,000.

1 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL  
2 RESEARCH

3 For carrying out section 301 and title IV of the PHS  
4 Act with respect to dental and craniofacial diseases,  
5 \$404,847,000.

6 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND  
7 KIDNEY DISEASES

8 For carrying out section 301 and title IV of the PHS  
9 Act with respect to diabetes and digestive and kidney dis-  
10 ease, \$1,771,388,000.

11 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS  
12 AND STROKE

13 For carrying out section 301 and title IV of the PHS  
14 Act with respect to neurological disorders and stroke,  
15 \$1,656,334,000.

16 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS  
17 DISEASES

18 For carrying out section 301 and title IV of the PHS  
19 Act with respect to allergy and infectious diseases,  
20 \$4,512,918,000.

21 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

22 For carrying out section 301 and title IV of the PHS  
23 Act with respect to general medical sciences,  
24 \$2,439,437,000, of which \$1,010,000,000 shall be from  
25 funds available under section 241 of the PHS Act: *Pro-*

1 *vided*, That not less than \$311,865,000 is provided for  
2 the Institutional Development Awards program.

3 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF  
4 CHILD HEALTH AND HUMAN DEVELOPMENT

5 For carrying out section 301 and title IV of the PHS  
6 Act with respect to child health and human development,  
7 \$1,305,586,000.

8 NATIONAL EYE INSTITUTE

9 For carrying out section 301 and title IV of the PHS  
10 Act with respect to eye diseases and visual disorders,  
11 \$698,108,000.

12 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH  
13 SCIENCES

14 For carrying out section 301 and title IV of the PHS  
15 Act with respect to environmental health sciences,  
16 \$675,783,000.

17 NATIONAL INSTITUTE ON AGING

18 For carrying out section 301 and title IV of the PHS  
19 Act with respect to aging, \$1,518,421,000.

20 NATIONAL INSTITUTE OF ARTHRITIS AND  
21 MUSCULOSKELETAL AND SKIN DISEASES

22 For carrying out section 301 and title IV of the PHS  
23 Act with respect to arthritis and musculoskeletal and skin  
24 diseases, \$528,137,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER  
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the PHS  
4 Act with respect to deafness and other communication dis-  
5 orders, \$412,366,000.

6 NATIONAL INSTITUTE OF NURSING RESEARCH

7 For carrying out section 301 and title IV of the PHS  
8 Act with respect to nursing research, \$142,701,000.

9 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND  
10 ALCOHOLISM

11 For carrying out section 301 and title IV of the PHS  
12 Act with respect to alcohol abuse and alcoholism,  
13 \$456,012,000.

14 NATIONAL INSTITUTE ON DRUG ABUSE

15 For carrying out section 301 and title IV of the PHS  
16 Act with respect to drug abuse, \$1,050,875,000.

17 NATIONAL INSTITUTE OF MENTAL HEALTH

18 For carrying out section 301 and title IV of the PHS  
19 Act with respect to mental health, \$1,512,401,000.

20 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

21 For carrying out section 301 and title IV of the PHS  
22 Act with respect to human genome research,  
23 \$505,551,000.

1 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND  
2 BIOENGINEERING

3 For carrying out section 301 and title IV of the PHS  
4 Act with respect to biomedical imaging and bioengineering  
5 research, \$338,360,000.

6 NATIONAL CENTER FOR COMPLEMENTARY AND  
7 INTEGRATIVE HEALTH

8 For carrying out section 301 and title IV of the PHS  
9 Act with respect to complementary and integrative health,  
10 \$127,585,000.

11 NATIONAL INSTITUTE ON MINORITY HEALTH AND  
12 HEALTH DISPARITIES

13 For carrying out section 301 and title IV of the PHS  
14 Act with respect to minority health and health disparities  
15 research, \$272,493,000.

16 JOHN E. FOGARTY INTERNATIONAL CENTER

17 For carrying out the activities of the John E. Fogarty  
18 International Center (described in subpart 2 of part E of  
19 title IV of the PHS Act), \$68,627,000.

20 NATIONAL LIBRARY OF MEDICINE

21 For carrying out section 301 and title IV of the PHS  
22 Act with respect to health information communications,  
23 \$341,119,000: *Provided*, That of the amounts available for  
24 improvement of information systems, \$4,000,000 shall be  
25 available until September 30, 2017: *Provided further*, That

1 in fiscal year 2016, the National Library of Medicine may  
2 enter into personal services contracts for the provision of  
3 services in facilities owned, operated, or constructed under  
4 the jurisdiction of the National Institutes of Health (re-  
5 ferred to in this title as “NIH”).

6 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL  
7 SCIENCES

8 For carrying out section 301 and title IV of the PHS  
9 Act with respect to translational sciences, \$643,111,000:  
10 *Provided*, That up to \$9,947,000 shall be available to im-  
11 plement section 480 of the PHS Act, relating to the Cures  
12 Acceleration Network: *Provided further*, That at least  
13 \$480,636,000 is provided to the Clinical and Translational  
14 Sciences Awards program.

15 OFFICE OF THE DIRECTOR

16 For carrying out the responsibilities of the Office of  
17 the Director, NIH, \$1,539,726,000, of which up to  
18 \$30,000,000 may be used to carry out section 213 of this  
19 Act: *Provided*, That funding shall be available for the pur-  
20 chase of not to exceed 29 passenger motor vehicles for re-  
21 placement only: *Provided further*, That all funds credited  
22 to the NIH Management Fund shall remain available for  
23 one fiscal year after the fiscal year in which they are de-  
24 posited: *Provided further*, That \$165,000,000 shall be for  
25 the National Children’s Study Alternative (“NCS–A”):

1 *Provided further*, That NIH shall submit a spend plan on  
2 the NCS–A’s next phase to the Committees on Appropria-  
3 tions of the House of Representatives and the Senate not  
4 later than 90 days after the date of enactment of this Act:  
5 *Provided further*, That \$675,639,000 shall be available for  
6 the Common Fund established under section 402A(c)(1)  
7 of the PHS Act: *Provided further*, That of the funds pro-  
8 vided, \$10,000 shall be for official reception and represen-  
9 tation expenses when specifically approved by the Director  
10 of the NIH: *Provided further*, That the Office of AIDS  
11 Research within the Office of the Director of the NIH may  
12 spend up to \$8,000,000 to make grants for construction  
13 or renovation of facilities as provided for in section  
14 2354(a)(5)(B) of the PHS Act: *Provided further*, That up  
15 to \$130,000,000 of the funds provided to the Common  
16 Fund are available to support the trans-NIH Precision  
17 Medicine Initiative: *Provided further*, That, of the funds  
18 from Institute, Center, and Office of the Director accounts  
19 within “Department of Health and Human Services, Na-  
20 tional Institutes of Health” in order to strengthen privacy  
21 protections for human research participants, NIH shall re-  
22 quire investigators receiving NIH funding for new and  
23 competing research projects designed to generate and ana-  
24 lyze large volumes of data derived from human research  
25 participants to obtain a certificate of confidentiality.

1           In addition to other funds appropriated for the Com-  
2 mon Fund established under section 402A(c) of the PHS  
3 Act, \$12,600,000 is appropriated to the Common Fund  
4 from the 10-year Pediatric Research Initiative Fund de-  
5 scribed in section 9008 of title 26, United States Code,  
6 for the purpose of carrying out section 402(b)(7)(B)(ii)  
7 of the PHS Act (relating to pediatric research), as author-  
8 ized in the Gabriella Miller Kids First Research Act.

9                                   BUILDINGS AND FACILITIES

10          For the study of, construction of, renovation of, and  
11 acquisition of equipment for, facilities of or used by NIH,  
12 including the acquisition of real property, \$132,640,000,  
13 to remain available through September 30, 2020.

14          SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

15                                   ADMINISTRATION

16                                   MENTAL HEALTH

17          For carrying out titles III, V, and XIX of the PHS  
18 Act with respect to mental health, and the Protection and  
19 Advocacy for Individuals with Mental Illness Act,  
20 \$1,073,975,000: *Provided*, That notwithstanding section  
21 520A(f)(2) of the PHS Act, no funds appropriated for car-  
22 rying out section 520A shall be available for carrying out  
23 section 1971 of the PHS Act: *Provided further*, That sec-  
24 tion 520E(b)(2) of the PHS Act shall not apply to funds  
25 appropriated in this Act for fiscal year 2016: *Provided fur-*



1 *ther*, That of the amount appropriated under this heading,  
2 \$45,887,000 shall be for the National Child Traumatic  
3 Stress Initiative as described in section 582 of the PHS  
4 Act: *Provided further*, That notwithstanding section  
5 565(b)(1) of the PHS Act, technical assistance may be  
6 provided to a public entity to establish or operate a system  
7 of comprehensive community mental health services to  
8 children with a serious emotional disturbance, without re-  
9 gard to whether the public entity receives a grant under  
10 section 561(a) of such Act: *Provided further*, That States  
11 shall expend at least 5 percent of the amount each receives  
12 for carrying out section 1911 of the PHS Act to support  
13 evidence-based programs that address the needs of individ-  
14 uals with early serious mental illness, including psychotic  
15 disorders, regardless of the age of the individual at onset:  
16 *Provided further*, That none of the funds provided for sec-  
17 tion 1911 of the PHS Act shall be subject to section 241  
18 of such Act.

19 SUBSTANCE ABUSE TREATMENT

20 For carrying out titles III, V, and XIX of the PHS  
21 Act with respect to substance abuse treatment and section  
22 1922(a) of the PHS Act with respect to substance abuse  
23 prevention, \$2,196,856,000: *Provided*, That none of the  
24 funds provided for section 1921 of the PHS Act shall be  
25 subject to section 241 of such Act.

## 1 SUBSTANCE ABUSE PREVENTION

2 For carrying out titles III and V of the PHS Act  
3 with respect to substance abuse prevention, \$190,219,000.

## 4 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

5 For program support and cross-cutting activities that  
6 supplement activities funded under the headings “Mental  
7 Health”, “Substance Abuse Treatment”, and “Substance  
8 Abuse Prevention” in carrying out titles III, V, and XIX  
9 of the PHS Act and the Protection and Advocacy for Indi-  
10 viduals with Mental Illness Act in the Substance Abuse  
11 and Mental Health Services Administration,  
12 \$181,660,000: *Provided*, That, in addition, fees may be  
13 collected for the costs of publications, data, data tabula-  
14 tions, and data analysis completed under title V of the  
15 PHS Act and provided to a public or private entity upon  
16 request, which shall be credited to this appropriation and  
17 shall remain available until expended for such purposes:  
18 *Provided further*, That amounts made available in this Act  
19 for carrying out section 501(m) of the PHS Act shall re-  
20 main available through September 30, 2017: *Provided fur-*  
21 *ther*, That funds made available under this heading may  
22 be used to supplement program support funding provided  
23 under the headings “Mental Health”, “Substance Abuse  
24 Treatment”, and “Substance Abuse Prevention”.

## 1       CENTERS FOR MEDICARE AND MEDICAID SERVICES

## 2                       GRANTS TO STATES FOR MEDICAID

3           For carrying out, except as otherwise provided, titles  
4 XI and XIX of the Social Security Act, \$243,545,410,000,  
5 to remain available until expended.

6           For making, after May 31, 2016, payments to States  
7 under title XIX or in the case of section 1928 on behalf  
8 of States under title XIX of the Social Security Act for  
9 the last quarter of fiscal year 2016 for unanticipated costs  
10 incurred for the current fiscal year, such sums as may be  
11 necessary.

12          For making payments to States or in the case of sec-  
13 tion 1928 on behalf of States under title XIX of the Social  
14 Security Act for the first quarter of fiscal year 2017,  
15 \$115,582,502,000, to remain available until expended.

16          Payment under such title XIX may be made for any  
17 quarter with respect to a State plan or plan amendment  
18 in effect during such quarter, if submitted in or prior to  
19 such quarter and approved in that or any subsequent  
20 quarter.

## 21                       PAYMENTS TO HEALTH CARE TRUST FUNDS

22          For payment to the Federal Hospital Insurance  
23 Trust Fund and the Federal Supplementary Medical In-  
24 surance Trust Fund, as provided under sections 217(g),  
25 1844, and 1860D–16 of the Social Security Act, sections

1 103(c) and 111(d) of the Social Security Amendments of  
2 1965, section 278(d)(3) of Public Law 97–248, and for  
3 administrative expenses incurred pursuant to section  
4 201(g) of the Social Security Act, \$283,171,800,000.

5 In addition, for making matching payments under  
6 section 1844 and benefit payments under section 1860D–  
7 16 of the Social Security Act that were not anticipated  
8 in budget estimates, such sums as may be necessary.

9 PROGRAM MANAGEMENT

10 For carrying out, except as otherwise provided, titles  
11 XI, XVIII, XIX, and XXI of the Social Security Act, titles  
12 XIII and XXVII of the PHS Act, and the Clinical Labora-  
13 tory Improvement Amendments of 1988, not to exceed  
14 \$3,325,690,000, to be transferred from the Federal Hos-  
15 pital Insurance Trust Fund and the Federal Supple-  
16 mentary Medical Insurance Trust Fund, as authorized by  
17 section 201(g) of the Social Security Act; together with  
18 all funds collected in accordance with section 353 of the  
19 PHS Act and section 1857(e)(2) of the Social Security  
20 Act, funds retained by the Secretary pursuant to section  
21 302 of the Tax Relief and Health Care Act of 2006; and  
22 such sums as may be collected from authorized user fees  
23 and the sale of data, which shall be credited to this ac-  
24 count and remain available until September 30, 2017: *Pro-*  
25 *vided*, That all funds derived in accordance with 31 U.S.C.

1 9701 from organizations established under title XIII of  
2 the PHS Act shall be credited to and available for carrying  
3 out the purposes of this appropriation: *Provided further*,  
4 That the Secretary is directed to collect fees in fiscal year  
5 2016 from Medicare Advantage organizations pursuant to  
6 section 1857(e)(2) of the Social Security Act and from eli-  
7 gible organizations with risk-sharing contracts under sec-  
8 tion 1876 of that Act pursuant to section 1876(k)(4)(D)  
9 of that Act: *Provided further*, That none of the funds made  
10 available under this heading shall be used to support re-  
11 search, demonstration, and evaluation activities: *Provided*  
12 *further*, That of the total amount made available under  
13 this heading, \$2,195,823,000 shall be for Program Oper-  
14 ations and \$732,533,000 shall be for Federal Administra-  
15 tion: *Provided further*, That none of the funds made avail-  
16 able under this heading may be used to support the Center  
17 for Consumer Information and Insurance Oversight or ac-  
18 tivities developed, administered, or implemented by the  
19 Center.

20 In addition, not more than \$975,917,000, shall be de-  
21 rived from offsetting collections through the Clinical Lab-  
22 oratory Improvement Act, Medicare Advantage, and Re-  
23 covery Audit Contractors and shall be credited to this ac-  
24 count and remain available until September 30, 2017: *Pro-*  
25 *vided*, That no funds shall be derived from offsetting col-

1 lections through fees collected from qualified health plans  
2 offered through an Exchange established under Public  
3 Law 111–148 to operate such an Exchange: *Provided fur-*  
4 *ther*, That offsetting collections collected under this au-  
5 thority by such Recovery Audit Contractors under such  
6 section 1893 shall be used only as additional funds to edu-  
7 cate health care providers on how to appropriately reduce  
8 errors, to support the Office of Medicare Appeals to re-  
9 duce its backlog, and to establish a process to provide edu-  
10 cational feedback from the Office of Medicare Appeals to  
11 the Centers for Medicare and Medicaid Services to reduce  
12 the claims overturn rate from the claims that are elevated  
13 to the Office of Medicare Appeals.

14 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

15 In addition to amounts otherwise available for pro-  
16 gram integrity and program management, \$672,000,000,  
17 to remain available through September 30, 2017, to be  
18 transferred from the Federal Hospital Insurance Trust  
19 Fund and the Federal Supplementary Medical Insurance  
20 Trust Fund, as authorized by section 201(g) of the Social  
21 Security Act, of which \$477,120,000 shall be for the Medi-  
22 care Integrity Program at the Centers for Medicare and  
23 Medicaid Services, including administrative costs, to con-  
24 duct oversight activities for Medicare Advantage under  
25 Part C and the Medicare Prescription Drug Program

1 under Part D of the Social Security Act and for activities  
2 described in section 1893(b) of such Act, of which  
3 \$67,200,000 shall be for the Department of Health and  
4 Human Services Office of Inspector General to carry out  
5 fraud and abuse activities authorized by section  
6 1817(k)(3) of such Act, of which \$67,200,000 shall be for  
7 the Medicaid and Children’s Health Insurance Program  
8 (“CHIP”) program integrity activities, and of which  
9 \$60,480,000 shall be for the Department of Justice to  
10 carry out fraud and abuse activities authorized by section  
11 1817(k)(3) of such Act: *Provided*, That the report re-  
12 quired by section 1817(k)(5) of the Social Security Act  
13 for fiscal year 2016 shall include measures of the oper-  
14 ational efficiency and impact on fraud, waste, and abuse  
15 in the Medicare, Medicaid, and CHIP programs for the  
16 funds provided by this appropriation: *Provided further*,  
17 That of the amount provided under this heading,  
18 \$311,000,000 is provided to meet the terms of section  
19 251(b)(2)(C)(ii) of the Balanced Budget and Emergency  
20 Deficit Control Act of 1985, as amended, and  
21 \$361,000,000 is additional new budget authority specified  
22 for purposes of section 251(b)(2)(C) of such Act: *Provided*  
23 *further*, That the Secretary shall support the full cost of  
24 the Senior Medicare Patrol program to combat health care  
25 fraud and abuse from the funds provided to this account.

1 ADMINISTRATION FOR CHILDREN AND FAMILIES

2 PAYMENTS TO STATES FOR CHILD SUPPORT

3 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

4 For carrying out, except as otherwise provided, titles  
5 I, IV–D, X, XI, XIV, and XVI of the Social Security Act  
6 and the Act of July 5, 1960, \$3,256,743,000, to remain  
7 available until expended; and for such purposes for the  
8 first quarter of fiscal year 2017, \$1,300,000,000, to re-  
9 main available until expended.

10 For carrying out, after May 31 of the current fiscal  
11 year, except as otherwise provided, titles I, IV–D, X, XI,  
12 XIV, and XVI of the Social Security Act and the Act of  
13 July 5, 1960, for the last 3 months of the current fiscal  
14 year for unanticipated costs, incurred for the current fiscal  
15 year, such sums as may be necessary.

16 LOW INCOME HOME ENERGY ASSISTANCE

17 For making payments under subsections (b) and (d)  
18 of section 2602 of the Low Income Home Energy Assist-  
19 ance Act of 1981, \$3,365,304,000: *Provided*, That all but  
20 \$491,000,000 of this amount shall be allocated as though  
21 the total appropriation for such payments for fiscal year  
22 2016 were less than \$1,975,000,000: *Provided further*,  
23 That notwithstanding section 2609A(a), of the amounts  
24 appropriated under section 2602(b), not more than  
25 \$2,988,000 of such amounts may be reserved by the Sec-



1 retary for technical assistance, training, and monitoring  
2 of program activities for compliance with internal controls,  
3 policies and procedures and may, in addition to the au-  
4 thorities provided in section 2609A(a)(1), use such funds  
5 through contracts with private entities that do not qualify  
6 as nonprofit organizations.

7                   REFUGEE AND ENTRANT ASSISTANCE

8           For necessary expenses for refugee and entrant as-  
9 sistance activities authorized by section 414 of the Immi-  
10 gration and Nationality Act and section 501 of the Ref-  
11 ugee Education Assistance Act of 1980, and for carrying  
12 out section 462 of the Homeland Security Act of 2002,  
13 section 235 of the William Wilberforce Trafficking Victims  
14 Protection Reauthorization Act of 2008, the Trafficking  
15 Victims Protection Act of 2000 (“TVPA”), section 203  
16 of the Trafficking Victims Protection Reauthorization Act  
17 of 2005, and the Torture Victims Relief Act of 1998,  
18 \$1,429,884,000, of which \$1,403,394,000 shall remain  
19 available through September 30, 2018 for carrying out  
20 such sections 414, 501, 462, and 235: *Provided*, That  
21 amounts available under this heading to carry out such  
22 section 203 and the TVPA shall also be available for re-  
23 search and evaluation with respect to activities under  
24 those authorities: *Provided further*, That the limitation in  
25 section 206 of this Act regarding transfers increasing any

1 appropriation shall apply to transfers to appropriations  
2 under this heading by substituting “10 percent” for “3  
3 percent”.

4 PAYMENTS TO STATES FOR THE CHILD CARE AND  
5 DEVELOPMENT BLOCK GRANT

6 For carrying out the Child Care and Development  
7 Block Grant Act of 1990 (“CCDBG Act”),  
8 \$2,435,000,000 shall be used to supplement, not supplant  
9 State general revenue funds for child care assistance for  
10 low-income families: *Provided*, That, in addition to the  
11 amounts required to be reserved by the States under sec-  
12 tion 658G of the CCDBG Act, \$125,562,000 shall be for  
13 activities that improve the quality of infant and toddler  
14 care: *Provided further*, That \$9,851,000 shall be for use  
15 by the Secretary for child care research, demonstration,  
16 and evaluation activities: *Provided further*, That technical  
17 assistance under section 658I(a)(3) of such Act may be  
18 provided directly, or through the use of contracts, grants,  
19 cooperative agreements, or interagency agreements: *Pro-*  
20 *vided further*, That all funds made available to carry out  
21 section 418 of the Social Security Act (42 U.S.C. 618),  
22 including funds appropriated for that purpose in such sec-  
23 tion 418 or any other provision of law, shall be subject  
24 to the reservation of funds authority in paragraphs (4)  
25 and (5) of section 658O(a) of the CCDBG Act.

## 1 SOCIAL SERVICES BLOCK GRANT

2 For making grants to States pursuant to section  
3 2002 of the Social Security Act, \$1,700,000,000: *Pro-*  
4 *vided*, That notwithstanding subparagraph (B) of section  
5 404(d)(2) of such Act, the applicable percent specified  
6 under such subparagraph for a State to carry out State  
7 programs pursuant to title XX–A of such Act shall be 10  
8 percent.

## 9 CHILDREN AND FAMILIES SERVICES PROGRAMS

10 For carrying out, except as otherwise provided, the  
11 Runaway and Homeless Youth Act, the Head Start Act,  
12 the Child Abuse Prevention and Treatment Act, sections  
13 303 and 313 of the Family Violence Prevention and Serv-  
14 ices Act, the Native American Programs Act of 1974, title  
15 II of the Child Abuse Prevention and Treatment and  
16 Adoption Reform Act of 1978 (adoption opportunities),  
17 the Abandoned Infants Assistance Act of 1988, part B–  
18 1 of title IV and sections 473A, 477 (i), 1110, 1114A,  
19 and 1115 of the Social Security Act; for making payments  
20 under the Community Services Block Grant Act (“CSBG  
21 Act”), and the Assets for Independence Act; for necessary  
22 administrative expenses to carry out such Acts and titles  
23 I, IV, V, X, XI, XIV, XVI, and XX of the Social Security  
24 Act, the Act of July 5, 1960, the Low Income Home En-  
25 ergy Assistance Act of 1981, title IV of the Immigration

1 and Nationality Act, and section 501 of the Refugee Edu-  
2 cation Assistance Act of 1980; and for the administration  
3 of prior year obligations made by the Administration for  
4 Children and Families under the Developmental Disabil-  
5 ities Assistance and Bill of Rights Act and the Help Amer-  
6 ica Vote Act of 2002, \$10,551,595,000, of which  
7 \$37,943,000, to remain available through September 30,  
8 2017, shall be for grants to States for adoption and legal  
9 guardianship incentive payments, as authorized by section  
10 473A of the Social Security Act and may be made for  
11 adoptions completed before September 30, 2016: *Provided*,  
12 That \$8,790,095,000 shall be for making payments under  
13 the Head Start Act: *Provided further*, That of the amount  
14 in the previous proviso, \$8,140,095,000 shall be available  
15 for payments under section 640 of the Head Start Act,  
16 of which \$42,191,000 shall be available for a cost of living  
17 adjustment notwithstanding section 640(a)(3)(A) of such  
18 Act: *Provided further*, That of the amount provided for  
19 making payments under the Head Start Act, \$25,000,000  
20 shall be available for allocation by the Secretary to supple-  
21 ment activities described in paragraphs (7)(B) and (9) of  
22 section 641(c) of such Act under the Designation Renewal  
23 System, established under the authority of sections  
24 641(c)(7), 645A(b)(12) and 645A(d) of such Act: *Pro-*  
25 *vided further*, That amounts allocated to Head Start

1 grantees at the discretion of the Secretary to supplement  
2 activities pursuant to the previous proviso shall not be in-  
3 cluded in the calculation of the “base grant” in subsequent  
4 fiscal years, as such term is used in section 640(a)(7)(A)  
5 of the Head Start Act: *Provided further*, That notwith-  
6 standing section 640 of the Head Start Act, of the amount  
7 provided for making payments under the Head Start Act,  
8 and in addition to funds otherwise available under section  
9 640 for such purposes, \$650,000,000 shall be available  
10 through March 31, 2017 for Early Head Start programs  
11 as described in section 645A of such Act, for conversion  
12 of Head Start services to Early Head Start services as  
13 described in section 645(a)(5)(A) of such Act, and for dis-  
14 cretionary grants for high quality infant and toddler care  
15 through Early Head Start-Child Care Partnerships, to en-  
16 tities defined as eligible under section 645A(d) of such  
17 Act, with such funds in this Act and Public Law 113–  
18 76 not included in the calculation of the “base grant” for  
19 the current or any subsequent fiscal year as such term  
20 is used in section 640(a)(7)(A) of the Head Start Act,  
21 and, notwithstanding section 645A(c)(2) of such Act,  
22 these funds are available to serve children under age 4:  
23 *Provided further*, That of the amount made available in  
24 the immediately preceding proviso, up to \$11,000,000  
25 shall be available for the Federal costs of administration

1 and evaluation activities of the program described in such  
2 proviso: *Provided further*, That \$710,383,000 shall be for  
3 making payments under the CSBG Act: *Provided further*,  
4 That \$36,733,000 shall be for sections 680 and  
5 678E(b)(2) of the CSBG Act, of which not less than  
6 \$29,883,000 shall be for section 680(a)(2) and not less  
7 than \$6,500,000 shall be for section 680(a)(3)(B) of such  
8 Act: *Provided further*, That to the extent Community Serv-  
9 ices Block Grant funds are distributed as grant funds by  
10 a State to an eligible entity as provided under the CSBG  
11 Act, and have not been expended by such entity, they shall  
12 remain with such entity for carryover into the next fiscal  
13 year for expenditure by such entity consistent with pro-  
14 gram purposes: *Provided further*, That the Secretary shall  
15 establish procedures regarding the disposition of intan-  
16 gible assets and program income that permit such assets  
17 acquired with, and program income derived from, grant  
18 funds authorized under section 680 of the CSBG Act to  
19 become the sole property of such grantees after a period  
20 of not more than 12 years after the end of the grant pe-  
21 riod for any activity consistent with section 680(a)(2)(A)  
22 of the CSBG Act: *Provided further*, That intangible assets  
23 in the form of loans, equity investments and other debt  
24 instruments, and program income may be used by grant-  
25 ees for any eligible purpose consistent with section

1 680(a)(2)(A) of the CSBG Act: *Provided further*, That  
2 these procedures shall apply to such grant funds made  
3 available after November 29, 1999: *Provided further*, That  
4 funds appropriated for section 680(a)(2) of the CSBG Act  
5 shall be available for financing construction and rehabili-  
6 tation and loans or investments in private business enter-  
7 prises owned by community development corporations:  
8 *Provided further*, That the Secretary shall issue perform-  
9 ance standards for nonprofit organizations receiving funds  
10 from State and territorial grantees under the CSBG Act,  
11 and such States and territories shall assure the implemen-  
12 tation of such standards prior to September 30, 2016, and  
13 include information on such implementation in the report  
14 required by section 678E(2) of such Act: *Provided further*,  
15 That section 303(a)(2)(A)(i) of the Family Violence Pre-  
16 vention and Services Act shall not apply to amounts pro-  
17 vided herein: *Provided further*, That \$1,864,000 shall be  
18 for a human services case management system for feder-  
19 ally declared disasters, to include a comprehensive na-  
20 tional case management contract and Federal costs of ad-  
21 ministering the system: *Provided further*, That up to  
22 \$2,000,000 shall be for improving the Public Assistance  
23 Reporting Information System, including grants to States  
24 to support data collection for a study of the system's effec-  
25 tiveness.

## 1 PROMOTING SAFE AND STABLE FAMILIES

2 For carrying out, except as otherwise provided, sec-  
3 tion 436 of the Social Security Act, \$345,000,000 and,  
4 for carrying out, except as otherwise provided, section 437  
5 of such Act, \$59,765,000.

## 6 PAYMENTS FOR FOSTER CARE AND PERMANENCY

7 For carrying out, except as otherwise provided, title  
8 IV–E of the Social Security Act, \$4,952,550,000.

9 For carrying out, except as otherwise provided, title  
10 IV–E of the Social Security Act, for the first quarter of  
11 fiscal year 2017, \$2,300,000,000.

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

## 17 ADMINISTRATION FOR COMMUNITY LIVING

## 18 AGING AND DISABILITY SERVICES PROGRAMS

## 19 (INCLUDING TRANSFER OF FUNDS)

20 For carrying out, to the extent not otherwise pro-  
21 vided, the Older Americans Act of 1965 (“OAA”), titles  
22 III and XXIX of the PHS Act, sections 1252 and 1253  
23 of the PHS Act, section 119 of the Medicare Improve-  
24 ments for Patients and Providers Act of 2008, title XX–  
25 B of the Social Security Act, the Developmental Disabil-



ities Assistance and Bill of Rights Act, parts 2 and 5 of subtitle D of title II of the Help America Vote Act of 2002, the Assistive Technology Act of 1998, titles II and VII (and section 14 with respect to such titles) of the Rehabilitation Act of 1973 , and for Department-wide coordination of policy and program activities that assist individuals with disabilities, \$1,892,243,000, together with \$52,115,000 to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to carry out section 4360 of the Omnibus Budget Reconciliation Act of 1990: *Provided*, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: *Provided further*, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section: *Provided further*, That \$2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guar-

1 antee; or an insurance program: *Provided further*, That  
2 applicants shall provide an assurance that, and informa-  
3 tion describing the manner in which, the alternative fi-  
4 nancing program will expand and emphasize consumer  
5 choice and control: *Provided further*, That State agencies  
6 and community-based disability organizations that are di-  
7 rected by and operated for individuals with disabilities  
8 shall be eligible to compete: *Provided further*, That in addi-  
9 tion, the unobligated balance of amounts previously made  
10 available for the Health Resources and Services Adminis-  
11 tration to carry out functions under sections 1252 and  
12 1253 of the PHS Act shall be transferred to this account,  
13 except for such sums as may be necessary to provide for  
14 an orderly transition of such functions to the Administra-  
15 tion for Community Living: *Provided further*, That none  
16 of the funds made available under this heading may be  
17 used by an eligible system (as defined in section 102 of  
18 the Protection and Advocacy for Individuals with Mental  
19 Illness Act (42 U.S.C. 10802)) to institute or pursue any  
20 legal action in a Federal or State court on behalf of an  
21 individual with a developmental disability (as defined in  
22 section 102(8)(A) of the Developmental Disabilities and  
23 Assistance and Bill of Rights Act of 2000 (20 U.S.C.  
24 15002(8)(A)) that is attributable to a mental impairment  
25 (or a combination of mental and physical impairments),

1 unless such system has first obtained written consent from  
2 the individual or, in the case of mental incapacitation, the  
3 individual's legal guardian, to institute or pursue such  
4 suit.

5 OFFICE OF THE SECRETARY

6 GENERAL DEPARTMENTAL MANAGEMENT

7 For necessary expenses, not otherwise provided, for  
8 general departmental management, including hire of six  
9 passenger motor vehicles, and for carrying out titles III,  
10 XVII, XXI, and section 229 of the PHS Act, the United  
11 States-Mexico Border Health Commission Act, and re-  
12 search studies under section 1110 of the Social Security  
13 Act, \$361,394,000, together with \$58,028,000 from the  
14 amounts available under section 241 of the PHS Act to  
15 carry out national health or human services research and  
16 evaluation activities: *Provided*, That of this amount,  
17 \$52,224,000 shall be for minority AIDS prevention and  
18 treatment activities: *Provided further*, That of the funds  
19 made available under this heading, \$15,000,000 shall be  
20 to carry out section 224 of the Protecting Access to Medi-  
21 care Act of 2014 (Public Law 113-93; 42 U.S.C. 290aa  
22 note): *Provided further*, That of the funds made available  
23 under this heading, \$10,000,000 shall be for making com-  
24 petitive contracts and grants to public and private entities  
25 for age appropriate programs that reduce teen pregnancy

1 and for the Federal costs of administering and evaluating  
2 such contracts and grants, and \$10,000,000 shall be for  
3 making competitive grants which exclusively implement  
4 education in sexual risk avoidance (defined as voluntarily  
5 refraining from non-marital sexual activity): *Provided fur-*  
6 *ther*, That funding for such competitive grants for sexual  
7 risk avoidance shall use medically accurate information  
8 referenced to peer-reviewed publications by educational,  
9 scientific, governmental, or health organizations; imple-  
10 ment an evidence-based approach integrating research  
11 findings with practical implementation that aligns with the  
12 needs and desired outcomes for the intended audience; and  
13 teach the benefits associated with self-regulation, success  
14 sequencing for poverty prevention, healthy relationships,  
15 goal setting, and resisting sexual coercion, dating violence,  
16 and other youth risk behaviors such as underage drinking  
17 or illicit drug use without normalizing teen sexual activity:  
18 *Provided further*, That no more than 10 percent of the  
19 funding for such competitive grants for sexual risk avoid-  
20 ance shall be available for technical assistance and admin-  
21 istrative costs of such programs: *Provided further*, That  
22 funds provided in this Act for embryo adoption activities  
23 may be used to provide to individuals adopting embryos,  
24 through grants and other mechanisms, medical and ad-  
25 ministrative services deemed necessary for such adoptions:

1 *Provided further*, That such services shall be provided con-  
2 sistent with 42 CFR 59.5(a)(4).

3 OFFICE OF MEDICARE HEARINGS AND APPEALS

4 For expenses necessary for the Office of Medicare  
5 Hearings and Appeals, \$87,381,000, to be transferred in  
6 appropriate part from the Federal Hospital Insurance  
7 Trust Fund and the Federal Supplementary Medical In-  
8 surance Trust Fund.

9 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH

10 INFORMATION TECHNOLOGY

11 For expenses necessary for the Office of the National  
12 Coordinator for Health Information Technology, including  
13 grants, contracts, and cooperative agreements for the de-  
14 velopment and advancement of interoperable health infor-  
15 mation technology, \$60,367,000.

16 OFFICE OF INSPECTOR GENERAL

17 For expenses necessary for the Office of Inspector  
18 General, including the hire of passenger motor vehicles for  
19 investigations, in carrying out the provisions of the Inspec-  
20 tor General Act of 1978, \$75,000,000: *Provided*, That of  
21 such amount, necessary sums shall be available for pro-  
22 viding protective services to the Secretary and inves-  
23 tigating non-payment of child support cases for which non-  
24 payment is a Federal offense under 18 U.S.C. 228.

## 1 OFFICE FOR CIVIL RIGHTS

2 For expenses necessary for the Office for Civil  
3 Rights, \$38,798,000.

4 RETIREMENT PAY AND MEDICAL BENEFITS FOR  
5 COMMISSIONED OFFICERS

6 For retirement pay and medical benefits of Public  
7 Health Service Commissioned Officers as authorized by  
8 law, for payments under the Retired Serviceman's Family  
9 Protection Plan and Survivor Benefit Plan, and for med-  
10 ical care of dependents and retired personnel under the  
11 Dependents' Medical Care Act, such amounts as may be  
12 required during the current fiscal year.

13 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY  
14 FUND

15 For expenses necessary to support activities related  
16 to countering potential biological, nuclear, radiological,  
17 chemical, and cybersecurity threats to civilian populations,  
18 and for other public health emergencies, \$844,523,000, of  
19 which \$415,000,000 shall remain available through Sep-  
20 tember 30, 2017, for expenses necessary to support ad-  
21 vanced research and development pursuant to section  
22 319L of the PHS Act, and other administrative expenses  
23 of the Biomedical Advanced Research and Development  
24 Authority: *Provided*, That funds provided under this head-  
25 ing for the purpose of acquisition of security counter-

1 measures shall be in addition to any other funds available  
2 for such purpose: *Provided further*, That products pur-  
3 chased with funds provided under this heading may, at  
4 the discretion of the Secretary, be deposited in the Stra-  
5 tegic National Stockpile pursuant to section 319F-2 of  
6 the PHS Act: *Provided further*, That \$5,000,000 of the  
7 amounts made available to support emergency operations  
8 shall remain available through September 30, 2018.

9 For expenses necessary for procuring security coun-  
10 termeasures (as defined in section 319F-2(c)(1)(B) of the  
11 PHS Act), \$255,000,000, to remain available until ex-  
12 pended.

13 For an additional amount for expenses necessary to  
14 prepare for or respond to an influenza pandemic,  
15 \$72,000,000; of which \$40,000,000 shall be available until  
16 expended, for activities including the development and  
17 purchase of vaccine, antivirals, necessary medical supplies,  
18 diagnostics, and other surveillance tools: *Provided*, That  
19 notwithstanding section 496(b) of the PHS Act, funds  
20 may be used for the construction or renovation of privately  
21 owned facilities for the production of pandemic influenza  
22 vaccines and other biologics, if the Secretary finds such  
23 construction or renovation necessary to secure sufficient  
24 supplies of such vaccines or biologics.

## GENERAL PROVISIONS

1

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

6 SEC. 202. The Secretary shall make available through  
7 assignment not more than 60 employees of the Public  
8 Health Service to assist in child survival activities and to  
9 work in AIDS programs through and with funds provided  
10 by the Agency for International Development, the United  
11 Nations International Children's Emergency Fund or the  
12 World Health Organization.

13 SEC. 203. None of the funds appropriated in this title  
14 shall be used to pay the salary of an individual, through  
15 a grant or other extramural mechanism, at a rate in excess  
16 of Executive Level III.

17 SEC. 204. None of the funds appropriated in this Act  
18 may be expended pursuant to section 241 of the PHS Act,  
19 except for funds specifically provided for in this Act, or  
20 for other taps and assessments made by any office located  
21 in HHS, prior to the preparation and submission of a re-  
22 port by the Secretary to the Committees on Appropria-  
23 tions of the House of Representatives and the Senate de-  
24 tailing the planned uses of such funds.





1 to 3 percent among institutes and centers from the total  
2 amounts identified by these two Directors as funding for  
3 research pertaining to the human immunodeficiency virus:  
4 *Provided*, That the Committees on Appropriations of the  
5 House of Representatives and the Senate are notified at  
6 least 15 days in advance of any transfer.

7 (TRANSFER OF FUNDS)

8 SEC. 208. Of the amounts made available in this Act  
9 for NIH, the amount for research related to the human  
10 immunodeficiency virus, as jointly determined by the Di-  
11 rector of NIH and the Director of the Office of AIDS Re-  
12 search, shall be made available to the “Office of AIDS  
13 Research” account. The Director of the Office of AIDS  
14 Research shall transfer from such account amounts nec-  
15 essary to carry out section 2353(d)(3) of the PHS Act.

16 SEC. 209. None of the funds appropriated in this Act  
17 may be made available to any entity under title X of the  
18 PHS Act unless the applicant for the award certifies to  
19 the Secretary that it encourages family participation in  
20 the decision of minors to seek family planning services and  
21 that it provides counseling to minors on how to resist at-  
22 tempts to coerce minors into engaging in sexual activities.

23 SEC. 210. Notwithstanding any other provision of  
24 law, no provider of services under title X of the PHS Act  
25 shall be exempt from any State law requiring notification

1 or the reporting of child abuse, child molestation, sexual  
2 abuse, rape, or incest.

3       SEC. 211. None of the funds appropriated by this Act  
4 (including funds appropriated to any trust fund) may be  
5 used to carry out the Medicare Advantage program if the  
6 Secretary denies participation in such program to an oth-  
7 erwise eligible entity (including a Provider Sponsored Or-  
8 ganization) because the entity informs the Secretary that  
9 it will not provide, pay for, provide coverage of, or provide  
10 referrals for abortions: *Provided*, That the Secretary shall  
11 make appropriate prospective adjustments to the capita-  
12 tion payment to such an entity (based on an actuarially  
13 sound estimate of the expected costs of providing the serv-  
14 ice to such entity's enrollees): *Provided further*, That noth-  
15 ing in this section shall be construed to change the Medi-  
16 care program's coverage for such services and a Medicare  
17 Advantage organization described in this section shall be  
18 responsible for informing enrollees where to obtain infor-  
19 mation about all Medicare covered services.

20       SEC. 212. In order for HHS to carry out inter-  
21 national health activities, including HIV/AIDS and other  
22 infectious disease, chronic and environmental disease, and  
23 other health activities abroad during fiscal year 2016:

24               (1) The Secretary may exercise authority equiv-  
25               alent to that available to the Secretary of State in

1 section 2(c) of the State Department Basic Authori-  
2 ties Act of 1956. The Secretary shall consult with  
3 the Secretary of State and relevant Chief of Mission  
4 to ensure that the authority provided in this section  
5 is exercised in a manner consistent with section 207  
6 of the Foreign Service Act of 1980 and other appli-  
7 cable statutes administered by the Department of  
8 State.

9 (2) The Secretary is authorized to provide such  
10 funds by advance or reimbursement to the Secretary  
11 of State as may be necessary to pay the costs of ac-  
12 quisition, lease, alteration, renovation, and manage-  
13 ment of facilities outside of the United States for  
14 the use of HHS. The Department of State shall co-  
15 operate fully with the Secretary to ensure that HHS  
16 has secure, safe, functional facilities that comply  
17 with applicable regulation governing location, set-  
18 back, and other facilities requirements and serve the  
19 purposes established by this Act. The Secretary is  
20 authorized, in consultation with the Secretary of  
21 State, through grant or cooperative agreement, to  
22 make available to public or nonprofit private institu-  
23 tions or agencies in participating foreign countries,  
24 funds to acquire, lease, alter, or renovate facilities in  
25 those countries as necessary to conduct programs of

1 assistance for international health activities, includ-  
2 ing activities relating to HIV/AIDS and other infec-  
3 tious diseases, chronic and environmental diseases,  
4 and other health activities abroad.

5 (3) The Secretary is authorized to provide to  
6 personnel appointed or assigned by the Secretary to  
7 serve abroad, allowances and benefits similar to  
8 those provided under chapter 9 of title I of the For-  
9 eign Service Act of 1980, and 22 U.S.C. 4081  
10 through 4086 and subject to such regulations pre-  
11 scribed by the Secretary. The Secretary is further  
12 authorized to provide locality-based comparability  
13 payments (stated as a percentage) up to the amount  
14 of the locality-based comparability payment (stated  
15 as a percentage) that would be payable to such per-  
16 sonnel under section 5304 of title 5, United States  
17 Code if such personnel's official duty station were in  
18 the District of Columbia. Leaves of absence for per-  
19 sonnel under this subsection shall be on the same  
20 basis as that provided under subchapter I of chapter  
21 63 of title 5, United States Code, or section 903 of  
22 the Foreign Service Act of 1980, to individuals serv-  
23 ing in the Foreign Service.

24 SEC. 213. (a) AUTHORITY.—Notwithstanding any  
25 other provision of law, the Director of NIH (“Director”)

1 may use funds available under section 402(b)(7) or  
2 402(b)(12) of the PHS Act to enter into transactions  
3 (other than contracts, cooperative agreements, or grants)  
4 to carry out research identified pursuant to such section  
5 402(b)(7) (pertaining to the Common Fund) or research  
6 and activities described in such section 402(b)(12).

7 (b) PEER REVIEW.—In entering into transactions  
8 under subsection (a), the Director may utilize such peer  
9 review procedures (including consultation with appropriate  
10 scientific experts) as the Director determines to be appro-  
11 priate to obtain assessments of scientific and technical  
12 merit. Such procedures shall apply to such transactions  
13 in lieu of the peer review and advisory council review pro-  
14 cedures that would otherwise be required under sections  
15 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,  
16 and 494 of the PHS Act.

17 SEC. 214. Not to exceed \$45,000,000 of funds appro-  
18 priated by this Act to the institutes and centers of the  
19 National Institutes of Health may be used for alteration,  
20 repair, or improvement of facilities, as necessary for the  
21 proper and efficient conduct of the activities authorized  
22 herein, at not to exceed \$3,500,000 per project.

23 (TRANSFER OF FUNDS)

24 SEC. 215. Of the amounts made available for NIH,  
25 1 percent of the amount made available for National Re-

1 search Service Awards (“NRSA”) shall be made available  
2 to the Administrator of the Health Resources and Services  
3 Administration to make NRSA awards for research in pri-  
4 mary medical care to individuals affiliated with entities  
5 who have received grants or contracts under sections 736,  
6 739, or 747 of the PHS Act for health service research.

7 SEC. 216. None of the funds made available in this  
8 title may be used, in whole or in part, to advocate or pro-  
9 mote gun control.

10 SEC. 217. (a) The Secretary shall establish a publicly  
11 accessible Web site to provide information regarding the  
12 uses of funds made available under section 4002 of the  
13 Patient Protection and Affordable Care Act of 2010  
14 (“ACA”).

15 (b) With respect to funds provided under section  
16 4002 of the ACA, the Secretary shall include on the Web  
17 site established under subsection (a) at a minimum the  
18 following information:

19 (1) In the case of each transfer of funds under  
20 section 4002(c), a statement indicating the program  
21 or activity receiving funds, the operating division or  
22 office that will administer the funds, and the  
23 planned uses of the funds, to be posted not later  
24 than the day after the transfer is made.

1           (2) Identification (along with a link to the full  
2           text) of each funding opportunity announcement, re-  
3           quest for proposals, or other announcement or solici-  
4           tation of proposals for grants, cooperative agree-  
5           ments, or contracts intended to be awarded using  
6           such funds, to be posted not later than the day after  
7           the announcement or solicitation is issued.

8           (3) Identification of each grant, cooperative  
9           agreement, or contract with a value of \$25,000 or  
10          more awarded using such funds, including the pur-  
11          pose of the award and the identity of the recipient,  
12          to be posted not later than 5 days after the award  
13          is made.

14          (4) A report detailing the uses of all funds  
15          transferred under section 4002(c) during the fiscal  
16          year, to be posted not later than 90 days after the  
17          end of the fiscal year.

18          (c) With respect to awards made in fiscal years 2013  
19          through 2016, the Secretary shall also include on the Web  
20          site established under subsection (a), semi-annual reports  
21          from each entity awarded a grant, cooperative agreement,  
22          or contract from such funds with a value of \$25,000 or  
23          more, summarizing the activities undertaken and identi-  
24          fying any sub-grants or sub-contracts awarded (including  
25          the purpose of the award and the identity of the recipient),



1 to be posted not later than 30 days after the end of each  
2 6-month period.

3 (d) In carrying out this section, the Secretary shall:

4 (1) present the information required in sub-  
5 section (b)(1) on a single webpage or on a single  
6 database;

7 (2) ensure that all information required in this  
8 section is directly accessible from the single webpage  
9 or database; and

10 (3) ensure that all information required in this  
11 section is able to be organized by program or State.

12 (TRANSFER OF FUNDS)

13 SEC. 218. (a) Within 45 days of enactment of this  
14 Act, the Secretary shall transfer funds appropriated under  
15 section 4002 of the Patient Protection and Affordable  
16 Care Act of 2010 (“ACA”) to the accounts specified, in  
17 the amounts specified, and for the activities specified  
18 under the heading “Prevention and Public Health Fund”  
19 in the committee report accompanying this Act.

20 (b) Notwithstanding section 4002(c) of the ACA, the  
21 Secretary may not further transfer these amounts.

22 (c) Funds transferred for activities authorized under  
23 section 2821 of the PHS Act shall be made available with-  
24 out reference to section 2821(b) of such Act.

1        SEC. 219. (a) The Biomedical Advanced Research  
2 and Development Authority (“BARDA”) may enter into  
3 a contract, for more than one but no more than 10 pro-  
4 gram years, for purchase of research services or of security  
5 countermeasures, as that term is defined in section 319F-  
6 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d-6b(c)(1)(B)),  
7 if—

8            (1) funds are available and obligated—

9                    (A) for the full period of the contract or  
10                    for the first fiscal year in which the contract is  
11                    in effect; and

12                    (B) for the estimated costs associated with  
13                    a necessary termination of the contract; and

14            (2) the Secretary determines that a multi-year  
15            contract will serve the best interests of the Federal  
16            Government by encouraging full and open competi-  
17            tion or promoting economy in administration, per-  
18            formance, and operation of BARDA’s programs.

19            (b) A contract entered into under this section:

20                    (1) shall include a termination clause as de-  
21                    scribed by subsection (c) of section 3903 of title 41,  
22                    United States Code; and

23                    (2) shall be subject to the congressional notice  
24                    requirement stated in subsection (d) of such section.

1        SEC. 220. (a) The Secretary shall publish in the fiscal  
2 year 2017 budget justification and on Departmental Web  
3 sites information concerning the employment of full-time  
4 equivalent Federal employees or contractors for the pur-  
5 poses of implementing, administering, enforcing, or other-  
6 wise carrying out the provisions of the Patient Protection  
7 and Affordable Care Act of 2010 (“ACA”), and the  
8 amendments made by that Act, in the proposed fiscal year  
9 and the 4 prior fiscal years.

10        (b) With respect to employees or contractors sup-  
11 ported by all funds appropriated for purposes of carrying  
12 out the ACA (and the amendments made by that Act),  
13 the Secretary shall include, at a minimum, the following  
14 information:

15            (1) For each such fiscal year, the section of  
16 such Act under which such funds were appropriated,  
17 a statement indicating the program, project, or ac-  
18 tivity receiving such funds, the Federal operating di-  
19 vision or office that administers such program, and  
20 the amount of funding received in discretionary or  
21 mandatory appropriations.

22            (2) For each such fiscal year, the number of  
23 full-time equivalent employees or contracted employ-  
24 ees assigned to each authorized and funded provision  
25 detailed in accordance with paragraph (1).

1 (c) In carrying out this section, the Secretary may  
2 exclude from the report employees or contractors who:

3 (1) Are supported through appropriations en-  
4 acted in laws other than the ACA and work on pro-  
5 grams that existed prior to the passage of the ACA;

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

8 (3) or who work on contracts for which FTE  
9 reporting is not a requirement of their contract,  
10 such as fixed-price contracts.

11 SEC. 221. In lieu of the timeframe specified in section  
12 338E(c)(2) of the PHS Act, terminations described in  
13 such section may occur up to 60 days after the execution  
14 of a contract awarded in fiscal year 2016 under section  
15 338B of such Act.

16 SEC. 222. In addition to amounts provided herein,  
17 payments made for research organisms or substances, au-  
18 thorized under section 301(a) of the PHS Act, shall be  
19 retained and credited to the appropriations accounts of the  
20 Institutes and Centers of the NIH making the substance  
21 or organism available under section 301(a). Amounts cred-  
22 ited to the account under this authority shall be available  
23 for obligation through September 30, 2017.

24 SEC. 223. The Secretary shall publish, as part of the  
25 fiscal year 2017 budget of the President submitted under

1 section 1105(a) of title 31, United States Code, informa-  
2 tion that details the uses of all funds used by the Centers  
3 for Medicare and Medicaid Services specifically for Health  
4 Insurance Marketplaces for each fiscal year since the en-  
5 actment of the Patient Protection and Affordable Care Act  
6 (Public Law 111–148) and the proposed uses for such  
7 funds for fiscal year 2017. Such information shall include,  
8 for each such fiscal year—

9 (1) the amount of funds used for each activity  
10 specified under the heading “Health Insurance Mar-  
11 ketplace Transparency” in the committee report ac-  
12 companying this Act; and

13 (2) the milestones completed for data hub  
14 functionality and implementation readiness.

15 SEC. 224. None of the funds made available by this  
16 Act from the Federal Hospital Insurance Trust Fund or  
17 the Federal Supplemental Medical Insurance Trust Fund,  
18 or transferred from other accounts funded by this Act to  
19 the “Centers for Medicare and Medicaid Services—Pro-  
20 gram Management” account, may be used for payments  
21 under section 1342(b)(1) of Public Law 111–148 (relating  
22 to risk corridors).

23 (RESCISSION)

24 SEC. 225. (a) The “Nonrecurring expenses fund” es-  
25 tablished in section 223 of division G of Public Law 110–

1 161 is terminated, the amount of expired discretionary  
2 funds available for reappropriation by transfer into such  
3 Fund under such section is reduced to \$0, and the unobli-  
4 gated balance of amounts available in such Fund is re-  
5 scinded.

6 (b) Section 223 of division G of Public Law 110–161  
7 is repealed.

8 (c) Subsections (a) and (b) shall take effect on Octo-  
9 ber 1, 2015.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 226. (a) Termination.—Effective October 1,  
12 2015, the Agency for Healthcare Research and Quality is  
13 terminated.

14 (b) Activities in connection with termination.—

15 (1) In general.—The Secretary—

16 (A) shall take such actions as may be nec-  
17 essary for orderly termination of the Agency for  
18 Healthcare Research and Quality, which may  
19 include, notwithstanding subsection (c), the pro-  
20 vision of fiscal year 2016 continuation funding  
21 for Agency grants; and

22 (B) to support such actions, shall use dis-  
23 cretionary amounts made available by this Act  
24 for accounts of HHS, to be derived on a pro-  
25 portional basis from all such accounts.

1           (2) Unobligated balances.—Any unobligated  
2 balances of funds appropriated to the Agency for  
3 Healthcare Research and Quality are hereby re-  
4 scinded.

5           (c) Activities by other agencies.—An agency may  
6 carry out an activity that, on the date of the enactment  
7 of this Act, is being carried out by the Agency for  
8 Healthcare Research and Quality only if—

9           (1) the agency has authority to carry out such  
10 activity under other provisions of law;

11           (2) the head of such agency determines that  
12 such activity—

13           (A) incorporates high-quality activities that  
14 support the mission of the agency; and

15           (B) does not expand the authority of such  
16 agency or duplicate ongoing efforts of such  
17 agency; and

18           (3) the activity relates to—

19           (A) in the case of the NIH, biomedical re-  
20 search;

21           (B) in the case of the CDC, disease control  
22 and prevention activities;

23           (C) in the case of the Office of the Na-  
24 tional Coordinator for Health Information

1 Technology, health information technology ac-  
2 tivities; and

3 (D) in the case of the Office of the Assist-  
4 ant Secretary for Health, patient safety activi-  
5 ties.

6 (d) Transfer of Preventive Services Task Force.—  
7 Subsection (a) of section 915 of the PHS Act (42 U.S.C.  
8 299b-4)—

9 (1) is amended to read as such subsection was  
10 in effect on March 1, 2010;

11 (2) is further amended—

12 (A) in paragraph (1), by striking “The Di-  
13 rector” and inserting “The Assistant Secretary  
14 for Health” ; and

15 (B) in paragraph (2)—

16 (i) by striking “agency” and inserting  
17 “assistant Secretary” ; and

18 (ii) by striking “The Agency” and in-  
19 serting “The Assistant Secretary for  
20 Health” ;

21 (3) is redesignated as subsection (n); and

22 (4) is transferred to the end of section 317 of  
23 the PHS Act (42 U.S.C. 247b).

24 SEC. 227. The Secretary shall include in the fiscal  
25 year 2017 budget justification an analysis of how section



1 2713 of the PHS Act will impact eligibility for discre-  
2 tionary HHS programs.

3 SEC. 228. Notwithstanding any other provision of  
4 law, none of the discretionary funds appropriated by this  
5 Act may be used to support any patient-centered outcomes  
6 research.

7 SEC. 229. None of the funds appropriated in this Act  
8 may be used to carry out title X of the PHS Act.

9 SEC. 230. None of the funds appropriated in this Act  
10 may be used to implement, further, enforce, or advance  
11 the Navigators program as provided under Section 1311(i)  
12 of Public Law 111–148 and title I and subtitle B of title  
13 II of Public Law 111–152.

14

15 (RESCISSION)

16 SEC. 231. The following unobligated balances of  
17 amounts appropriated prior to fiscal year 2007 for “De-  
18 partment of Health and Human Services–Health Re-  
19 sources and Services Administration” are hereby perma-  
20 nently rescinded:

21 (1) \$281,003 made available to carry out section  
22 1610(b) of the PHS Act;

23 (2) \$3,611 made available to carry out section  
24 1602(c) of the PHS Act;

1           (3) \$105,576 made available in section 167 of Divi-  
2 sion H of Public Law 108–199; and

3           (4) \$55,793 made available for the National Cord  
4 Blood Stem Cell Bank Program.

5           SEC. 232. None of the funds made available by this  
6 Act may be used to release or implement the final version  
7 of the eighth edition of the Dietary Guidelines for Ameri-  
8 cans, revised pursuant to section 301 of the National Nu-  
9 trition Monitoring and Related Research Act of 1990 (7  
10 U.S.C. 5341), unless the Secretary of Agriculture and the  
11 Secretary of Health and Human Services comply with  
12 each of the following requirements:

13           (1) Each revision to any nutritional or dietary  
14 information or guideline contained in the 2010 edi-  
15 tion of the Dietary Guidelines for Americans and  
16 any new nutritional or dietary information or guide-  
17 line to be included in the eighth edition of the Die-  
18 tary Guidelines for Americans—

19           (A) shall be based on scientific evidence  
20 that has been rated “Grade I: Strong” by the  
21 grading rubric developed by the Nutrition Evi-  
22 dence Library of the Department of Agri-  
23 culture; and

24           (B) shall be limited in scope to only mat-  
25 ters of diet and nutrient intake.

1           (2) The Secretaries shall release a preliminary  
2 draft of the eighth edition of the Dietary Guidelines  
3 for Americans, including a list of the scientific stud-  
4 ies and evidence supporting each revised or new nu-  
5 tritional or dietary information or guideline, for a  
6 period of public comment of at least 90 days.

7           (3) Following the end of the public comment  
8 period, the Secretaries shall provide a period for  
9 agency review of public comments of at least 60  
10 days.

11       SEC. 233. (a) None of the funds described in sub-  
12 section (b) may be used to issue or facilitate the issuance  
13 of any recommendations of the United States Preventive  
14 Services Task Force with respect to breast cancer screen-  
15 ing, mammography, and prevention.

16       (b) For purposes of subsection (a), funds described  
17 in this subsection include the following:

18           (1) Funds appropriated by this Act (including  
19 funds appropriated to any trust fund).

20           (2) Funds provided under previous appropria-  
21 tions Acts to the agencies funded by this title that  
22 remain available for obligation or expenditure.

23           (3) Funds provided to any trust fund other  
24 than under this Act that remain available for obliga-  
25 tion or expenditure.

1 This title may be cited as the “Department of Health  
2 and Human Services Appropriations Act, 2016”.

3 TITLE III—DEPARTMENT OF EDUCATION

4 EDUCATION FOR THE DISADVANTAGED

5 For carrying out title I of the Elementary and Sec-  
6 ondary Education Act of 1965 (referred to in this Act as  
7 “ESEA”) and section 418A of the Higher Education Act  
8 of 1965 (referred to in this Act as “HEA”),  
9 \$14,869,641,000, of which \$3,987,006,000 shall become  
10 available on July 1, 2016, and shall remain available  
11 through September 30, 2017, and of which  
12 \$10,841,177,000 shall become available on October 1,  
13 2016, and shall remain available through September 30,  
14 2017, for academic year 2016–2017: *Provided*, That  
15 \$6,459,401,000 shall be for basic grants under section  
16 1124 of the ESEA: *Provided further*, That up to  
17 \$3,984,000 of these funds shall be available to the Sec-  
18 retary of Education (referred to in this title as “Sec-  
19 retary”) on October 1, 2015, to obtain annually updated  
20 local educational agency-level census poverty data from  
21 the Bureau of the Census: *Provided further*, That  
22 \$1,362,301,000 shall be for concentration grants under  
23 section 1124A of the ESEA: *Provided further*, That  
24 \$3,294,050,000 shall be for targeted grants under section  
25 1125 of the ESEA: *Provided further*, That

1 \$3,294,050,000 shall be for education finance incentive  
2 grants under section 1125A of the ESEA: *Provided fur-*  
3 *ther*, That funds available under sections 1124, 1124A,  
4 1125 and 1125A of the ESEA may be used to provide  
5 homeless children and youths with services not ordinarily  
6 provided to other students under those sections, including  
7 supporting the liaison designated pursuant to section  
8 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assist-  
9 ance Act, and providing transportation pursuant to section  
10 722(g)(1)(J)(iii) of such Act: *Provided further*, That  
11 \$37,474,000 shall be for carrying out section 418A of the  
12 HEA.

#### 13 IMPACT AID

14 For carrying out programs of financial assistance to  
15 federally affected schools authorized by title VIII of the  
16 ESEA, \$1,298,603,000, of which \$1,161,233,000 shall be  
17 for basic support payments under section 8003(b),  
18 \$48,316,000 shall be for payments for children with dis-  
19 abilities under section 8003(d), \$17,406,000 shall be for  
20 construction under section 8007(a), \$66,813,000 shall be  
21 for Federal property payments under section 8002, and  
22 \$4,835,000, to remain available until expended, shall be  
23 for facilities maintenance under section 8008: *Provided*,  
24 That for purposes of computing the amount of a payment  
25 for an eligible local educational agency under section

1 8003(a) for school year 2015–2016, children enrolled in  
2 a school of such agency that would otherwise be eligible  
3 for payment under section 8003(a)(1)(B) of such Act, but  
4 due to the deployment of both parents or legal guardians,  
5 or a parent or legal guardian having sole custody of such  
6 children, or due to the death of a military parent or legal  
7 guardian while on active duty (so long as such children  
8 reside on Federal property as described in section  
9 8003(a)(1)(B)), are no longer eligible under such section,  
10 shall be considered as eligible students under such section,  
11 provided such students remain in average daily attendance  
12 at a school in the same local educational agency they at-  
13 tended prior to their change in eligibility status.

#### 14 SCHOOL IMPROVEMENT PROGRAMS

15 For carrying out school improvement activities au-  
16 thorized by part A of title II, part B of title IV, parts  
17 A and B of title VI, and parts B and C of title VII of  
18 the ESEA; the McKinney-Vento Homeless Assistance Act;  
19 section 203 of the Educational Technical Assistance Act  
20 of 2002; the Compact of Free Association Amendments  
21 Act of 2003; and the Civil Rights Act of 1964,  
22 \$3,500,720,000, of which \$1,686,555,000 shall become  
23 available on July 1, 2016, and remain available through  
24 September 30, 2017, and of which \$1,681,441,000 shall  
25 become available on October 1, 2016, and shall remain

1 available through September 30, 2017, for academic year  
2 2016–2017: *Provided*, That funds made available to carry  
3 out part B of title VII of the ESEA may be used for con-  
4 struction, renovation, and modernization of any elemen-  
5 tary school, secondary school, or structure related to an  
6 elementary school or secondary school, run by the Depart-  
7 ment of Education of the State of Hawaii, that serves a  
8 predominantly Native Hawaiian student body: *Provided*  
9 *further*, That funds made available to carry out part C  
10 of title VII of the ESEA shall be awarded on a competitive  
11 basis, and also may be used for construction: *Provided fur-*  
12 *ther*, That \$43,600,000 shall be available to carry out sec-  
13 tion 203 of the Educational Technical Assistance Act of  
14 2002 and the Secretary shall make such arrangements as  
15 determined to be necessary to ensure that the Bureau of  
16 Indian Education has access to services provided under  
17 this section: *Provided further*, That \$16,699,000 shall be  
18 available to carry out the Supplemental Education Grants  
19 program for the Federated States of Micronesia and the  
20 Republic of the Marshall Islands: *Provided further*, That  
21 the Secretary may reserve up to 5 percent of the amount  
22 referred to in the previous proviso to provide technical as-  
23 sistance in the implementation of these grants: *Provided*  
24 *further*, That up to 3.2 percent of the funds for subpart  
25 1 of part A of title II of the ESEA shall be reserved by

1 the Secretary for competitive awards for teacher or prin-  
2 cipal recruitment and training or professional enhance-  
3 ment activities, including for civic education instruction,  
4 to national not-for-profit organizations: *Provided further*,  
5 That none of the funds made available by this Act shall  
6 be used to allow 21st Century Community Learning Cen-  
7 ters initiative funding for expanded learning time that  
8 adds additional learning hours to the school day, addi-  
9 tional days to the school week, or additional days to the  
10 school year.

11 INDIAN EDUCATION

12 For expenses necessary to carry out, to the extent  
13 not otherwise provided, title VII, part A of the ESEA,  
14 \$143,939,000.

15 INNOVATION AND IMPROVEMENT

16 For carrying out activities authorized by part B of  
17 title V of the ESEA, \$275,000,000: *Provided*, That of the  
18 funds available for part B of title V of the ESEA, the  
19 Secretary shall use up to \$11,000,000 to carry out activi-  
20 ties under section 5205(b) and shall use not less than  
21 \$13,000,000 for subpart 2: *Provided further*, That of the  
22 funds available for subpart 1 of part B of title V of the  
23 ESEA, and notwithstanding section 5205(a), the Sec-  
24 retary shall reserve up to \$75,000,000 to make multiple  
25 awards to non-profit charter management organizations



1 and other entities that are not for-profit entities for the  
2 replication and expansion of successful charter school  
3 models and shall reserve not less than \$11,000,000 to  
4 carry out the activities described in section 5205(a), in-  
5 cluding improving quality and oversight of charter schools  
6 and providing technical assistance and grants to author-  
7 ized public chartering agencies in order to increase the  
8 number of high-performing charter schools: *Provided fur-*  
9 *ther*, That funds available for part B of title V of the  
10 ESEA may be used for grants that support preschool edu-  
11 cation in charter schools: *Provided further*, That each ap-  
12 plication submitted pursuant to section 5203(a) shall de-  
13 scribe a plan to monitor and hold accountable authorized  
14 public chartering agencies through such activities as pro-  
15 viding technical assistance or establishing a professional  
16 development program, which may include evaluation, plan-  
17 ning, training, and systems development for staff of au-  
18 thorized public chartering agencies to improve the capacity  
19 of such agencies in the State to authorize, monitor, and  
20 hold accountable charter schools: *Provided further*, That  
21 each application submitted pursuant to section 5203(a)  
22 shall contain assurances that State law, regulations, or  
23 other policies require that: (1) each authorized charter  
24 school in the State operate under a legally binding charter  
25 or performance contract between itself and the school's

1 authorized public chartering agency that describes the  
2 rights and responsibilities of the school and the public  
3 chartering agency; conduct annual, timely, and inde-  
4 pendent audits of the school's financial statements that  
5 are filed with the school's authorized public chartering  
6 agency; and demonstrate improved student academic  
7 achievement; and (2) authorized public chartering agen-  
8 cies use increases in student academic achievement for all  
9 groups of students described in section 1111(b)(2)(C)(v)  
10 of the ESEA as one of the most important factors when  
11 determining to renew or revoke a school's charter.

12           SAFE SCHOOLS AND CITIZENSHIP EDUCATION

13           For carrying out activities authorized by subpart 1  
14 of part D of title V of the ESEA, \$56,754,000, which shall  
15 remain available through December 31, 2016 for Promise  
16 Neighborhoods.

17           ENGLISH LANGUAGE ACQUISITION

18           For carrying out part A of title III of the ESEA,  
19 \$737,400,000, which shall become available on July 1,  
20 2016, and shall remain available through September 30,  
21 2017, except that 6.5 percent of such amount shall be  
22 available on October 1, 2015, and shall remain available  
23 through September 30, 2017, to carry out activities under  
24 section 3111(c)(1)(C): *Provided*, That the Secretary shall  
25 use estimates of the American Community Survey child

1 counts for the most recent 3-year period available to cal-  
2 culate allocations under such part.

3 SPECIAL EDUCATION

4 For carrying out the Individuals with Disabilities  
5 Education Act (IDEA), \$13,024,510,000, of which  
6 \$3,367,611,000 shall become available on July 1, 2016,  
7 and shall remain available through September 30, 2017,  
8 and of which \$9,424,183,000 shall become available on  
9 October 1, 2016, and shall remain available through Sep-  
10 tember 30, 2017, for academic year 2016–2017: *Provided*,  
11 That the amount for section 611(b)(2) of the IDEA shall  
12 be equal to the lesser of the amount available for that ac-  
13 tivity during fiscal year 2015, increased by the amount  
14 of inflation as specified in section 619(d)(2)(B) of the  
15 IDEA, or the percent change in the funds appropriated  
16 under section 611(i) of the IDEA, but not less than the  
17 amount for that activity during fiscal year 2015: *Provided*  
18 *further*, That the Secretary shall, without regard to section  
19 611(d) of the IDEA, distribute to all other States (as that  
20 term is defined in section 611(g)(2)), subject to the third  
21 proviso, any amount by which a State’s allocation under  
22 section 611(d), from funds appropriated under this head-  
23 ing, is reduced under section 612(a)(18)(B), according to  
24 the following: 85 percent on the basis of the States’ rel-  
25 ative populations of children aged 3 through 21 who are

1 of the same age as children with disabilities for whom the  
2 State ensures the availability of a free appropriate public  
3 education under this part, and 15 percent to States on  
4 the basis of the States' relative populations of those chil-  
5 dren who are living in poverty: *Provided further*, That the  
6 Secretary may not distribute any funds under the previous  
7 proviso to any State whose reduction in allocation from  
8 funds appropriated under this heading made funds avail-  
9 able for such a distribution: *Provided further*, That the  
10 States shall allocate such funds distributed under the sec-  
11 ond proviso to local educational agencies in accordance  
12 with section 611(f): *Provided further*, That the amount by  
13 which a State's allocation under section 611(d) of the  
14 IDEA is reduced under section 612(a)(18)(B) and the  
15 amounts distributed to States under the previous provisos  
16 in fiscal year 2012 or any subsequent year shall not be  
17 considered in calculating the awards under section 611(d)  
18 for fiscal year 2013 or for any subsequent fiscal years:  
19 *Provided further*, That, notwithstanding the provision in  
20 section 612(a)(18)(B) regarding the fiscal year in which  
21 a State's allocation under section 611(d) is reduced for  
22 failure to comply with the requirement of section  
23 612(a)(18)(A), the Secretary may apply the reduction  
24 specified in section 612(a)(18)(B) over a period of con-  
25 secutive fiscal years, not to exceed five, until the entire

1 reduction is applied: *Provided further*, That the Secretary  
2 may, in any fiscal year in which a State's allocation under  
3 section 611 is reduced in accordance with section  
4 612(a)(18)(B), reduce the amount a State may reserve  
5 under section 611(e)(1) by an amount that bears the same  
6 relation to the maximum amount described in that para-  
7 graph as the reduction under section 612(a)(18)(B) bears  
8 to the total allocation the State would have received in  
9 that fiscal year under section 611(d) in the absence of the  
10 reduction: *Provided further*, That the Secretary shall ei-  
11 ther reduce the allocation of funds under section 611 for  
12 any fiscal year following the fiscal year for which the State  
13 fails to comply with the requirement of section  
14 612(a)(18)(A) as authorized by section 612(a)(18)(B), or  
15 seek to recover funds under section 452 of the General  
16 Education Provisions Act (20 U.S.C. 1234a): *Provided*  
17 *further*, That the funds reserved under 611(c) of the  
18 IDEA may be used to provide technical assistance to  
19 States to improve the capacity of the States to meet the  
20 data collection requirements of sections 616 and 618 and  
21 to administer and carry out other services and activities  
22 to improve data collection, coordination, quality, and use  
23 under parts B and C of the IDEA: *Provided further*, That  
24 the level of effort a local educational agency must meet  
25 under section 613(a)(2)(A)(iii) of the IDEA, in the year

1 after it fails to maintain effort is the level of effort that  
2 would have been required in the absence of that failure  
3 and not the LEA's reduced level of expenditures: *Provided*  
4 *further*, That the Secretary may use funds made available  
5 for the State Personnel Development Grants program  
6 under part D, subpart 1 of IDEA to evaluate program  
7 performance under such subpart.

8 REHABILITATION SERVICES AND DISABILITY RESEARCH

9 For carrying out, to the extent not otherwise pro-  
10 vided, the Rehabilitation Act of 1973 and the Helen Keller  
11 National Center Act, \$3,529,605,000, of which  
12 \$3,391,770,000 shall be for grants for vocational rehabili-  
13 tation services under title I of the Rehabilitation Act.

14 SPECIAL INSTITUTIONS FOR PERSONS WITH  
15 DISABILITIES

16 AMERICAN PRINTING HOUSE FOR THE BLIND

17 For carrying out the Act of March 3, 1879,  
18 \$25,431,000.

19 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

20 For the National Technical Institute for the Deaf  
21 under titles I and II of the Education of the Deaf Act  
22 of 1986, \$68,016,000: *Provided*, That from the total  
23 amount available, the Institute may at its discretion use  
24 funds for the endowment program as authorized under  
25 section 207 of such Act.

## GALLAUDET UNIVERSITY

1  
2 For the Kendall Demonstration Elementary School,  
3 the Model Secondary School for the Deaf, and the partial  
4 support of Gallaudet University under titles I and II of  
5 the Education of the Deaf Act of 1986, \$121,275,000:  
6 *Provided*, That from the total amount available, the Uni-  
7 versity may at its discretion use funds for the endowment  
8 program as authorized under section 207 of such Act.

## CAREER, TECHNICAL, AND ADULT EDUCATION

9  
10 For carrying out, to the extent not otherwise pro-  
11 vided, the Carl D. Perkins Career and Technical Edu-  
12 cation Act of 2006 and the Adult Education and Family  
13 Literacy Act (“AEFLA”), \$1,700,609,000, of which  
14 \$909,609,000 shall become available on July 1, 2016, and  
15 shall remain available through September 30, 2017, and  
16 of which \$791,000,000 shall become available on October  
17 1, 2016, and shall remain available through September 30,  
18 2017: *Provided*, That of the amount provided for Adult  
19 Education State Grants, \$71,439,000 shall be made avail-  
20 able for integrated English literacy and civics education  
21 services to immigrants and other limited-English-pro-  
22 ficient populations: *Provided further*, That of the amount  
23 reserved for integrated English literacy and civics edu-  
24 cation, notwithstanding section 211 of the AEFLA, 65  
25 percent shall be allocated to States based on a State’s ab-

1 solute need as determined by calculating each State's  
2 share of a 10-year average of the United States Citizen-  
3 ship and Immigration Services data for immigrants admit-  
4 ted for legal permanent residence for the 10 most recent  
5 years, and 35 percent allocated to States that experienced  
6 growth as measured by the average of the 3 most recent  
7 years for which United States Citizenship and Immigra-  
8 tion Services data for immigrants admitted for legal per-  
9 manent residence are available, except that no State shall  
10 be allocated an amount less than \$60,000: *Provided fur-*  
11 *ther*, That of the amounts made available for AEFLLA,  
12 \$10,240,000 shall be for national leadership activities  
13 under section 243.

14                   STUDENT FINANCIAL ASSISTANCE

15       For carrying out subparts 1, 3, and 10 of part A,  
16 and part C of title IV of the HEA, \$23,828,210,000,  
17 which shall remain available through September 30, 2017.

18       The maximum Pell Grant for which a student shall  
19 be eligible during award year 2016–2017 shall be \$4,860.

20                   STUDENT AID ADMINISTRATION

21       For Federal administrative expenses to carry out part  
22 D of title I, and subparts 1, 3, 9, and 10 of part A, and  
23 parts B, C, D, and E of title IV of the HEA, and subpart  
24 1 of part A of title VII of the Public Health Service Act,



1 \$1,446,924,000, to remain available through September  
2 30, 2017.

3 HIGHER EDUCATION

4 For carrying out, to the extent not otherwise pro-  
5 vided, titles III, IV, V, VI, VII, and VIII of the HEA,  
6 the Mutual Educational and Cultural Exchange Act of  
7 1961, and section 117 of the Carl D. Perkins Career and  
8 Technical Education Act of 2006, \$1,909,042,000: *Pro-*  
9 *vided*, That notwithstanding any other provision of law,  
10 funds made available in this Act to carry out title VI of  
11 the HEA and section 102(b)(6) of the Mutual Educational  
12 and Cultural Exchange Act of 1961 may be used to sup-  
13 port visits and study in foreign countries by individuals  
14 who are participating in advanced foreign language train-  
15 ing and international studies in areas that are vital to  
16 United States national security and who plan to apply  
17 their language skills and knowledge of these countries in  
18 the fields of government, the professions, or international  
19 development: *Provided further*, That of the funds referred  
20 to in the preceding proviso up to 1 percent may be used  
21 for program evaluation, national outreach, and informa-  
22 tion dissemination activities: *Provided further*, That up to  
23 1.5 percent of the funds made available under chapter 2  
24 of subpart 2 of part A of title IV of the HEA may be  
25 used for evaluation.

## 1                   HOWARD UNIVERSITY

2           For partial support of Howard University,  
 3   \$221,821,000, of which not less than \$3,405,000 shall be  
 4   for a matching endowment grant pursuant to the Howard  
 5   University Endowment Act and shall remain available  
 6   until expended.

7   COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS  
 8                   PROGRAM

9           For Federal administrative expenses to carry out ac-  
 10   tivities related to existing facility loans pursuant to section  
 11   121 of the HEA, \$435,000.

12   HISTORICALLY BLACK COLLEGE AND UNIVERSITY  
 13                   CAPITAL FINANCING PROGRAM ACCOUNT

14           For the cost of guaranteed loans, \$19,096,000, as au-  
 15   thorized pursuant to part D of title III of the HEA, which  
 16   shall remain available through September 30, 2017: *Pro-*  
 17   *vided*, That such costs, including the cost of modifying  
 18   such loans, shall be as defined in section 502 of the Con-  
 19   gressional Budget Act of 1974: *Provided further*, That  
 20   these funds are available to subsidize total loan principal,  
 21   any part of which is to be guaranteed, not to exceed  
 22   \$303,593,000: *Provided further*, That these funds may be  
 23   used to support loans to public and private Historically  
 24   Black Colleges and Universities without regard to the limi-  
 25   tations within section 344(a) of the HEA.

1 In addition, for administrative expenses to carry out  
2 the Historically Black College and University Capital Fi-  
3 nancing Program entered into pursuant to part D of title  
4 III of the HEA, \$334,000.

5 INSTITUTE OF EDUCATION SCIENCES

6 For carrying out activities authorized by the Edu-  
7 cation Sciences Reform Act of 2002, the National Assess-  
8 ment of Educational Progress Authorization Act, section  
9 208 of the Educational Technical Assistance Act of 2002,  
10 and section 664 of the Individuals with Disabilities Edu-  
11 cation Act, \$409,956,000, which shall remain available  
12 through September 30, 2017: *Provided*, That funds avail-  
13 able to carry out section 208 of the Educational Technical  
14 Assistance Act may be used to link Statewide elementary  
15 and secondary data systems with early childhood, postsec-  
16 ondary, and workforce data systems, or to further develop  
17 such systems: *Provided further*, That up to \$6,000,000 of  
18 the funds available to carry out section 208 of the Edu-  
19 cational Technical Assistance Act may be used for awards  
20 to public or private organizations or agencies to support  
21 activities to improve data coordination, quality, and use  
22 at the local, State, and national levels: *Provided further*,  
23 That \$137,235,000 shall be for carrying out activities au-  
24 thorized by the National Assessment of Educational  
25 Progress Authorization Act.

## 1 DEPARTMENTAL MANAGEMENT

## 2 PROGRAM ADMINISTRATION

3 For carrying out, to the extent not otherwise pro-  
4 vided, the Department of Education Organization Act, in-  
5 cluding rental of conference rooms in the District of Co-  
6 lumbia and hire of three passenger motor vehicles,  
7 \$410,000,000.

## 8 OFFICE FOR CIVIL RIGHTS

9 For expenses necessary for the Office for Civil  
10 Rights, as authorized by section 203 of the Department  
11 of Education Organization Act, \$100,000,000.

## 12 OFFICE OF INSPECTOR GENERAL

13 For expenses necessary for the Office of Inspector  
14 General, as authorized by section 212 of the Department  
15 of Education Organization Act, \$59,256,000.

## 16 GENERAL PROVISIONS

17 SEC. 301. No funds appropriated in this Act may be  
18 used for the transportation of students or teachers (or for  
19 the purchase of equipment for such transportation) in  
20 order to overcome racial imbalance in any school or school  
21 system, or for the transportation of students or teachers  
22 (or for the purchase of equipment for such transportation)  
23 in order to carry out a plan of racial desegregation of any  
24 school or school system.

1        SEC. 302. None of the funds contained in this Act  
2 shall be used to require, directly or indirectly, the trans-  
3 portation of any student to a school other than the school  
4 which is nearest the student's home, except for a student  
5 requiring special education, to the school offering such  
6 special education, in order to comply with title VI of the  
7 Civil Rights Act of 1964. For the purpose of this section  
8 an indirect requirement of transportation of students in-  
9 cludes the transportation of students to carry out a plan  
10 involving the reorganization of the grade structure of  
11 schools, the pairing of schools, or the clustering of schools,  
12 or any combination of grade restructuring, pairing, or  
13 clustering. The prohibition described in this section does  
14 not include the establishment of magnet schools.

15        SEC. 303. No funds appropriated in this Act may be  
16 used to prevent the implementation of programs of vol-  
17 untary prayer and meditation in the public schools.

18                                    (TRANSFER OF FUNDS)

19        SEC. 304. Not to exceed 1 percent of any discre-  
20 tionary funds (pursuant to the Balanced Budget and  
21 Emergency Deficit Control Act of 1985) which are appro-  
22 priated for the Department of Education in this Act may  
23 be transferred between appropriations, but no such appro-  
24 priation shall be increased by more than 3 percent by any  
25 such transfer: *Provided*, That the transfer authority

1 granted by this section shall not be used to create any  
2 new program or to fund any project or activity for which  
3 no funds are provided in this Act: *Provided further*, That  
4 the Committees on Appropriations of the House of Rep-  
5 resentatives and the Senate are notified at least 15 days  
6 in advance of any transfer.

7       SEC. 305. The Outlying Areas may consolidate funds  
8 received under this Act, pursuant to 48 U.S.C. 1469a,  
9 under part A of title V of the ESEA.

10       SEC. 306. Section 105(f)(1)(B)(ix) of the Compact  
11 of Free Association Amendments Act of 2003 (48 U.S.C.  
12 1921d(f)(1)(B)(ix)) shall be applied by substituting  
13 “2016” for “2009”.

14       SEC. 307. The Secretary, in consultation with the Di-  
15 rector of the Institute of Education Sciences, may reserve  
16 funds under section 9601 of the ESEA (subject to the lim-  
17 itations in subsections (b) and (c) of that section) in order  
18 to carry out activities authorized under paragraphs (1)  
19 and (2) of subsection (a) of that section with respect to  
20 any ESEA program funded in this Act and without re-  
21 spect to the source of funds for those activities: *Provided*,  
22 That high-quality evaluations of ESEA programs shall be  
23 prioritized, before using funds for any other evaluation ac-  
24 tivities: *Provided further*, That any funds reserved under  
25 this section shall be available from July 1, 2016 through

1 September 30, 2017: *Provided further*, That not later than  
2 10 days prior to the initial obligation of funds reserved  
3 under this section, the Secretary, in consultation with the  
4 Director, shall submit an evaluation plan to the Senate  
5 Committees on Appropriations and Health, Education,  
6 Labor, and Pensions and the House Committees on Ap-  
7 propriations and Education and the Workforce which  
8 identifies the source and amount of funds reserved under  
9 this section, the impact on program grantees if funds are  
10 withheld, the programs to be evaluated with such funds,  
11 how ESEA programs will be regularly evaluated, and how  
12 findings from evaluations completed under this section will  
13 be widely disseminated.

14 SEC. 308. (a) An institution of higher education that  
15 maintains an endowment fund supported with funds ap-  
16 propriated for title III or V of the HEA for fiscal year  
17 2016 may use the income from that fund to award schol-  
18 arships to students, subject to the limitation in section  
19 331(c)(3)(B)(i) of the HEA. The use of such income for  
20 such purposes, prior to the enactment of this Act, shall  
21 be considered to have been an allowable use of that in-  
22 come, subject to that limitation.

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

1       SEC. 309. None of the funds made available by this  
2 Act may be used to—

3       (1) implement, administer, or enforce the final regu-  
4 lations on “Program Integrity: Gainful Employment” pub-  
5 lished by the Department of Education on October 31,  
6 2014 (79 Fed. Reg. 64889 et seq.); or

7       (2) promulgate or enforce any new regulation or rule  
8 with respect to the definition or application of the term  
9 “gainful employment” under the Higher Education Act of  
10 1965 on or after the date of enactment of this Act.

11       SEC. 310. None of the funds made available by this  
12 Act may be used to—

13       (1) implement, administer, or enforce the definition  
14 of the term “credit hour” in section 600.2 of title 34, Code  
15 of Federal Regulations, as added by the final regulations  
16 published by the Department of Education in the Federal  
17 Register on October 29, 2010 (75 Fed. Reg. 66946) and  
18 clauses (i)(A), (ii), and (iii) of subsection (k)(2) of section  
19 668.8 of such title, as amended by such final regulations;  
20 or

21       (2) promulgate or enforce any new regulation or rule  
22 with respect to the definition or application of the term  
23 “credit hour” under the Higher Education Act of 1965  
24 on or after the date of enactment of this Act.



1        SEC. 311. None of the funds made available by this  
2 Act may be used to implement, administer or enforce sec-  
3 tion 600.4(a)(3), 600.5(a)(4), 600.6(a)(3), 600.9, or  
4 668.43(b) of title 34, Code of Federal Regulations (relat-  
5 ing to state authorization), as added or amended by the  
6 final regulations published by the Department of Edu-  
7 cation in the Federal Register on October 29, 2010 (75  
8 Fed. Reg. 66832 et. seq.); or as added or amended by  
9 the negotiated rulemaking committee established after the  
10 notice of intention to establish such a committee published  
11 in the Federal Register on November 20, 2013 (78 Fed.  
12 Reg. 69612).

13        SEC. 312. None of the funds made available by this  
14 Act may be used to develop, refine, promulgate, publish,  
15 implement, administer, maintain, or enforce a Postsec-  
16 ondary Institution Ratings System (PIRS), for which  
17 feedback was solicited in the Request for Information pub-  
18 lished by the Department of Education in the Federal  
19 Register on December 17, 2013 (78 Fed. Reg. 76289 et  
20 seq.), or any other system intended to rate the perform-  
21 ance of institutions of higher education.

22        SEC. 313. None of the funds made available by this  
23 Act may be used to promulgate or enforce the proposed  
24 rule published by the Office of Postsecondary Education  
25 of the Department of Education in the Federal Register

1 on December 3, 2014 (79 Fed. Reg. 71820 et seq.) relat-  
2 ing to teacher preparation issues or any substantially simi-  
3 lar rule.

4 This title may be cited as the “Department of Edu-  
5 cation Appropriations Act, 2016”.

6 TITLE IV—RELATED AGENCIES

7 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

8 BLIND OR SEVERELY DISABLED

9 SALARIES AND EXPENSES

10 For expenses necessary for the Committee for Pur-  
11 chase From People Who Are Blind or Severely Disabled  
12 established by Public Law 92–28, \$5,362,000: *Provided*,  
13 That a central nonprofit agency designated pursuant to  
14 section 8503(c) of title 41, United States Code, and any  
15 other nongovernmental organization authorized to charge  
16 a fee under section 51–3.5 of title 41, Code of Federal  
17 Regulations (referred to in this paragraph as a “CNA  
18 fee”), may not charge a CNA fee to a nonprofit agency  
19 except pursuant to a contract entered into in advance with  
20 the AbilityOne Commission: *Provided further*, That a sepa-  
21 rate contract shall be entered into under the preceding  
22 proviso in the case of each nonprofit agency proposed to  
23 be charged a CNA fee: *Provided further*, That a CNA fee  
24 shall be paid directly to the AbilityOne Commission and  
25 may be remitted to a central nonprofit agency or other

1 nongovernmental organization only pursuant to the terms  
2 of a contract entered into under the preceding provisos:  
3 *Provided further*, That a contract entered into under the  
4 preceding provisos shall contain such auditing, oversight,  
5 and reporting provisions as are required by the Adminis-  
6 trator for Federal Procurement Policy, in consultation  
7 with the Administrator of General Services and the Sec-  
8 retary of Defense.

9 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
10 OPERATING EXPENSES

11 For necessary expenses for the Corporation for Na-  
12 tional and Community Service (referred to in this title as  
13 “CNCS”) to carry out the Domestic Volunteer Service Act  
14 of 1973 (referred to in this title as “1973 Act”) and the  
15 National and Community Service Act of 1990 (referred  
16 to in this title as “1990 Act”), \$612,527,000, notwith-  
17 standing sections 198B(b)(3), 198S(g), 501(a)(6),  
18 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: *Pro-*  
19 *vided*, That of the amounts provided under this heading,  
20 up to 1 percent of program grant funds may be used to  
21 defray the costs of conducting grant application reviews,  
22 including the use of outside peer reviewers and electronic  
23 management of the grant cycle.

1           PAYMENT TO THE NATIONAL SERVICE TRUST  
2                           (INCLUDING TRANSFER OF FUNDS)

3           For payment to the National Service Trust estab-  
4 lished under subtitle D of title I of the 1990 Act,  
5 \$50,000,000, to remain available until expended: *Pro-*  
6 *vided*, That CNCS may transfer additional funds from the  
7 amount provided within “Operating Expenses” allocated  
8 to grants under subtitle C of title I of the 1990 Act to  
9 the National Service Trust upon determination that such  
10 transfer is necessary to support the activities of national  
11 service participants and after notice is transmitted to the  
12 Committees on Appropriations of the House of Represent-  
13 atives and the Senate: *Provided further*, That amounts ap-  
14 propriated for or transferred to the National Service Trust  
15 may be invested under section 145(b) of the 1990 Act  
16 without regard to the requirement to apportion funds  
17 under 31 U.S.C. 1513(b).

18                           SALARIES AND EXPENSES

19           For necessary expenses of administration as provided  
20 under section 501(a)(5) of the 1990 Act and under section  
21 504(a) of the 1973 Act, including payment of salaries, au-  
22 thorized travel, hire of passenger motor vehicles, the rental  
23 of conference rooms in the District of Columbia, the em-  
24 ployment of experts and consultants authorized under 5

1 U.S.C. 3109, and not to exceed \$2,500 for official recep-  
2 tion and representation expenses, \$20,000,000.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector  
5 General in carrying out the Inspector General Act of 1978,  
6 \$5,250,000.

7 ADMINISTRATIVE PROVISIONS

8 SEC. 401. CNCS shall make any significant changes  
9 to program requirements, service delivery or policy only  
10 through public notice and comment rulemaking. For fiscal  
11 year 2016, during any grant selection process, an officer  
12 or employee of CNCS shall not knowingly disclose any cov-  
13 ered grant selection information regarding such selection,  
14 directly or indirectly, to any person other than an officer  
15 or employee of CNCS that is authorized by CNCS to re-  
16 ceive such information.

17 SEC. 402. AmeriCorps programs receiving grants  
18 under the National Service Trust program shall meet an  
19 overall minimum share requirement of 24 percent for the  
20 first 3 years that they receive AmeriCorps funding, and  
21 thereafter shall meet the overall minimum share require-  
22 ment as provided in section 2521.60 of title 45, Code of  
23 Federal Regulations, without regard to the operating costs  
24 match requirement in section 121(e) or the member sup-  
25 port Federal share limitations in section 140 of the 1990

1 Act, and subject to partial waiver consistent with section  
2 2521.70 of title 45, Code of Federal Regulations.

3 SEC. 403 Donations made to CNCS under section  
4 196 of the 1990 Act for the purposes of financing pro-  
5 grams and operations under titles I and II of the 1973  
6 Act or subtitle B, C, D, or E of title I of the 1990 Act  
7 shall be used to supplement and not supplant current pro-  
8 grams and operations.

9 SEC. 404. In addition to the requirements in section  
10 146(a) of the 1990 Act, use of an educational award for  
11 the purpose described in section 148(a)(4) shall be limited  
12 to individuals who are veterans as defined under section  
13 101 of the Act.

14 SEC. 405. For the purpose of carrying out section  
15 189D of the 1990 Act:

16 (1) Entities described in paragraph (a) of such  
17 section shall be considered “qualified entities” under  
18 section 3 of the National Child Protection Act of  
19 1993 (“NCPA”); and

20 (2) Individuals described in such section shall  
21 be considered “volunteers” under section 3 of  
22 NCPA; and

23 (3) State Commissions on National and Com-  
24 munity Service established pursuant to section 178  
25 of the 1990 Act, are authorized to receive criminal

1 history record information, consistent with Public  
2 Law 92–544.

3 CORPORATION FOR PUBLIC BROADCASTING

4 For payment to the Corporation for Public Broad-  
5 casting (“CPB”), as authorized by the Communications  
6 Act of 1934, an amount which shall be available within  
7 limitations specified by that Act, for the fiscal year 2018,  
8 \$445,000,000: *Provided*, That none of the funds made  
9 available to CPB by this Act shall be used to pay for re-  
10 ceptions, parties, or similar forms of entertainment for  
11 Government officials or employees: *Provided further*, That  
12 none of the funds made available to CPB by this Act shall  
13 be available or used to aid or support any program or ac-  
14 tivity from which any person is excluded, or is denied ben-  
15 efits, or is discriminated against, on the basis of race,  
16 color, national origin, religion, or sex: *Provided further*,  
17 That none of the funds made available to CPB by this  
18 Act shall be used to apply any political test or qualification  
19 in selecting, appointing, promoting, or taking any other  
20 personnel action with respect to officers, agents, and em-  
21 ployees of CPB: *Provided further*, That none of the funds  
22 made available to CPB by this Act shall be used to support  
23 the Television Future Fund or any similar purpose.

## 1 FEDERAL MEDIATION AND CONCILIATION SERVICE

## 2 SALARIES AND EXPENSES

3 For expenses necessary for the Federal Mediation  
4 and Conciliation Service (“Service”) to carry out the func-  
5 tions vested in it by the Labor-Management Relations Act,  
6 1947, including hire of passenger motor vehicles; for ex-  
7 penses necessary for the Labor-Management Cooperation  
8 Act of 1978; and for expenses necessary for the Service  
9 to carry out the functions vested in it by the Civil Service  
10 Reform Act, \$48,748,000, including up to \$400,000 to re-  
11 main available through September 30, 2017, for activities  
12 authorized by the Labor-Management Cooperation Act of  
13 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,  
14 fees charged, up to full-cost recovery, for special training  
15 activities and other conflict resolution services and tech-  
16 nical assistance, including those provided to foreign gov-  
17 ernments and international organizations, and for arbitra-  
18 tion services shall be credited to and merged with this ac-  
19 count, and shall remain available until expended: *Provided*  
20 *further*, That fees for arbitration services shall be available  
21 only for education, training, and professional development  
22 of the agency workforce: *Provided further*, That the Direc-  
23 tor of the Service is authorized to accept and use on behalf  
24 of the United States gifts of services and real, personal,



1 or other property in the aid of any projects or functions  
2 within the Director's jurisdiction.

3 FEDERAL MINE SAFETY AND HEALTH REVIEW

4 COMMISSION

5 SALARIES AND EXPENSES

6 For expenses necessary for the Federal Mine Safety  
7 and Health Review Commission, \$17,085,000.

8 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

9 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

10 AND ADMINISTRATION

11 For carrying out the Museum and Library Services  
12 Act of 1996 and the National Museum of African Amer-  
13 ican History and Culture Act, \$227,860,000.

14 MEDICAID AND CHIP PAYMENT AND ACCESS

15 COMMISSION

16 SALARIES AND EXPENSES

17 For expenses necessary to carry out section 1900 of  
18 the Social Security Act, \$7,765,000.

19 MEDICARE PAYMENT ADVISORY COMMISSION

20 SALARIES AND EXPENSES

21 For expenses necessary to carry out section 1805 of  
22 the Social Security Act, \$11,925,000, to be transferred to  
23 this appropriation from the Federal Hospital Insurance  
24 Trust Fund and the Federal Supplementary Medical In-  
25 surance 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, \$3,250,000.

## 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 \$200,000,000: *Provided*, That no part of this appropria-  
12 tion shall be available to organize or assist in organizing  
13 agricultural laborers or used in connection with investiga-  
14 tions, hearings, directives, or orders concerning bargaining  
15 units composed of agricultural laborers as referred to in  
16 section 2(3) of the Act of July 5, 1935, and as amended  
17 by the Labor-Management Relations Act, 1947, and as de-  
18 fined in section 3(f) of the Act of June 25, 1938, and  
19 including in said definition employees engaged in the  
20 maintenance and operation of ditches, canals, reservoirs,  
21 and waterways when maintained or operated on a mutual,  
22 nonprofit basis and at least 95 percent of the water stored  
23 or supplied thereby is used for farming purposes.

## 1 ADMINISTRATIVE PROVISIONS

2 SEC. 406. None of the funds provided by this Act  
3 or 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 pur-  
8 poses of collective bargaining.

9 SEC. 407. None of the funds made available by this  
10 Act may be used to implement or enforce any rule amend-  
11 ing parts 101, 102, and 103 of title 29, Code of Federal  
12 Regulations (relating to the filing and processing of peti-  
13 tions pursuant to the representation of employees for the  
14 purposes of collective bargaining with their employer), in-  
15 cluding the final rule published by the National Labor Re-  
16 lations Board in the Federal Register on December 15,  
17 2014 (79 Fed. Reg. 74308).

18 SEC. 408. None of the funds made available by this  
19 Act may be used to investigate, issue, enforce or litigate  
20 any administrative directive, regulation, representation  
21 issue or unfair labor practice proceeding or any other ad-  
22 ministrative complaint, charge, claim or proceeding that  
23 would change the interpretation or application of a stand-  
24 ard to determine whether entities are “joint employers”  
25 in effect as of January 1, 2014.

1       SEC. 409. (a) None of the funds made available by  
2 this Act may be used to enforce the National Labor Rela-  
3 tions Act (29 U.S.C. 152) against any Indian tribe, includ-  
4 ing any enterprise or institution owned and operated by  
5 an Indian tribe and located on its Indian lands.

6       (b) For purposes of this section—

7           (1) the term “Indian tribe” means any Indian  
8 tribe, band, nation, pueblo, Native Alaskan group, or  
9 other organized group or community which is recog-  
10 nized as eligible for the special programs and serv-  
11 ices provided by the United States to Indians be-  
12 cause of their status as Indians;

13           (2) the term “Indian” means any individual  
14 who is a member of an Indian tribe; and

15           (3) the term “Indian lands’ ” means—

16           (A) all lands within the limits of any In-  
17 dian reservation;

18           (B) any lands title to which is either held  
19 in trust by the United States for the benefit of  
20 any Indian tribe or individual or held by any  
21 Indian tribe or individual subject to restriction  
22 by the United States against alienation; and

23           (C) any lands in the State of Oklahoma  
24 that are within the boundaries of a former res-

1           ervation (as defined by the Secretary of the In-  
2           terior) of a federally recognized Indian tribe.

3           SEC. 410. (a)(1) Except as provided in paragraph  
4 (2), none of the funds made available by this Act may  
5 be used to implement, create, apply, or enforce through  
6 prosecution, adjudication, rulemaking, or the issuing of  
7 any interpretation, opinion, certification, decision, or pol-  
8 icy, any standard for initial bargaining unit determina-  
9 tions that conflicts with the standard articulated in the  
10 majority opinion in *Wheeling Island Gaming Inc. and*  
11 *United Food and Commercial Workers International*  
12 *Union, Local 23*, 355 NLRB 127 (August 27, 2010) (in-  
13 cluding the majority opinion in footnote 2).

14           (2) Paragraph (1) shall not apply with respect to unit  
15 determinations that are covered under section 103.30 of  
16 title 29, Code of Federal Regulations.

17           (b) None of the funds made available by this Act may  
18 be used to implement, create, apply, or enforce through  
19 prosecution, adjudication, rulemaking, or the issuing of  
20 any interpretation, opinion, certification, decision or pol-  
21 icy, any standard for initial bargaining unit determina-  
22 tions that utilize the overwhelming community of interest  
23 test except in accretion cases.

## 1 NATIONAL MEDIATION BOARD

## 2 SALARIES AND EXPENSES

3 For expenses necessary to carry out the provisions  
4 of the Railway Labor Act, including emergency boards ap-  
5 pointed by the President, \$13,230,000.

## 6 OCCUPATIONAL SAFETY AND HEALTH REVIEW

## 7 COMMISSION

## 8 SALARIES AND EXPENSES

9 For expenses necessary for the Occupational Safety  
10 and Health Review Commission, \$12,639,000.

## 11 RAILROAD RETIREMENT BOARD

## 12 DUAL BENEFITS PAYMENTS ACCOUNT

13 For payment to the Dual Benefits Payments Ac-  
14 count, authorized under section 15(d) of the Railroad Re-  
15 tirement Act of 1974, \$29,000,000, which shall include  
16 amounts becoming available in fiscal year 2016 pursuant  
17 to section 224(c)(1)(B) of Public Law 98–76; and in addi-  
18 tion, an amount, not to exceed 2 percent of the amount  
19 provided herein, shall be available proportional to the  
20 amount by which the product of recipients and the average  
21 benefit received exceeds the amount available for payment  
22 of vested dual benefits: *Provided*, That the total amount  
23 provided herein shall be credited in 12 approximately  
24 equal amounts on the first day of each month in the fiscal  
25 year.

1 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT  
2 ACCOUNTS

3 For payment to the accounts established in the  
4 Treasury for the payment of benefits under the Railroad  
5 Retirement Act for interest earned on unnegotiated  
6 checks, \$150,000, to remain available through September  
7 30, 2017, which shall be the maximum amount available  
8 for payment pursuant to section 417 of Public Law 98–  
9 76.

10 LIMITATION ON ADMINISTRATION

11 For necessary expenses for the Railroad Retirement  
12 Board (“Board”) for administration of the Railroad Re-  
13 tirement Act and the Railroad Unemployment Insurance  
14 Act, \$111,225,000, to be derived in such amounts as de-  
15 termined by the Board from the railroad retirement ac-  
16 counts and from moneys credited to the railroad unem-  
17 ployment insurance administration fund: *Provided*, That  
18 notwithstanding section 7(b)(9) of the Railroad Retire-  
19 ment Act this limitation may be used to hire attorneys  
20 only through the excepted service: *Provided further*, That  
21 the previous proviso shall not change the status under  
22 Federal employment laws of any attorney hired by the  
23 Railroad Retirement Board prior to January 1, 2013.

## 1     LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

2           For expenses necessary for the Office of Inspector  
3 General for audit, investigatory and review activities, as  
4 authorized by the Inspector General Act of 1978, not more  
5 than \$8,437,000, to be derived from the railroad retire-  
6 ment accounts and railroad unemployment insurance ac-  
7 count.

## 8                   SOCIAL SECURITY ADMINISTRATION

## 9           PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

10          For payment to the Federal Old-Age and Survivors  
11 Insurance Trust Fund and the Federal Disability Insur-  
12 ance Trust Fund, as provided under sections 201(m),  
13 217(g), 228(g), and 1131(b)(2) of the Social Security Act,  
14 \$20,400,000.

## 15           SUPPLEMENTAL SECURITY INCOME PROGRAM

16          For carrying out titles XI and XVI of the Social Se-  
17 curity Act, section 401 of Public Law 92-603, section 212  
18 of Public Law 93-66, as amended, and section 405 of  
19 Public Law 95-216, including payment to the Social Secu-  
20 rity trust funds for administrative expenses incurred pur-  
21 suant to section 201(g)(1) of the Social Security Act,  
22 \$46,232,978,000, to remain available until expended: *Pro-*  
23 *vided*, That any portion of the funds provided to a State  
24 in the current fiscal year and not obligated by the State  
25 during that year shall be returned to the Treasury: *Pro-*



1 *vided further*, That not more than \$101,000,000 shall be  
2 available for research and demonstrations under sections  
3 1110, 1115, and 1144 of the Social Security Act, and re-  
4 main available through September 30, 2018.

5 For making, after June 15 of the current fiscal year,  
6 benefit payments to individuals under title XVI of the So-  
7 cial Security Act, for unanticipated costs incurred for the  
8 current fiscal year, such sums as may be necessary.

9 For making benefit payments under title XVI of the  
10 Social Security Act for the first quarter of fiscal year  
11 2017, \$14,500,000,000, to remain available until ex-  
12 pended.

13 LIMITATION ON ADMINISTRATIVE EXPENSES

14 For necessary expenses, including the hire of two pas-  
15 senger motor vehicles, and not to exceed \$20,000 for offi-  
16 cial reception and representation expenses, not more than  
17 \$10,284,945,000 may be expended, as authorized by sec-  
18 tion 201(g)(1) of the Social Security Act, from any one  
19 or all of the trust funds referred to in such section: *Pro-*  
20 *vided*, That not less than \$2,300,000 shall be for the So-  
21 cial Security Advisory Board: *Provided further*, That funds  
22 provided under this paragraph may not be used for the  
23 costs associated with conducting continuing disability re-  
24 views under titles II and XVI of the Social Security Act  
25 or conducting redeterminations of eligibility under title

1 XVI of the Social Security Act: *Provided further*, That un-  
2 obligated balances of funds provided under this paragraph  
3 at the end of fiscal year 2016 not needed for fiscal year  
4 2016 shall remain available until expended to invest in the  
5 Social Security Administration information technology  
6 and telecommunications hardware and software infra-  
7 structure, including related equipment and non-payroll ad-  
8 ministrative expenses associated solely with this informa-  
9 tion technology and telecommunications infrastructure:  
10 *Provided further*, That the Commissioner of Social Secu-  
11 rity shall notify the Committees on Appropriations of the  
12 House of Representatives and the Senate prior to making  
13 unobligated balances available under the authority in the  
14 previous proviso: *Provided further*, That reimbursement to  
15 the trust funds under this heading for expenditures for  
16 official time for employees of the Social Security Adminis-  
17 tration pursuant to 5 U.S.C. 7131, and for facilities or  
18 support services for labor organizations pursuant to poli-  
19 cies, regulations, or procedures referred to in section  
20 7135(b) of such title shall be made by the Secretary of  
21 the Treasury, with interest, from amounts in the general  
22 fund not otherwise appropriated, as soon as possible after  
23 such expenditures are made.

24 In addition, for the costs associated with continuing  
25 disability reviews under titles II and XVI of the Social

1 Security Act and for the cost associated with conducting  
2 redeterminations of eligibility under title XVI of the Social  
3 Security Act, \$1,396,000,000 may be expended, as au-  
4 thorized by section 201(g)(1) of the Social Security Act,  
5 from any one or all of the trust funds referred to therein:  
6 *Provided*, That, of such amount, \$273,000,000 is provided  
7 to meet the terms of section 251(b)(2)(B)(ii)(III) of the  
8 Balanced Budget and Emergency Deficit Control Act of  
9 1985, as amended, and \$1,123,000,000 is additional new  
10 budget authority specified for purposes of section  
11 251(b)(2)(B) of such Act: *Provided further*, That the Com-  
12 missioner shall provide to the Congress (at the conclusion  
13 of the fiscal year) a report on the obligation and expendi-  
14 ture of these funds, similar to the reports that were re-  
15 quired by section 103(d)(2) of Public Law 104–121 for  
16 fiscal years 1996 through 2002.

17 In addition, \$136,000,000 to be derived from admin-  
18 istration fees in excess of \$5.00 per supplementary pay-  
19 ment collected pursuant to section 1616(d) of the Social  
20 Security Act or section 212(b)(3) of Public Law 93–66,  
21 which shall remain available until expended. To the extent  
22 that the amounts collected pursuant to such sections in  
23 fiscal year 2016 exceed \$136,000,000, the amounts shall  
24 be available in fiscal year 2017 only to the extent provided  
25 in advance in appropriations Acts.

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

5                           OFFICE OF INSPECTOR GENERAL  
6                           (INCLUDING TRANSFER OF FUNDS)

7       For expenses necessary for the Office of Inspector  
8 General in carrying out the provisions of the Inspector  
9 General Act of 1978, \$30,000,000, together with not to  
10 exceed \$78,795,000, to be transferred and expended as  
11 authorized by section 201(g)(1) of the Social Security Act  
12 from the Federal Old-Age and Survivors Insurance Trust  
13 Fund and the Federal Disability Insurance Trust Fund.

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

## 1 TITLE V—GENERAL PROVISIONS

## 2 (TRANSFER OF FUNDS)

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

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

13 SEC. 503. (a) No part of any appropriation contained  
14 in this Act or transferred pursuant to section 4002 of  
15 Public Law 111–148 shall be used, other than for normal  
16 and recognized executive-legislative relationships, for pub-  
17 licity or propaganda purposes, for the preparation, dis-  
18 tribution, or use of any kit, pamphlet, booklet, publication,  
19 electronic communication, radio, television, or video pres-  
20 entation designed to support or defeat the enactment of  
21 legislation before the Congress or any State or local legis-  
22 lature or legislative body, except in presentation to the  
23 Congress or any State or local legislature itself, or de-  
24 signed to support or defeat any proposed or pending regu-  
25 lation, administrative action, or order issued by the execu-

1 tive branch of any State or local government, except in  
2 presentation to the executive branch of any State or local  
3 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  
7 any grant or contract recipient, or agent acting for such  
8 recipient, related to any activity designed to influence the  
9 enactment of legislation, appropriations, regulation, ad-  
10 ministrative action, or Executive order proposed or pend-  
11 ing before the Congress or any State government, State  
12 legislature or local legislature or legislative body, other  
13 than for normal and recognized executive-legislative rela-  
14 tionships or participation by an agency or officer of a  
15 State, local or tribal government in policymaking and ad-  
16 ministrative processes within the executive branch of that  
17 government.

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

1       SEC. 504. The Secretaries of Labor and Education  
2 are authorized to make available not to exceed \$28,000  
3 and \$20,000, respectively, from funds available for sala-  
4 ries and expenses under titles I and III, respectively, for  
5 official reception and representation expenses; the Direc-  
6 tor of the Federal Mediation and Conciliation Service is  
7 authorized to make available for official reception and rep-  
8 resentation expenses not to exceed \$5,000 from the funds  
9 available for “Federal Mediation and Conciliation Service,  
10 Salaries and Expenses”; and the Chairman of the Na-  
11 tional Mediation Board is authorized to make available for  
12 official reception and representation expenses not to ex-  
13 ceed \$5,000 from funds available for “National Mediation  
14 Board, Salaries and Expenses”.

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

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

1           (2) the dollar amount of Federal funds for the  
2           project or program; and

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

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

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

14          (c) The term “health benefits coverage” means the  
15          package of services covered by a managed care provider  
16          or organization pursuant to a contract or other arrange-  
17          ment.

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

20                 (1) if the pregnancy is the result of an act of  
21                 rape or incest; or

22                 (2) in the case where a woman suffers from a  
23                 physical disorder, physical injury, or physical illness,  
24                 including a life-endangering physical condition  
25                 caused by or arising from the pregnancy itself, that



1 would, as certified by a physician, place the woman  
2 in danger of death unless an abortion is performed.

3 (b) Nothing in the preceding section shall be con-  
4 strued as prohibiting the expenditure by a State, locality,  
5 entity, or private person of State, local, or private funds  
6 (other than a State's or locality's contribution of Medicaid  
7 matching funds).

8 (c) Nothing in the preceding section shall be con-  
9 strued as restricting the ability of any managed care pro-  
10 vider from offering abortion coverage or the ability of a  
11 State or locality to contract separately with such a pro-  
12 vider for such coverage with State funds (other than a  
13 State's or locality's contribution of Medicaid matching  
14 funds).

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

22 (2) In this subsection, the term "health care entity"  
23 includes an individual physician or other health care pro-  
24 fessional, a hospital, a provider-sponsored organization, a  
25 health maintenance organization, a health insurance plan,

1 or any other kind of health care facility, organization, or  
2 plan.

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

5 (1) the creation of a human embryo or embryos  
6 for research purposes; or

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

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

19 SEC. 509. (a) None of the funds made available in  
20 this Act may be used for any activity that promotes the  
21 legalization of any drug or other substance included in  
22 schedule I of the schedules of controlled substances estab-  
23 lished under section 202 of the Controlled Substances Act  
24 except for normal and recognized executive-congressional  
25 communications.

1 (b) The limitation in subsection (a) shall not apply  
2 when there is significant medical evidence of a therapeutic  
3 advantage to the use of such drug or other substance or  
4 that federally sponsored clinical trials are being conducted  
5 to determine therapeutic advantage.

6 SEC. 510. None of the funds made available in this  
7 Act may be used to promulgate or adopt any final stand-  
8 ard under section 1173(b) of the Social Security Act pro-  
9 viding for, or providing for the assignment of, a unique  
10 health identifier for an individual (except in an individ-  
11 ual's capacity as an employer or a health care provider),  
12 until legislation is enacted specifically approving the  
13 standard.

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

17 (1) such entity is otherwise a contractor with  
18 the United States and is subject to the requirement  
19 in 38 U.S.C. 4212(d) regarding submission of an  
20 annual report to the Secretary of Labor concerning  
21 employment of certain veterans; and

22 (2) such entity has not submitted a report as  
23 required by that section for the most recent year for  
24 which such requirement was applicable to such enti-  
25 ty.

1       SEC. 512. None of the funds made available in this  
2 Act may be transferred to any department, agency, or in-  
3 strumentality of the United States Government, except  
4 pursuant to a transfer made by, or transfer authority pro-  
5 vided in, this Act or any other appropriation Act.

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

13       SEC. 514. (a) None of the funds provided under this  
14 Act, or provided under previous appropriations Acts to the  
15 agencies funded by this Act that remain available for obli-  
16 gation or expenditure in fiscal year 2016, or provided from  
17 any accounts in the Treasury of the United States derived  
18 by the collection of fees available to the agencies funded  
19 by this Act, shall be available for obligation or expenditure  
20 through a reprogramming of funds that—

- 21               (1) creates new programs;
- 22               (2) eliminates a program, project, or activity;
- 23               (3) increases funds or personnel by any means  
24 for any project or activity for which funds have been  
25 denied or restricted;

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

12           (b) None of the funds provided under this Act, or  
13 provided under previous appropriations Acts to the agen-  
14 cies funded by this Act that remain available for obligation  
15 or expenditure in fiscal year 2016, or provided from any  
16 accounts in the Treasury of the United States derived by  
17 the collection of fees available to the agencies funded by  
18 this Act, shall be available for obligation or expenditure  
19 through a reprogramming of funds in excess of \$500,000  
20 or 10 percent, whichever is less, that—

21           (1) augments existing programs, projects (in-  
22 cluding construction projects), or activities;

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

1           (3) results from any general savings from a re-  
2           duction in personnel which would result in a change  
3           in existing programs, activities, or projects as ap-  
4           proved by Congress;  
5           unless the Committees on Appropriations of the House of  
6           Representatives and the Senate are consulted 15 days in  
7           advance of such reprogramming or of an announcement  
8           of intent relating to such reprogramming, whichever oc-  
9           curs earlier, and are notified in writing 10 days in advance  
10          of such reprogramming.

11          SEC. 515. (a) None of the funds made available in  
12          this Act may be used to request that a candidate for ap-  
13          pointment to a Federal scientific advisory committee dis-  
14          close the political affiliation or voting history of the can-  
15          didate or the position that the candidate holds with re-  
16          spect to political issues not directly related to and nec-  
17          essary for the work of the committee involved.

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

21          SEC. 516. Within 45 days of enactment of this Act,  
22          each department and related agency funded through this  
23          Act shall submit an operating plan that details at the pro-  
24          gram, project, and activity level any funding allocations  
25          for fiscal year 2016 that are different than those specified

1 in this Act, the accompanying detailed table in the com-  
2 mittee report accompanying this Act, or the fiscal year  
3 2016 budget request.

4       SEC. 517. The Secretaries of Labor, Health and  
5 Human Services, and Education shall each prepare and  
6 submit to the Committees on Appropriations of the House  
7 of Representatives and the Senate a report on the number  
8 and amount of contracts, grants, and cooperative agree-  
9 ments exceeding \$500,000 in value and awarded by the  
10 Department on a non-competitive basis during each quar-  
11 ter of fiscal year 2016, but not to include grants awarded  
12 on a formula basis or directed by law. Such report shall  
13 include the name of the contractor or grantee, the amount  
14 of funding, the governmental purpose, including a jus-  
15 tification for issuing the award on a non-competitive basis.  
16 Such report shall be transmitted to the Committees within  
17 30 days after the end of the quarter for which the report  
18 is submitted.

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

1 formance of such work under such number has formed the  
2 basis for a conviction of the claimant of a violation of sec-  
3 tion 208(a)(6) or (7) of the Social Security Act.

4       SEC. 519. None of the funds appropriated by this Act  
5 may be used by the Commissioner of Social Security or  
6 the Social Security Administration to pay the compensa-  
7 tion of employees of the Social Security Administration  
8 to administer Social Security benefit payments, under any  
9 agreement between the United States and Mexico estab-  
10 lishing totalization arrangements between the social secu-  
11 rity system established by title II of the Social Security  
12 Act and the social security system of Mexico, which would  
13 not otherwise be payable but for such agreement.

14       SEC. 520. Notwithstanding any other provision of  
15 this Act, no funds appropriated in this Act shall be used  
16 to purchase sterile needles or syringes for the hypodermic  
17 injection of any illegal drug: *Provided*, That such limita-  
18 tion does not apply to the use of funds for elements of  
19 a program other than making such purchases if the rel-  
20 evant State or local health department, in consultation  
21 with the Centers for Disease Control and Prevention, de-  
22 termines that the State or local jurisdiction, as applicable,  
23 is experiencing, or is at risk for, a significant increase in  
24 hepatitis infections or an HIV outbreak due to injection



1 drug use, and such program is operating in accordance  
2 with State and local law.

3 (RESCISSION)

4 SEC. 521. Of the funds made available for fiscal year  
5 2016 [for the Independent Payment Advisory Board]  
6 under section 3403 of Public Law 111–148, \$15,000,000  
7 are rescinded.

8 SEC. 522. Not later than 30 days after the end of  
9 each calendar quarter, beginning with the first quarter of  
10 fiscal year 2013, the Departments of Labor, Health and  
11 Human Services and Education and the Social Security  
12 Administration shall provide the Committees on Appro-  
13 priations of the House of Representatives and Senate a  
14 quarterly report on the status of balances of appropria-  
15 tions: *Provided*, That for balances that are unobligated  
16 and uncommitted, committed, and obligated but unex-  
17 pended, the quarterly reports shall separately identify the  
18 amounts attributable to each source year of appropriation  
19 (beginning with fiscal year 2012, or, to the extent feasible,  
20 earlier fiscal years) from which balances were derived.

21 SEC. 523. (a) None of the funds made available in  
22 this Act may be used to maintain or establish a computer  
23 network unless such network blocks the viewing,  
24 downloading, 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. 524. None of the funds made available in this  
6 Act may be used to implement, administer, enforce, or fur-  
7 ther any provision of Public Law 111–148 or title I or  
8 subtitle B of title II of Public Law 111–152 and the  
9 amendment made by such provision: *Provided*, That funds  
10 in this Act may be used to implement, administer, enforce,  
11 or further the rate setting process for calendar year 2016  
12 and fiscal year 2017 for Medicare under title XVIII of  
13 the Social Security Act: *Provided further*, That funds in  
14 this Act may be used to implement, administer, enforce,  
15 or further the final rules for the provisions of (and amend-  
16 ments made by) sections 2501(c), 2501(d), and 2503 of  
17 Public Law 111–148, as amended by sections 1206(a) and  
18 1101(c) of Public Law 111–152, insofar as each respective  
19 rule relates to calendar year 2016.

20 (RESCISSION)

21 SEC. 525. Of the funds made available [for the Con-  
22 sumer Operated and Oriented Plan] under section 1322  
23 of Public Law 111–148, \$18,000,000 is rescinded.

1 (RESCISSION)

2 SEC. 526. Any funds appropriated to the Health In-  
3 surance Reform Implementation Fund under section 1005  
4 of Public Law 111–152 that, as of the date of the enact-  
5 ment of this Act, are unobligated are hereby rescinded.

6 (RESCISSION)

7 SEC. 527. Of the funds made available [for the Cen-  
8 ter for Medicare & Medicaid Innovation] under section  
9 3021(a) of Public Law 111–148, \$6,800,000,000 is re-  
10 scinded.

11 (RESCISSION)

12 SEC. 528. Of the funds made available for fiscal year  
13 2016 [for the Patient-Centered Outcomes Research Trust  
14 Fund] under section 6301(e) of Public Law 111–148,  
15 \$100,000,000 is rescinded.

16 SEC. 529. None of the funds made available under  
17 this or any other Act, or any prior Appropriations Act,  
18 may be provided to the Association of Community Organi-  
19 zations for Reform Now (ACORN), or any of its affiliates,  
20 subsidiaries, allied organizations, or successors.

21 SEC. 530. (a) SHORT TITLE.—This section may be  
22 cited as the “Health Care Conscience Rights Act”.

23 (b) FINDINGS.—Congress finds the following:

24 (1) As Thomas Jefferson declared to New Lon-  
25 don Methodists in 1809, “[n]o provision in our Con-

1       stitution ought to be dearer to man than that which  
2       protects the rights of conscience against the enter-  
3       prises of the civil authority”.

4           (2) Jefferson’s conviction on respect for con-  
5       science is deeply embedded in the history and tradi-  
6       tions of our Nation, and codified in numerous Fed-  
7       eral laws approved by congressional majorities and  
8       Presidents of both parties, including in the Public  
9       Health Service Act; the United States Leadership  
10      Against HIV/AIDS, Tuberculosis, and Malaria Act;  
11      the Religious Freedom Restoration Act; long-  
12      standing provisions on respect for conscience rights  
13      in the Federal Employees Health Benefits Program  
14      and District of Columbia appropriations; and laws to  
15      protect individuals from being forced to participate  
16      in Federal executions or prosecutions.

17          (3) Following enactment of the Patient Protec-  
18      tion and Affordable Care Act (Public Law 111–148,  
19      in this section referred to as “PPACA”), the Fed-  
20      eral Government has sought to impose specific re-  
21      quirements that infringe on the rights of conscience  
22      of those who offer or purchase health coverage.

23          (4) While PPACA provides an exemption for  
24      some religious groups that object to participation in  
25      health insurance generally, and exempts millions of

1 Americans from most of the Act’s provisions, includ-  
2 ing the preventive services mandate, it fails to pro-  
3 vide statutory protection for those seeking to offer  
4 and purchase health coverage who have a religious  
5 or moral objection only to specific items or services.

6 (5) Nurses and other health care providers have  
7 increasingly been subjected to discrimination for  
8 abiding by their conscience rather than providing,  
9 paying for, or referring for abortion.

10 (6) Conscience rights protections for health care  
11 providers are an important part of civil rights pro-  
12 tections in Federal law and are indispensable to the  
13 continued viability of the health care system in the  
14 United States. The increasingly significant discrimi-  
15 nation suffered by faith-based nonprofit health care  
16 providers risks undermining access to high-quality  
17 compassionate care for some of the most vulnerable  
18 populations in our country.

19 (c) APPLYING LONGSTANDING POLICY ON CON-  
20 SCIENCE RIGHTS TO THE AFFORDABLE CARE ACT.—

21 (1) IN GENERAL.—Title I of the Patient Pro-  
22 tection and Affordable Care Act (Public Law 111–  
23 148) is amended—

24 (A) by redesignating the second section  
25 1563 (relating to conforming amendments and

1 as redesignated by section 10107(b)(1) of the  
2 Patient Protection and Affordable Care Act) as  
3 section 1564;

4 (B) by redesignating the third section  
5 1563 (relating to the Sense of the Senate pro-  
6 moting fiscal responsibility) as section 1565;  
7 and

8 (C) by adding at the end the following new  
9 section:

10 **“SEC. 1566. RESPECTING CONSCIENCE RIGHTS IN HEALTH**  
11 **CARE COVERAGE.**

12 “(a) IN GENERAL.—Notwithstanding any other pro-  
13 vision of this title, no provision of this title (and no amend-  
14 ment made by any such provision) shall—

15 “(1) require an individual to purchase indi-  
16 vidual health insurance coverage that includes cov-  
17 erage of an abortion or other item or service to  
18 which such individual has a moral or religious objec-  
19 tion, or prevent an issuer from offering or issuing,  
20 to such individual, individual health insurance cov-  
21 erage that excludes such item or service;

22 “(2) require a sponsor (or, in the case of health  
23 insurance coverage offered to students through an  
24 institution of higher education, the institution of  
25 higher education offering such coverage) to sponsor,

1 purchase, or provide any health benefits coverage or  
2 group health plan that includes coverage of an abor-  
3 tion or other item or service to which such sponsor  
4 or institution, respectively, has a moral or religious  
5 objection, or prevent an issuer from offering or  
6 issuing to such sponsor or institution, respectively,  
7 health insurance coverage that excludes such item or  
8 service;

9 “(3) require an issuer of health insurance cov-  
10 erage or the sponsor of a group health plan to in-  
11 clude, in any such coverage or plan, coverage of an  
12 abortion or other item or service to which such  
13 issuer or sponsor has a moral or religious objection;  
14 or

15 “(4) authorize the imposition of a tax, penalty,  
16 fee, fine, or other sanction, or the imposition of cov-  
17 erage of the item or service to which there is a moral  
18 or religious objection, in relation to health insurance  
19 coverage or a group health plan that excludes an  
20 item or service pursuant to this section.

21 “(b) RESTRICTION ON CONTRARY GOVERNMENTAL  
22 ACTION.—No provision in this title (or amendment made  
23 by such provision) or law, regulation, guideline or other  
24 governmental action that implements such provision or

1 amendment, or derives its authority therefrom, shall be  
2 given legal effect to the extent that it violates this section.

3 “(c) NO EFFECT ON OTHER LAWS.—Nothing in this  
4 section shall be construed to preempt, modify, or otherwise  
5 have any effect on—

6 “(1) the Civil Rights Act of 1964;

7 “(2) the Americans with Disabilities Act of  
8 1990;

9 “(3) the Pregnancy Discrimination Act of 1978;

10 “(4) the Mental Health Parity Act of 1996; or

11 “(5) any other State or Federal law, other than  
12 a provision in this title (or an amendment made by  
13 such provision) or a law, regulation, guideline or  
14 other governmental action that implements such pro-  
15 vision or amendment or derives its authority there-  
16 from.

17 “(d) AGGREGATE ACTUARIAL VALUE.—Nothing in  
18 this section shall be construed to prohibit the Secretary  
19 from issuing regulations or other guidance to ensure that  
20 health insurance coverage or group health plans excluding  
21 abortion or other items or services under this section shall  
22 have an aggregate actuarial value at least equivalent to  
23 that of health insurance coverage or group health plans  
24 at the same level of coverage that do not exclude such  
25 items or services.



1       “(e) CONTINUED APPLICATION OF NONDISCRIMINA-  
 2 TION RULES.—Nothing in this section shall be construed  
 3 to permit a health insurance issuer, group health plan, or  
 4 other health care provider to act in a manner inconsistent  
 5 with subparagraph (B) or (D) of section 1302(b)(4).”.

6           (2) CLERICAL AMENDMENT.—The table of con-  
 7 tents of the Patient Protection and Affordable Care  
 8 Act (Public Law 111–148) is amended—

9           (A) by striking the following items:

“1563. Conforming amendments.

“1563. Sense of the Senate promoting fiscal responsibility.”;

10           and

11           (B) by inserting after the item relating to  
 12 the section 1563 relating to small business pro-  
 13 curement the following items:

“1564. Conforming amendments.

“1565. Sense of the Senate promoting fiscal responsibility.

“1566. Respecting conscience rights in health coverage.”.

14       (d) ABORTION NONDISCRIMINATION FOR HEALTH  
 15 CARE PROVIDERS.—Section 245 of the Public Health  
 16 Service Act (42 U.S.C. 238n) is amended—

17           (1) in the section heading, by striking “**AND**  
 18       **LICENSING OF PHYSICIANS**” and inserting “**, LI-**  
 19       **CENSING, AND PRACTICE OF PHYSICIANS AND**  
 20       **OTHER HEALTH CARE ENTITIES**”;

21           (2) in subsection (a), by amending paragraph  
 22 (1) to read as follows:

1 “(1) the entity refuses—

2 “(A) to undergo training in the perform-  
3 ance of induced abortions;

4 “(B) to require or provide such training;

5 “(C) to perform, participate in, provide  
6 coverage of, or pay for induced abortions; or

7 “(D) to provide referrals for such training  
8 or such abortions;”;

9 (3) in subsection (b)(1), by striking “stand-  
10 ards” and inserting “standard”;

11 (4) in subsection (c), by amending paragraphs  
12 (1) and (2) to read as follows:

13 “(1) The term ‘financial assistance’, with re-  
14 spect to a government program, means governmental  
15 payments to cover the cost of health care services or  
16 benefits, or other Federal payments, grants, or loans  
17 to promote or otherwise facilitate health-related ac-  
18 tivities.

19 “(2) The term ‘health care entity’ includes an  
20 individual physician or other health professional, a  
21 postgraduate physician training program, a partici-  
22 pant in a program of training in the health profes-  
23 sions, a hospital, a provider-sponsored organization  
24 as defined in section 1855(d) of the Social Security  
25 Act, a health maintenance organization, an account-

1 able care organization, an issuer of health insurance  
2 coverage, any other kind of health care facility, orga-  
3 nization, or plan, and an entity that provides or au-  
4 thorizes referrals for health care services.”;

5 (5) by adding at the end of subsection (c) the  
6 following new paragraph:

7 “(4) The term ‘State or local government that  
8 receives Federal financial assistance’ includes any  
9 agency or other governmental unit of a State or  
10 local government if such government receives Fed-  
11 eral financial assistance.”;

12 (6) by redesignating subsection (c) as sub-  
13 section (d); and

14 (7) by inserting after subsection (b) the fol-  
15 lowing new subsection:

16 “(c) ADMINISTRATION.—The Secretary shall des-  
17 ignate the Director of the Office for Civil Rights of the  
18 Department of Health and Human Services—

19 “(1) to receive complaints alleging a violation of  
20 this section, section 1566 of the Patient Protection  
21 and Affordable Care Act, or any of subsections (b)  
22 through (e) of section 401 of the Health Programs  
23 Extension Act of 1973; and

24 “(2) to pursue the investigation of such com-  
25 plaints, in coordination with the Attorney General.”.

1 (e) REMEDIES FOR VIOLATIONS OF FEDERAL CON-  
2 SCIENCE LAWS.—Title II of the Public Health Service Act  
3 (42 U.S.C. 202 et seq.) is amended by inserting after sec-  
4 tion 245 the following:

5 **“SEC. 245A. CIVIL ACTION FOR CERTAIN VIOLATIONS.**

6 “(a) IN GENERAL.—A qualified party may, in a civil  
7 action, obtain appropriate relief with regard to a des-  
8 ignated violation.

9 “(b) DEFINITIONS.—In this section—

10 “(1) the term ‘qualified party’ means—

11 “(A) the Attorney General; or

12 “(B) any person or entity adversely af-  
13 fected by the designated violation; and

14 “(2) the term ‘designated violation’ means an  
15 actual or threatened violation of section 245 of this  
16 Act, section 1566 of the Patient Protection and Af-  
17 fordable Care Act, or any of subsections (b) through  
18 (e) of section 401 of the Health Programs Extension  
19 Act of 1973.

20 “(c) ADMINISTRATIVE REMEDIES NOT REQUIRED.—

21 An action under this section may be commenced, and relief  
22 may be granted, without regard to whether the party com-  
23 mencing the action has sought or exhausted available ad-  
24 ministrative remedies.

1       “(d) DEFENDANTS IN ACTIONS UNDER THIS SEC-  
2 TION MAY INCLUDE GOVERNMENTAL ENTITIES AS WELL  
3 AS OTHERS.—

4           “(1) IN GENERAL.—An action under this sec-  
5 tion may be maintained against, among others, a  
6 party that is a Federal or State governmental entity.  
7 Relief in an action under this section may include  
8 money damages even if the defendant is such a gov-  
9 ernmental entity.

10          “(2) DEFINITION.—For the purposes of this  
11 subsection, the term ‘State governmental entity’  
12 means a State, a local government within a State,  
13 or any agency or other governmental unit or author-  
14 ity of a State or of such a local government.

15       “(e) NATURE OF RELIEF.—The court shall grant—

16           “(1) all necessary equitable and legal relief, in-  
17 cluding, where appropriate, declaratory relief and  
18 compensatory damages, to prevent the occurrence,  
19 continuance, or repetition of the designated violation  
20 and to compensate for losses resulting from the des-  
21 ignated violation; and

22           “(2) to a prevailing plaintiff, reasonable attor-  
23 neys’ fees and litigation expenses as part of the  
24 costs.”.

## 1 SPENDING REDUCTION ACCOUNT

2 SEC. 531. The amount by which the applicable alloca-  
3 tion of new budget authority made by the Committee on  
4 Appropriations of the House of Representatives under sec-  
5 tion 302(b) of the Congressional Budget Act of 1974 ex-  
6 ceeds the amount of proposed new budget authority is \$0.

7 This Act may be cited as the “Departments of Labor,  
8 Health and Human Services, and Education, and Related  
9 Agencies Appropriations Act, 2016”.



Union Calendar No. 145

114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 3020**

[Report No. 114-195]

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**A BILL**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

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JULY 10, 2015

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed