

Calendar No. 557

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5485**

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IN THE SENATE OF THE UNITED STATES

JULY 12, 2016

Received; read twice and placed on the calendar

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**AN ACT**

Making appropriations for financial services and general government for the fiscal year ending September 30, 2017, 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       fiscal year ending September 30, 2017, and for other pur-  
6       poses, namely:

1 TITLE I  
2 DEPARTMENT OF THE TREASURY  
3 DEPARTMENTAL OFFICES  
4 SALARIES AND EXPENSES

5 For necessary expenses of the Departmental Offices  
6 including operation and maintenance of the Treasury  
7 Building and Freedman's Bank Building; hire of pas-  
8 senger motor vehicles; maintenance, repairs, and improve-  
9 ments of, and purchase of commercial insurance policies  
10 for, real properties leased or owned overseas, when nec-  
11 essary for the performance of official business; executive  
12 direction program activities; international affairs and eco-  
13 nomic policy activities; domestic finance and tax policy ac-  
14 tivities, including technical assistance to Puerto Rico; and  
15 Treasury-wide management policies and programs activi-  
16 ties, \$250,000,000: *Provided*, That of the amount appro-  
17 priated under this heading—

18 (1) not to exceed \$350,000 is for official recep-  
19 tion and representation expenses;

20 (2) not to exceed \$258,000 is for unforeseen  
21 emergencies of a confidential nature to be allocated  
22 and expended under the direction of the Secretary of  
23 the Treasury and to be accounted for solely on the  
24 Secretary's certificate; and

1           (3) not to exceed \$57,000,000 shall remain  
2           available until September 30, 2018, for—

3                   (A) the Treasury-wide Financial Statement  
4           Audit and Internal Control Program;

5                   (B) information technology modernization  
6           requirements;

7                   (C) the audit, oversight, and administra-  
8           tion of the Gulf Coast Restoration Trust Fund;

9                   (D) the development and implementation  
10          of programs within the Office of Critical Infra-  
11          structure Protection and Compliance Policy, in-  
12          cluding entering into cooperative agreements;

13          and

14                   (E) cybersecurity.

15          OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

16                   SALARIES AND EXPENSES

17          For the necessary expenses of the Office of Terrorism  
18          and Financial Intelligence to safeguard the financial sys-  
19          tem against illicit use and to combat rogue nations, ter-  
20          rorist facilitators, weapons of mass destruction  
21          proliferators, money launderers, drug kingpins, and other  
22          national security threats, \$120,000,000: *Provided*, That of  
23          the amount appropriated under this heading: (1) not to  
24          exceed \$27,500,000 is available for administrative ex-

1 penses; and (2) \$5,000,000, to remain available until Sep-  
2 tember 30, 2018.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Inspector  
6 General in carrying out the provisions of the Inspector  
7 General Act of 1978, \$37,044,000, including hire of pas-  
8 senger motor vehicles; of which not to exceed \$100,000  
9 shall be available for unforeseen emergencies of a con-  
10 fidential nature, to be allocated and expended under the  
11 direction of the Inspector General of the Treasury; of  
12 which up to \$2,800,000 to remain available until Sep-  
13 tember 30, 2018, shall be for audits and investigations  
14 conducted pursuant to section 1608 of the Resources and  
15 Ecosystems Sustainability, Tourist Opportunities, and Re-  
16 vived Economies of the Gulf Coast States Act of 2012 (33  
17 U.S.C. 1321 note); and of which not to exceed \$1,000  
18 shall be available for official reception and representation  
19 expenses.

20 TREASURY INSPECTOR GENERAL FOR TAX

21 ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Treasury Inspector  
24 General for Tax Administration in carrying out the In-  
25 spector General Act of 1978, as amended, including pur-

1 chase and hire of passenger motor vehicles (31 U.S.C.  
2 1343(b)); and services authorized by 5 U.S.C. 3109, at  
3 such rates as may be determined by the Inspector General  
4 for Tax Administration; \$169,634,000, of which  
5 \$5,000,000 shall remain available until September 30,  
6 2018; of which not to exceed \$500,000 shall be available  
7 for unforeseen emergencies of a confidential nature, to be  
8 allocated and expended under the direction of the Inspec-  
9 tor General for Tax Administration; and of which not to  
10 exceed \$1,500 shall be available for official reception and  
11 representation expenses.

12 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED  
13 ASSET RELIEF PROGRAM  
14 SALARIES AND EXPENSES

15 For necessary expenses of the Office of the Special  
16 Inspector General in carrying out the provisions of the  
17 Emergency Economic Stabilization Act of 2008 (Public  
18 Law 110–343), \$41,160,000.

19 FINANCIAL CRIMES ENFORCEMENT NETWORK  
20 SALARIES AND EXPENSES

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

1 telligence activities, law enforcement, and financial regula-  
2 tion; services authorized by 5 U.S.C. 3109; not to exceed  
3 \$10,000 for official reception and representation expenses;  
4 and for assistance to Federal law enforcement agencies,  
5 with or without reimbursement, \$116,000,000 (increased  
6 by \$3,300,000), of which not to exceed \$34,335,000 shall  
7 remain available until September 30, 2019.

8                   TREASURY FORFEITURE FUND

9                                   (RESCISSION)

10       Of the unobligated balances available under this  
11 heading, \$753,610,000 are rescinded.

12                   BUREAU OF THE FISCAL SERVICE

13                                   SALARIES AND EXPENSES

14       For necessary expenses of operations of the Bureau  
15 of the Fiscal Service, \$353,057,000; of which not to ex-  
16 ceed \$4,210,000, to remain available until September 30,  
17 2019, is for information systems modernization initiatives;  
18 and of which \$5,000 shall be available for official reception  
19 and representation expenses.

20       In addition, \$165,000, to be derived from the Oil  
21 Spill Liability Trust Fund, to reimburse administrative  
22 and personnel expenses for financial management of the  
23 Fund, as authorized by section 1012 of Public Law 101-  
24 380.

1 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU  
2 SALARIES AND EXPENSES

3 For necessary expenses of carrying out section 1111  
4 of the Homeland Security Act of 2002, including hire of  
5 passenger motor vehicles, \$111,439,000; of which not to  
6 exceed \$6,000 for official reception and representation ex-  
7 penses; not to exceed \$50,000 for cooperative research and  
8 development programs for laboratory services; and provi-  
9 sion of laboratory assistance to State and local agencies  
10 with or without reimbursement: *Provided*, That of the  
11 amount appropriated under this heading, \$5,000,000 shall  
12 be for the costs of accelerating the processing of formula  
13 and label applications: *Provided further*, That of the  
14 amount appropriated under this heading, \$5,000,000 shall  
15 be for the costs of programs to enforce trade practice vio-  
16 lations of the Federal Alcohol Administration Act (27  
17 U.S.C. 201 et seq.).

18 UNITED STATES MINT

19 UNITED STATES MINT PUBLIC ENTERPRISE FUND

20 Pursuant to section 5136 of title 31, United States  
21 Code, the United States Mint is provided funding through  
22 the United States Mint Public Enterprise Fund for costs  
23 associated with the production of circulating coins, numis-  
24 matic coins, and protective services, including both oper-  
25 ating expenses and capital investments: *Provided*, That

1 the aggregate amount of new liabilities and obligations in-  
2 curred during fiscal year 2017 under such section 5136  
3 for circulating coinage and protective service capital in-  
4 vestments of the United States Mint shall not exceed  
5 \$30,000,000.

6 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS  
7 FUND PROGRAM ACCOUNT

8 To carry out the Riegle Community Development and  
9 Regulatory Improvement Act of 1994 (subtitle A of title  
10 I of Public Law 103–325), including services authorized  
11 by 5 U.S.C. 3109, but at rates for individuals not to ex-  
12 ceed the per diem rate equivalent to the rate for EX–3,  
13 \$250,000,000. Of the amount appropriated under this  
14 heading—

15 (1) not less than \$184,000,000, is available  
16 until September 30, 2018, for financial assistance  
17 and technical assistance under subparagraphs (A)  
18 and (B) of section 108(a)(1), respectively, of Public  
19 Law 103–325 (12 U.S.C. 4707(a)(1)(A) and (B)),  
20 of which up to \$2,882,500 may be used for the cost  
21 of direct loans: *Provided*, That the cost of direct and  
22 guaranteed loans, including the cost of modifying  
23 such loans, shall be as defined in section 502 of the  
24 Congressional Budget Act of 1974: *Provided further*,  
25 That these funds are available to subsidize gross ob-



1       ligations for the principal amount of direct loans not  
2       to exceed \$25,000,000;

3           (2) not less than \$6,000,000, notwithstanding  
4       subsections (d) and (e) of section 108 of Public Law  
5       103–325 (12 U.S.C. 4707(d) and (e)), is available  
6       until September 30, 2018, to provide financial as-  
7       sistance, technical assistance, training, and outreach  
8       to community development financial institutions to  
9       expand investments that benefit individuals with dis-  
10      abilities;

11          (3) not less than \$16,000,000, notwithstanding  
12      section 108(e) of Public Law 103–325 (12 U.S.C.  
13      4707(e)), is available until September 30, 2018, for  
14      financial assistance, technical assistance, training  
15      and outreach programs designed to benefit Native  
16      American, Native Hawaiian, and Alaskan Native  
17      communities and provided primarily through quali-  
18      fied community development lender organizations  
19      with experience and expertise in community develop-  
20      ment banking and lending in Indian country, Native  
21      American organizations, tribes and tribal organiza-  
22      tions, and other suitable providers;

23          (4) not less than \$19,000,000 is available until  
24      September 30, 2018, for the Bank Enterprise Award  
25      Program;

1           (5) up to \$25,000,000 is for administrative ex-  
2           penses, including administration of CDFI fund pro-  
3           grams and the New Markets Tax Credit Program, of  
4           which not less than \$2,000,000 is available for ca-  
5           pacity building to CDFIs to expand investments that  
6           benefit individuals with disabilities, and up to  
7           \$300,000 is for administrative expenses to carry out  
8           the direct loan program; and

9           (6) during fiscal year 2017, none of the funds  
10          available under this heading are available for the  
11          cost, as defined in section 502 of the Congressional  
12          Budget Act of 1974, of commitments to guarantee  
13          bonds and notes under section 114A of the Riegle  
14          Community Development and Regulatory Improve-  
15          ment Act of 1994 (12 U.S.C. 4713a): *Provided*,  
16          That commitments to guarantee bonds and notes  
17          under such section 114A shall not exceed  
18          \$250,000,000: *Provided further*, That such section  
19          114A shall remain in effect until September 30,  
20          2017;

21 *Provided*, that of the funds awarded under this heading,  
22 not less than 10 percent shall be used for awards that  
23 support investments that serve populations living in per-  
24 sistent poverty counties: *Provided further*, That for the  
25 purposes of the preceding proviso, the term “persistent

1 poverty counties” means any county that has had 20 per-  
2 cent or more of its population living in poverty over the  
3 past 30 years, as measured by the 1990 and 2000 decen-  
4 nial censuses and the most recent Small Area Income and  
5 Poverty Estimates.

6 INTERNAL REVENUE SERVICE

7 TAXPAYER SERVICES

8 For necessary expenses of the Internal Revenue Serv-  
9 ice to provide taxpayer services, including pre-filing assist-  
10 ance and education, filing and account services, taxpayer  
11 advocacy services, and other services as authorized by 5  
12 U.S.C. 3109, at such rates as may be determined by the  
13 Commissioner, \$2,156,554,000, of which not less than  
14 \$6,500,000 (increased by \$3,250,000) shall be for the Tax  
15 Counseling for the Elderly Program, of which not less  
16 than \$12,000,000 shall be available for low-income tax-  
17 payer clinic grants, and of which not less than  
18 \$15,000,000 to remain available until September 30,  
19 2018, shall be available for a Community Volunteer In-  
20 come Tax Assistance matching grants program for tax re-  
21 turn preparation assistance, and of which not less than  
22 \$206,000,000 shall be available for operating expenses of  
23 the Taxpayer Advocate Service: *Provided*, That of the  
24 amounts made available for the Taxpayer Advocate Serv-

1 ice, not less than \$5,000,000 shall be for identity theft  
2 casework.

3 ENFORCEMENT

4 For necessary expenses for tax enforcement activities  
5 of the Internal Revenue Service to determine and collect  
6 owed taxes, to provide legal and litigation support, to con-  
7 duct criminal investigations, to enforce criminal statutes  
8 related to violations of internal revenue laws and other fi-  
9 nancial crimes, to purchase and hire passenger motor vehi-  
10 cles (31 U.S.C. 1343(b)), and to provide other services  
11 as authorized by 5 U.S.C. 3109, at such rates as may be  
12 determined by the Commissioner, \$4,760,000,000, of  
13 which not to exceed \$50,000,000 shall remain available  
14 until September 30, 2018, and of which not less than  
15 \$60,257,000 shall be for the Interagency Crime and Drug  
16 Enforcement program.

17 OPERATIONS SUPPORT

18 For necessary expenses of the Internal Revenue Serv-  
19 ice to support taxpayer services and enforcement pro-  
20 grams, including rent payments; facilities services; print-  
21 ing; postage; physical security; headquarters and other  
22 IRS-wide administration activities; research and statistics  
23 of income; telecommunications; information technology de-  
24 velopment, enhancement, operations, maintenance, and se-  
25 curity; the hire of passenger motor vehicles (31 U.S.C.

1 1343(b)); the operations of the Internal Revenue Service  
2 Oversight Board; and other services as authorized by 5  
3 U.S.C. 3109, at such rates as may be determined by the  
4 Commissioner; \$3,502,446,000, of which not to exceed  
5 \$50,000,000 shall remain available until September 30,  
6 2018; of which not to exceed \$6,000,000 shall remain  
7 available until expended for acquisition of equipment and  
8 construction, repair and renovation of facilities; of which  
9 not to exceed \$1,000,000 shall remain available until Sep-  
10 tember 30, 2019, for research; of which not to exceed  
11 \$20,000 shall be for official reception and representation  
12 expenses: *Provided*, That not later than 30 days after the  
13 end of each quarter, the Internal Revenue Service shall  
14 submit a report to the Committees on Appropriations of  
15 the House of Representatives and the Senate and the  
16 Comptroller General of the United States detailing the  
17 cost and schedule performance for its major information  
18 technology investments, including the purpose and life-  
19 cycle stages of the investments; the reasons for any cost  
20 and schedule variances; the risks of such investments and  
21 strategies the Internal Revenue Service is using to miti-  
22 gate such risks; and the expected developmental mile-  
23 stones to be achieved and costs to be incurred in the next  
24 quarter: *Provided further*, That the Internal Revenue Serv-  
25 ice shall include, in its budget justification for fiscal year

1 2018, a summary of cost and schedule performance infor-  
2 mation for its major information technology systems.

3 BUSINESS SYSTEMS MODERNIZATION

4 For necessary expenses of the Internal Revenue Serv-  
5 ice's business systems modernization program,  
6 \$290,000,000, to remain available until September 30,  
7 2019, for the capital asset acquisition of information tech-  
8 nology systems, including management and related con-  
9 tractual costs of said acquisitions, including related Inter-  
10 nal Revenue Service labor costs, and contractual costs as-  
11 sociated with operations authorized by 5 U.S.C. 3109:  
12 *Provided*, That not later than 30 days after the end of  
13 each quarter, the Internal Revenue Service shall submit  
14 a report to the Committees on Appropriations of the  
15 House of Representatives and the Senate and the Comp-  
16 troller General of the United States detailing the cost and  
17 schedule performance for CADE 2 and Modernized e-File  
18 information technology investments, including the pur-  
19 poses and life-cycle stages of the investments; the reasons  
20 for any cost and schedule variances; the risks of such in-  
21 vestments and the strategies the Internal Revenue Service  
22 is using to mitigate such risks; and the expected develop-  
23 mental milestones to be achieved and costs to be incurred  
24 in the next quarter.

1 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

2 SERVICE

3 (INCLUDING TRANSFERS OF FUNDS)

4 SEC. 101. Not to exceed 5 percent of any appropria-  
5 tion made available in this Act to the Internal Revenue  
6 Service may be transferred to any other Internal Revenue  
7 Service appropriation upon the advance approval of the  
8 Committees on Appropriations.

9 SEC. 102. The Internal Revenue Service shall main-  
10 tain an employee training program, which shall include the  
11 following topics: taxpayers' rights, dealing courteously  
12 with taxpayers, cross-cultural relations, ethics, and the im-  
13 partial application of tax law.

14 SEC. 103. The Internal Revenue Service shall insti-  
15 tute and enforce policies and procedures that will safe-  
16 guard the confidentiality of taxpayer information and pro-  
17 tect taxpayers against identity theft.

18 SEC. 104. Funds made available by this or any other  
19 Act to the Internal Revenue Service shall be available for  
20 improved facilities and increased staffing to provide suffi-  
21 cient and effective 1–800 help line service for taxpayers.  
22 The Commissioner shall continue to make improvements  
23 to the Internal Revenue Service 1–800 help line service  
24 a priority and allocate resources necessary to enhance the

1 response time to taxpayer communications, particularly  
2 with regard to victims of tax-related crimes.

3       SEC. 105. None of the funds made available to the  
4 Internal Revenue Service by this or any other Act may  
5 be used to make a video unless the Service-Wide Video  
6 Editorial Board determines in advance that making the  
7 video is appropriate, taking into account the cost, topic,  
8 tone, and purpose of the video.

9       SEC. 106. The Internal Revenue Service shall issue  
10 a notice of confirmation of any address change relating  
11 to an employer making employment tax payments, and  
12 such notice shall be sent to both the employer's former  
13 and new address and an officer or employee of the Internal  
14 Revenue Service shall give special consideration to an  
15 offer-in-compromise from a taxpayer who has been the vic-  
16 tim of fraud by a third party payroll tax preparer.

17       SEC. 107. None of the funds made available under  
18 this or any other Act may be used by the Internal Revenue  
19 Service to target citizens of the United States for exer-  
20 cising any right guaranteed under the First Amendment  
21 to the Constitution of the United States.

22       SEC. 108. None of the funds made available in this  
23 or any other Act may be used by the Internal Revenue  
24 Service to target groups for regulatory scrutiny based on  
25 their ideological beliefs.



1       SEC. 109. None of funds made available by this or  
2 any other Act to the Internal Revenue Service shall be  
3 obligated or expended on conferences that do not adhere  
4 to the procedures, verification processes, documentation  
5 requirements, and policies issued by the Chief Financial  
6 Officer, Human Capital Office, and Agency-Wide Shared  
7 Services as a result of the recommendations in the report  
8 published on May 31, 2013, by the Treasury Inspector  
9 General for Tax Administration entitled “Review of the  
10 August 2010 Small Business/Self-Employed Division’s  
11 Conference in Anaheim, California” (Reference Number  
12 2013–10–037).

13       SEC. 110. None of the funds made available by this  
14 or any other Act may be used to pay the salaries or ex-  
15 penses of any individual to carry out any transfer of funds  
16 to the Internal Revenue Service under the Patient Protec-  
17 tion and Affordable Care Act (Public Law 111–148) or  
18 the Health Care and Education Reconciliation Act of 2010  
19 (Public Law 111–152).

20       SEC. 111. None of the funds made available by this  
21 or any other Act may be used by the Internal Revenue  
22 Service to implement or enforce section 5000A of the In-  
23 ternal Revenue Code of 1986, section 6055 of such Code,  
24 section 1502(c) of the Patient Protection and Affordable

1 Care Act (Public Law 111–148), or any amendments  
2 made by section 1502(b) of such Act.

3 SEC. 112. None of the funds made available in this  
4 or any other Act to the Internal Revenue Service may be  
5 obligated or expended—

6 (1) to make a payment to any employee under  
7 a bonus, award, or recognition program; or

8 (2) under any hiring or personnel selection  
9 process with respect to re-hiring a former employee,  
10 unless such program or process takes into account the  
11 conduct and Federal tax compliance of such employee or  
12 former employee.

13 SEC. 113. None of the funds made available by this  
14 or any other Act may be used in contravention of section  
15 6103 of the Internal Revenue Code of 1986 (relating to  
16 confidentiality and disclosure of returns and return infor-  
17 mation).

18 SEC. 114. Except to the extent provided in section  
19 6014, 6020, or 6201(d) of the Internal Revenue Code of  
20 1986, none of the funds in this or any other Act shall  
21 be available to the Secretary of the Treasury to provide  
22 to any person a proposed final return or statement for  
23 use by such person to satisfy a filing or reporting require-  
24 ment under such Code.

1        SEC. 115. In addition to the amounts otherwise made  
2 available in this Act for the Internal Revenue Service,  
3 \$290,000,000, to be available until September 30, 2018,  
4 shall be transferred by the Commissioner to the “Tax-  
5 payer Services”, “Enforcement”, or “Operations Support”  
6 accounts of the Internal Revenue Service for an additional  
7 amount to be used solely for measurable improvements in  
8 the customer service representative level of service rate,  
9 to improve the identification and prevention of refund  
10 fraud and identity theft, and to enhance cybersecurity to  
11 safeguard taxpayer data: *Provided*, That such funds shall  
12 supplement, not supplant any other amounts made avail-  
13 able by the Internal Revenue Service for such purpose:  
14 *Provided further*, That such funds shall not be available  
15 until the Commissioner submits to the Committees on Ap-  
16 propriations of the House of Representatives and the Sen-  
17 ate a spending plan for such funds: *Provided further*, That  
18 such funds shall not be used to support any provision of  
19 Public Law 111–148, Public Law 111–152, or any amend-  
20 ment made by either such Public Law.

21        ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE  
22                                        TREASURY  
23                                        (INCLUDING TRANSFERS OF FUNDS)

24        SEC. 116. Appropriations to the Department of the  
25 Treasury in this Act shall be available for uniforms or al-

1 lowances therefor, as authorized by law (5 U.S.C. 5901),  
2 including maintenance, repairs, and cleaning; purchase of  
3 insurance for official motor vehicles operated in foreign  
4 countries; purchase of motor vehicles without regard to the  
5 general purchase price limitations for vehicles purchased  
6 and used overseas for the current fiscal year; entering into  
7 contracts with the Department of State for the furnishing  
8 of health and medical services to employees and their de-  
9 pendants serving in foreign countries; and services author-  
10 ized by 5 U.S.C. 3109.

11       SEC. 117. Not to exceed 2 percent of any appropria-  
12 tions in this title made available under the headings “De-  
13 partmental Offices—Salaries and Expenses”, “Office of  
14 Inspector General”, “Special Inspector General for the  
15 Troubled Asset Relief Program”, “Financial Crimes En-  
16 forcement Network”, “Bureau of the Fiscal Service”,  
17 “Community Development Financial Institutions Fund  
18 Program Account”, and “Alcohol and Tobacco Tax and  
19 Trade Bureau” may be transferred between such appro-  
20 priations upon the advance approval of the Committees  
21 on Appropriations of the House of Representatives and the  
22 Senate: *Provided*, That no transfer under this section may  
23 increase or decrease any such appropriation by more than  
24 2 percent.

1        SEC. 118. Not to exceed 2 percent of any appropria-  
2 tion made available in this Act to the Internal Revenue  
3 Service may be transferred to the Treasury Inspector Gen-  
4 eral for Tax Administration’s appropriation upon the ad-  
5 vance approval of the Committees on Appropriations of  
6 the House of Representatives and the Senate: *Provided*,  
7 That no transfer may increase or decrease any such appro-  
8 priation by more than 2 percent.

9        SEC. 119. None of the funds appropriated in this Act  
10 or otherwise available to the Department of the Treasury  
11 or the Bureau of Engraving and Printing may be used  
12 to redesign the \$1 Federal Reserve note.

13        SEC. 120. The Secretary of the Treasury may trans-  
14 fer funds from the “Bureau of the Fiscal Service—Sala-  
15 ries and Expenses” to the Debt Collection Fund as nec-  
16 essary to cover the costs of debt collection: *Provided*, That  
17 such amounts shall be reimbursed to such salaries and ex-  
18 penses account from debt collections received in the Debt  
19 Collection Fund.

20        SEC. 121. None of the funds appropriated or other-  
21 wise made available by this or any other Act may be used  
22 by the United States Mint to construct or operate any mu-  
23 seum without the explicit approval of the Committees on  
24 Appropriations of the House of Representatives and the  
25 Senate, the House Committee on Financial Services, and

1 the Senate Committee on Banking, Housing, and Urban  
2 Affairs.

3       SEC. 122. None of the funds appropriated or other-  
4 wise made available by this or any other Act or source  
5 to the Department of the Treasury, the Bureau of Engrav-  
6 ing and Printing, and the United States Mint, individually  
7 or collectively, may be used to consolidate any or all func-  
8 tions of the Bureau of Engraving and Printing and the  
9 United States Mint without the explicit approval of the  
10 House Committee on Financial Services; the Senate Com-  
11 mittee on Banking, Housing, and Urban Affairs; and the  
12 Committees on Appropriations of the House of Represent-  
13 atives and the Senate.

14       SEC. 123. Funds appropriated by this Act, or made  
15 available by the transfer of funds in this Act, for the De-  
16 partment of the Treasury's intelligence or intelligence re-  
17 lated activities are deemed to be specifically authorized by  
18 the Congress for purposes of section 504 of the National  
19 Security Act of 1947 (50 U.S.C. 414) during fiscal year  
20 2017 until the enactment of the Intelligence Authorization  
21 Act for Fiscal Year 2017.

22       SEC. 124. Not to exceed \$5,000 shall be made avail-  
23 able from the Bureau of Engraving and Printing's Indus-  
24 trial Revolving Fund for necessary official reception and  
25 representation expenses.

1        SEC. 125. The Secretary of the Treasury shall submit  
2 a Capital Investment Plan to the Committees on Appro-  
3 priations of the Senate and the House of Representatives  
4 not later than 30 days following the submission of the an-  
5 nual budget submitted by the President: *Provided*, That  
6 such Capital Investment Plan shall include capital invest-  
7 ment spending from all accounts within the Department  
8 of the Treasury, including but not limited to the Depart-  
9 ment-wide Systems and Capital Investment Programs ac-  
10 count, Treasury Franchise Fund account, and the Treas-  
11 ury Forfeiture Fund account: *Provided further*, That such  
12 Capital Investment Plan shall include expenditures occur-  
13 ring in previous fiscal years for each capital investment  
14 project that has not been fully completed.

15        SEC. 126. Within 45 days after the date of enactment  
16 of this Act, the Secretary of the Treasury shall submit  
17 an itemized report to the Committees on Appropriations  
18 of the House of Representatives and the Senate on the  
19 amount of total funds charged to each office by the Fran-  
20 chise Fund including the amount charged for each service  
21 provided by the Franchise Fund to each office, a detailed  
22 description of the services, a detailed explanation of how  
23 each charge for each service is calculated, and a descrip-  
24 tion of the role customers have in governing in the Fran-  
25 chise Fund.

1 SEC. 127. During fiscal year 2017—

2 (1) none of the funds made available in this or  
3 any other Act may be used by the Department of  
4 the Treasury, including the Internal Revenue Serv-  
5 ice, to issue, revise, or finalize any regulation, rev-  
6 enue ruling, or other guidance not limited to a par-  
7 ticular taxpayer relating to the standard which is  
8 used to determine whether an organization is oper-  
9 ated exclusively for the promotion of social welfare  
10 for purposes of section 501(c)(4) of the Internal  
11 Revenue Code of 1986 (including the proposed regu-  
12 lations published at 78 Fed. Reg. 71535 (November  
13 29, 2013)); and

14 (2) the standard and definitions as in effect on  
15 January 1, 2010, which are used to make such de-  
16 terminations shall apply after the date of the enact-  
17 ment of this Act for purposes of determining status  
18 under section 501(c)(4) of such Code of organiza-  
19 tions created on, before, or after such date.

20 SEC. 128. (a) Not later than 60 days after the end  
21 of each quarter, the Office of Financial Stability and the  
22 Office of Financial Research shall submit reports on their  
23 activities to the Committees on Appropriations of the  
24 House of Representatives and the Senate, the Committee  
25 on Financial Services of the House of Representatives and



1 the Senate Committee on Banking, Housing, and Urban  
2 Affairs.

3 (b) The reports required under subsection (a) shall  
4 include—

5 (1) the obligations made during the previous  
6 quarter by object class, office, and activity;

7 (2) the estimated obligations for the remainder  
8 of the fiscal year by object class, office, and activity;

9 (3) the number of full-time equivalents within  
10 each office during the previous quarter;

11 (4) the estimated number of full-time equiva-  
12 lents within each office for the remainder of the fis-  
13 cal year; and

14 (5) actions taken to achieve the goals, objec-  
15 tives, and performance measures of each office.

16 (c) At the request of any such Committees specified  
17 in subsection (a), the Office of Financial Stability and the  
18 Office of Financial Research shall make officials available  
19 to testify on the contents of the reports required under  
20 subsection (a).

21 SEC. 129. During fiscal year 2017, the Office of Fi-  
22 nancial Research shall provide for a public notice period  
23 of not less than 90 days before issuing any proposed re-  
24 port, rule, or regulation.

1           SEC. 130. (a) Section 155 of Public Law 111–203  
2 is amended as follows:

3                   (1) In subsection (b)—

4                           (A) in paragraph (1)—

5                                   (i) by striking “immediately”; and

6                                   (ii) by inserting “as provided for in  
7 appropriation Acts” after “to the Office”;

8                           (B) by striking paragraph (2); and

9                           (C) by redesignating paragraph (3) as  
10 paragraph (2).

11                   (2) In subsection (d), by striking the heading  
12 and inserting “ASSESSMENT SCHEDULE.—”.

13           (b) The amendments made by subsection (a) shall  
14 take effect on October 1, 2017.

15           SEC. 131. None of the funds appropriated or other-  
16 wise made available in this Act may be obligated or ex-  
17 pended to provide for the enforcement of any rule, regula-  
18 tion, policy, or guideline implemented pursuant to the De-  
19 partment of the Treasury Guidance for United States Po-  
20 sitions on MDBs Engaging with Developing Countries on  
21 Coal-Fired Power Generation dated October 29, 2013,  
22 when enforcement of such rule, regulation, policy, or  
23 guideline would prohibit, or have the effect of prohibiting,  
24 the carrying out of any coal-fired or other power-genera-  
25 tion project the purpose of which is to increase exports

1 of goods and services from the United States or prevent  
2 the loss of jobs from the United States.

3 SEC. 132. None of the funds made available in this  
4 Act may be used to approve, license, facilitate, authorize,  
5 or otherwise allow, whether by general or specific license,  
6 travel-related or other transactions incident to non-aca-  
7 demic educational exchanges described in section  
8 515.565(b)(2) of title 31, Code of Federal Regulations.

9 SEC. 133. (a) None of the funds made available by  
10 this Act may be used to approve, license, facilitate, author-  
11 ize, or otherwise allow the use, purchase, trafficking, or  
12 import of property confiscated by the Cuban Government.

13 (b) In this section, the terms “confiscated”, “Cuban  
14 Government”, “property”, and “traffic” have the mean-  
15 ings given such terms in paragraphs (4), (5), (12)(A), and  
16 (13), respectively, of section 4 of the Cuban Liberty and  
17 Democratic Solidarity (LIBERTAD) Act of 1996 (22  
18 U.S.C. 6023).

19 SEC. 134. (a) None of the funds made available by  
20 this Act may be used to approve, license, facilitate, author-  
21 ize, or otherwise allow any financial transaction with an  
22 entity owned or controlled, in whole or in part, by the  
23 Cuban military or intelligence service or with any officer  
24 of the Cuban military or intelligence service, or an imme-  
25 diate family member thereof.

1           (b) The limitation on the use of funds under this sec-  
2 tion does not apply to financial transactions with respect  
3 to exports of goods permitted under the Trade Sanctions  
4 Reform and Export Enhancement Act of 2000 (22 U.S.C.  
5 7201 et seq.) or to payments in furtherance of the lease  
6 agreement or other financial transactions necessary for  
7 maintenance and improvements of the United States  
8 Naval Station, Guantanamo Bay, Cuba, including any ad-  
9 jacent areas under the control or possession of the United  
10 States.

11           (c) In this section—

12                 (1) the term “Cuban military” includes the  
13 Ministry of the Revolutionary Armed Forces and the  
14 Ministry of the Interior, and their subsidiaries; and

15                 (2) the term “immediate family member”  
16 means a spouse, sibling, child (adopted or other-  
17 wise), parent, grandparent, grandchild, aunt, uncle,  
18 niece, or nephew.

19           SEC. 135. (a) None of the funds made available in  
20 this Act may be used to authorize a general license or ap-  
21 prove a specific license under section 501.801 or 515.527  
22 of title 31, Code of Federal Regulations, with respect to  
23 a mark, trade name, or commercial name that is the same  
24 as or substantially similar to a mark, trade name, or com-  
25 mercial name that was used in connection with a business

1 or assets that were confiscated unless the original owner  
2 of the mark, trade name, or commercial name, or the  
3 bona-fide successor-in-interest has expressly consented.

4 (b) In this section, the term “confiscated” has a  
5 meaning given such term in section 4(4) of the Cuban Lib-  
6 erty and Democratic Solidarity (LIBERTAD) Act of 1996  
7 (22 U.S.C. 6023(4)).

8 SEC. 136. None of the funds made available by this  
9 Act may be used by the Internal Revenue Service to make  
10 a determination that a church, an integrated auxiliary of  
11 a church, or a convention or association of churches is not  
12 exempt from taxation for participating in, or intervening  
13 in, any political campaign on behalf of (or in opposition  
14 to) any candidate for public office unless—

15 (1) the Commissioner of Internal Revenue con-  
16 sents to such determination;

17 (2) not later than 30 days after such deter-  
18 mination, the Commissioner notifies the Committee  
19 on Ways and Means of the House of Representatives  
20 and the Committee on Finance of the Senate of such  
21 determination; and

22 (3) such determination is effective with respect  
23 to the church, integrated auxiliary of a church, or  
24 convention or association of churches not earlier

1 than 90 days after the date of the notification under  
2 paragraph (2).

3 Consent under paragraph (1) may not be delegated.

4 This title may be cited as the “Department of the  
5 Treasury Appropriations Act, 2017”.

6

## TITLE II

7 EXECUTIVE OFFICE OF THE PRESIDENT AND

8 FUNDS APPROPRIATED TO THE PRESIDENT

9

### THE WHITE HOUSE

10

#### SALARIES AND EXPENSES

11 For necessary expenses for the White House as au-  
12 thorized by law, including not to exceed \$3,850,000 for  
13 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;  
14 subsistence expenses as authorized by 3 U.S.C. 105, which  
15 shall be expended and accounted for as provided in that  
16 section; hire of passenger motor vehicles, and travel (not  
17 to exceed \$100,000 to be expended and accounted for as  
18 provided by 3 U.S.C. 103); and not to exceed \$19,000 for  
19 official reception and representation expenses, to be avail-  
20 able for allocation within the Executive Office of the Presi-  
21 dent; and for necessary expenses of the Office of Policy  
22 Development, including services as authorized by 5 U.S.C.  
23 3109 and 3 U.S.C. 107, \$55,000,000.

1 EXECUTIVE RESIDENCE AT THE WHITE HOUSE  
2 OPERATING EXPENSES

3 For necessary expenses of the Executive Residence  
4 at the White House, \$12,723,000, to be expended and ac-  
5 counted for as provided by 3 U.S.C. 105, 109, 110, and  
6 112–114.

7 REIMBURSABLE EXPENSES

8 For the reimbursable expenses of the Executive Resi-  
9 dence at the White House, such sums as may be nec-  
10 essary: *Provided*, That all reimbursable operating expenses  
11 of the Executive Residence shall be made in accordance  
12 with the provisions of this paragraph: *Provided further*,  
13 That, notwithstanding any other provision of law, such  
14 amount for reimbursable operating expenses shall be the  
15 exclusive authority of the Executive Residence to incur ob-  
16 ligations and to receive offsetting collections, for such ex-  
17 penses: *Provided further*, That the Executive Residence  
18 shall require each person sponsoring a reimbursable polit-  
19 ical event to pay in advance an amount equal to the esti-  
20 mated cost of the event, and all such advance payments  
21 shall be credited to this account and remain available until  
22 expended: *Provided further*, That the Executive Residence  
23 shall require the national committee of the political party  
24 of the President to maintain on deposit \$25,000, to be  
25 separately accounted for and available for expenses relat-

1 ing to reimbursable political events sponsored by such  
2 committee during such fiscal year: *Provided further*, That  
3 the Executive Residence shall ensure that a written notice  
4 of any amount owed for a reimbursable operating expense  
5 under this paragraph is submitted to the person owing  
6 such amount within 60 days after such expense is in-  
7 curred, and that such amount is collected within 30 days  
8 after the submission of such notice: *Provided further*, That  
9 the Executive Residence shall charge interest and assess  
10 penalties and other charges on any such amount that is  
11 not reimbursed within such 30 days, in accordance with  
12 the interest and penalty provisions applicable to an out-  
13 standing debt on a United States Government claim under  
14 31 U.S.C. 3717: *Provided further*, That each such amount  
15 that is reimbursed, and any accompanying interest and  
16 charges, shall be deposited in the Treasury as miscella-  
17 neous receipts: *Provided further*, That the Executive Resi-  
18 dence shall prepare and submit to the Committees on Ap-  
19 propriations, by not later than 90 days after the end of  
20 the fiscal year covered by this Act, a report setting forth  
21 the reimbursable operating expenses of the Executive Res-  
22 idence during the preceding fiscal year, including the total  
23 amount of such expenses, the amount of such total that  
24 consists of reimbursable official and ceremonial events, the  
25 amount of such total that consists of reimbursable political



1 events, and the portion of each such amount that has been  
2 reimbursed as of the date of the report: *Provided further*,  
3 That the Executive Residence shall maintain a system for  
4 the tracking of expenses related to reimbursable events  
5 within the Executive Residence that includes a standard  
6 for the classification of any such expense as political or  
7 nonpolitical: *Provided further*, That no provision of this  
8 paragraph may be construed to exempt the Executive Res-  
9 idence from any other applicable requirement of sub-  
10 chapter I or II of chapter 37 of title 31, United States  
11 Code.

12           WHITE HOUSE REPAIR AND RESTORATION

13           For the repair, alteration, and improvement of the  
14 Executive Residence at the White House pursuant to 3  
15 U.S.C. 105(d), \$750,000, to remain available until ex-  
16 pended, for required maintenance, resolution of safety and  
17 health issues, and continued preventative maintenance.

18           COUNCIL OF ECONOMIC ADVISERS

19                           SALARIES AND EXPENSES

20           For necessary expenses of the Council of Economic  
21 Advisers in carrying out its functions under the Employ-  
22 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,200,000.

1 NATIONAL SECURITY COUNCIL AND HOMELAND  
2 SECURITY COUNCIL  
3 SALARIES AND EXPENSES

4 For necessary expenses of the National Security  
5 Council and the Homeland Security Council, including  
6 services as authorized by 5 U.S.C. 3109, \$10,896,000 (re-  
7 duced by \$2,000,000).

8 OFFICE OF ADMINISTRATION  
9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of Administra-  
11 tion, including services as authorized by 5 U.S.C. 3109  
12 and 3 U.S.C. 107, and hire of passenger motor vehicles,  
13 \$96,116,000, of which not to exceed \$12,760,000 shall re-  
14 main available until expended for continued modernization  
15 of information resources within the Executive Office of the  
16 President.

17 PRESIDENTIAL TRANSITION ADMINISTRATIVE SUPPORT  
18 (INCLUDING TRANSFER OF FUNDS)

19 For expenses of the Office of Administration to carry  
20 out the Presidential Transition Act of 1963 and similar  
21 expenses, in addition to amounts otherwise appropriated  
22 by law, \$7,582,000: *Provided*, That such funds may be  
23 transferred to other accounts that provide funding for of-  
24 fices within the Executive Office of the President and the

1 Office of the Vice President in this Act or any other Act,  
2 to carry out such purposes.

3 OFFICE OF MANAGEMENT AND BUDGET

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Management  
6 and Budget, including hire of passenger motor vehicles  
7 and services as authorized by 5 U.S.C. 3109, to carry out  
8 the provisions of chapter 35 of title 44, United States  
9 Code, and to prepare and submit the budget of the United  
10 States Government, in accordance with section 1105(a) of  
11 title 31, United States Code, \$91,000,000, of which not  
12 to exceed \$3,000 shall be available for official representa-  
13 tion expenses: *Provided*, That none of the funds appro-  
14 priated in this Act for the Office of Management and  
15 Budget may be used for the purpose of reviewing any agri-  
16 cultural marketing orders or any activities or regulations  
17 under the provisions of the Agricultural Marketing Agree-  
18 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,  
19 That none of the funds made available for the Office of  
20 Management and Budget by this Act may be expended for  
21 the altering of the transcript of actual testimony of wit-  
22 nesses, except for testimony of officials of the Office of  
23 Management and Budget, before the Committees on Ap-  
24 propriations or their subcommittees: *Provided further*,  
25 That of the funds made available for the Office of Man-

1 agement and Budget by this Act, no less than three full-  
2 time equivalent senior staff positions shall be dedicated  
3 solely to the Office of the Intellectual Property Enforce-  
4 ment Coordinator: *Provided further*, That none of the  
5 funds provided in this or prior Acts shall be used, directly  
6 or indirectly, by the Office of Management and Budget,  
7 for evaluating or determining if water resource project or  
8 study reports submitted by the Chief of Engineers acting  
9 through the Secretary of the Army are in compliance with  
10 all applicable laws, regulations, and requirements relevant  
11 to the Civil Works water resource planning process: *Pro-*  
12 *vided further*, That the Office of Management and Budget  
13 shall have not more than 60 days in which to perform  
14 budgetary policy reviews of water resource matters on  
15 which the Chief of Engineers has reported: *Provided fur-*  
16 *ther*, That the Director of the Office of Management and  
17 Budget shall notify the appropriate authorizing and ap-  
18 propriating committees when the 60-day review is initi-  
19 ated: *Provided further*, That if water resource reports have  
20 not been transmitted to the appropriate authorizing and  
21 appropriating committees within 15 days after the end of  
22 the Office of Management and Budget review period based  
23 on the notification from the Director, Congress shall as-  
24 sume Office of Management and Budget concurrence with  
25 the report and act accordingly.

1           OFFICE OF NATIONAL DRUG CONTROL POLICY  
2                           SALARIES AND EXPENSES

3           For necessary expenses of the Office of National  
4 Drug Control Policy; for research activities pursuant to  
5 the Office of National Drug Control Policy Reauthoriza-  
6 tion Act of 2006 (Public Law 109–469); not to exceed  
7 \$10,000 for official reception and representation expenses;  
8 and for participation in joint projects or in the provision  
9 of services on matters of mutual interest with nonprofit,  
10 research, or public organizations or agencies, with or with-  
11 out reimbursement, \$19,274,000: *Provided*, That the Of-  
12 fice is authorized to accept, hold, administer, and utilize  
13 gifts, both real and personal, public and private, without  
14 fiscal year limitation, for the purpose of aiding or facili-  
15 tating the work of the Office.

16                           FEDERAL DRUG CONTROL PROGRAMS  
17   HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM  
18                           (INCLUDING TRANSFERS OF FUNDS)

19           For necessary expenses of the Office of National  
20 Drug Control Policy’s High Intensity Drug Trafficking  
21 Areas Program, \$253,000,000 (increased by \$7,000,000)  
22 (increased by \$2,000,000) (increased by \$2,000,000), to  
23 remain available until September 30, 2018, for drug con-  
24 trol activities consistent with the approved strategy for  
25 each of the designated High Intensity Drug Trafficking

1 Areas (“HIDTAs”), of which not less than 51 percent  
2 shall be transferred to State and local entities for drug  
3 control activities and shall be obligated not later than 120  
4 days after enactment of this Act: *Provided*, That up to  
5 49 percent may be transferred to Federal agencies and  
6 departments in amounts determined by the Director of the  
7 Office of National Drug Control Policy, of which up to  
8 \$2,700,000 may be used for auditing services and associ-  
9 ated activities: *Provided further*, That, notwithstanding  
10 the requirements of Public Law 106–58, any unexpended  
11 funds obligated prior to fiscal year 2015 may be used for  
12 any other approved activities of that HIDTA, subject to  
13 reprogramming requirements: *Provided further*, That each  
14 HIDTA designated as of September 30, 2016, shall be  
15 funded at not less than the fiscal year 2016 base level,  
16 unless the Director submits to the Committees on Appro-  
17 priations of the House of Representatives and the Senate  
18 justification for changes to those levels based on clearly  
19 articulated priorities and published Office of National  
20 Drug Control Policy performance measures of effective-  
21 ness: *Provided further*, That the Director shall notify the  
22 Committees on Appropriations of the initial allocation of  
23 fiscal year 2017 funding among HIDTAs not later than  
24 45 days after enactment of this Act, and shall notify the  
25 Committees of planned uses of discretionary HIDTA

1 funding, as determined in consultation with the HIDTA  
2 Directors, not later than 90 days after enactment of this  
3 Act: *Provided further*, That upon a determination that all  
4 or part of the funds so transferred from this appropriation  
5 are not necessary for the purposes provided herein and  
6 upon notification to the Committees on Appropriations of  
7 the House of Representatives and the Senate, such  
8 amounts may be transferred back to this appropriation.

9 OTHER FEDERAL DRUG CONTROL PROGRAMS

10 (INCLUDING TRANSFERS OF FUNDS)

11 For other drug control activities authorized by the  
12 Office of National Drug Control Policy Reauthorization  
13 Act of 2006 (Public Law 109–469), \$111,871,000, to re-  
14 main available until expended, which shall be available as  
15 follows: \$97,000,000 for the Drug-Free Communities Pro-  
16 gram, of which \$2,000,000 shall be made available as di-  
17 rected by section 4 of Public Law 107–82, as amended  
18 by Public Law 109–469 (21 U.S.C. 1521 note);  
19 \$2,000,000 for drug court training and technical assist-  
20 ance; \$9,500,000 for anti-doping activities; \$2,121,000 for  
21 the United States membership dues to the World Anti-  
22 Doping Agency; and \$1,250,000 shall be made available  
23 as directed by section 1105 of Public Law 109–469: *Pro-*  
24 *vided*, That amounts made available under this heading

1 may be transferred to other Federal departments and  
2 agencies to carry out such activities.

3 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM  
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for the furtherance of inte-  
6 grated, efficient, secure, and effective uses of information  
7 technology in the Federal Government, \$25,000,000 (in-  
8 creased by \$5,000,000), to remain available until ex-  
9 pended: *Provided*, That the Director of the Office of Man-  
10 agement and Budget may transfer these funds to one or  
11 more other agencies to carry out projects to meet these  
12 purposes.

13 SPECIAL ASSISTANCE TO THE PRESIDENT  
14 SALARIES AND EXPENSES

15 For necessary expenses to enable the Vice President  
16 to provide assistance to the President in connection with  
17 specially assigned functions; services as authorized by 5  
18 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-  
19 penses as authorized by 3 U.S.C. 106, which shall be ex-  
20 pended and accounted for as provided in that section; and  
21 hire of passenger motor vehicles, \$4,228,000.



1           OFFICIAL RESIDENCE OF THE VICE PRESIDENT  
2                                   OPERATING EXPENSES  
3                                   (INCLUDING TRANSFER OF FUNDS)

4           For the care, operation, refurnishing, improvement,  
5 and to the extent not otherwise provided for, heating and  
6 lighting, including electric power and fixtures, of the offi-  
7 cial residence of the Vice President; the hire of passenger  
8 motor vehicles; and not to exceed \$90,000 pursuant to 3  
9 U.S.C. 106(b)(2), \$299,000: *Provided*, That advances, re-  
10 payments, or transfers from this appropriation may be  
11 made to any department or agency for expenses of car-  
12 rying out such activities.

13 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF  
14           THE PRESIDENT AND FUNDS APPROPRIATED TO  
15           THE PRESIDENT

16                                   (INCLUDING TRANSFER OF FUNDS)

17           SEC. 201. From funds made available in this Act  
18 under the headings “The White House”, “Executive Resi-  
19 dence at the White House”, “White House Repair and  
20 Restoration”, “Council of Economic Advisers”, “National  
21 Security Council and Homeland Security Council”, “Of-  
22 fice of Administration”, “Special Assistance to the Presi-  
23 dent”, and “Official Residence of the Vice President”, the  
24 Director of the Office of Management and Budget (or  
25 such other officer as the President may designate in writ-

1 ing), may, with advance approval of the Committees on  
2 Appropriations of the House of Representatives and the  
3 Senate, transfer not to exceed 10 percent of any such ap-  
4 propriation to any other such appropriation, to be merged  
5 with and available for the same time and for the same  
6 purposes as the appropriation to which transferred: *Pro-*  
7 *vided*, That the amount of an appropriation shall not be  
8 increased by more than 50 percent by such transfers: *Pro-*  
9 *vided further*, That no amount shall be transferred from  
10 “Special Assistance to the President” or “Official Resi-  
11 dence of the Vice President” without the approval of the  
12 Vice President.

13 SEC. 202. Within 90 days after the date of enactment  
14 of this section, the Director of the Office of Management  
15 and Budget shall submit a report to the Committees on  
16 Appropriations of the House of Representatives and the  
17 Senate on the costs of implementing the Dodd-Frank Wall  
18 Street Reform and Consumer Protection Act (Public Law  
19 111–203). Such report shall include—

20 (1) the estimated mandatory and discretionary  
21 obligations of funds through fiscal year 2019, by  
22 Federal agency and by fiscal year, including—

23 (A) the estimated obligations by cost in-  
24 puts such as rent, information technology, con-  
25 tracts, and personnel;

1 (B) the methodology and data sources used  
2 to calculate such estimated obligations; and

3 (C) the specific section of such Act that re-  
4 quires the obligation of funds; and

5 (2) the estimated receipts through fiscal year  
6 2019 from assessments, user fees, and other fees by  
7 the Federal agency making the collections, by fiscal  
8 year, including—

9 (A) the methodology and data sources used  
10 to calculate such estimated collections; and

11 (B) the specific section of such Act that  
12 authorizes the collection of funds.

13 SEC. 203. (a) During fiscal year 2017, any Executive  
14 order or Presidential memorandum issued or revoked by  
15 the President shall be accompanied by a written statement  
16 from the Director of the Office of Management and Budg-  
17 et on the budgetary impact, including costs, benefits, and  
18 revenues, of such order or memorandum.

19 (b) Any such statement shall include—

20 (1) a narrative summary of the budgetary im-  
21 pact of such order or memorandum on the Federal  
22 Government;

23 (2) the impact on mandatory and discretionary  
24 obligations and outlays as the result of such order  
25 or memorandum, listed by Federal agency, for each

1 year in the 5-fiscal-year period beginning in fiscal  
2 year 2017; and

3 (3) the impact on revenues of the Federal Gov-  
4 ernment as the result of such order or memorandum  
5 over the 5-fiscal-year period beginning in fiscal year  
6 2017.

7 (c) If an Executive order or Presidential memo-  
8 randum is issued during fiscal year 2017 due to a national  
9 emergency, the Director of the Office of Management and  
10 Budget may issue the statement required by subsection  
11 (a) not later than 15 days after the date that such order  
12 or memorandum is issued.

13 SEC. 204. None of the funds made available in this  
14 Act may be used to pay the salaries and expenses of any  
15 officer or employee of the Executive Office of the Presi-  
16 dent to prepare, sign, or approve statements abrogating  
17 legislation passed by the House of Representatives and the  
18 Senate and signed by the President.

19 SEC. 205. None of the funds made available by this  
20 Act may be used to pay the salaries and expenses of any  
21 officer or employee of the Executive Office of the Presi-  
22 dent to prepare or implement an Executive order or Presi-  
23 dential memorandum that contravenes existing law.

24 This title may be cited as the “Executive Office of  
25 the President Appropriations Act, 2017”.

1 TITLE III  
2 THE JUDICIARY  
3 SUPREME COURT OF THE UNITED STATES  
4 SALARIES AND EXPENSES

5 For expenses necessary for the operation of the Su-  
6 preme Court, as required by law, excluding care of the  
7 building and grounds, including hire of passenger motor  
8 vehicles as authorized by 31 U.S.C. 1343 and 1344; not  
9 to exceed \$10,000 for official reception and representation  
10 expenses; and for miscellaneous expenses, to be expended  
11 as the Chief Justice may approve, \$76,668,000, of which  
12 \$1,500,000 shall remain available until expended.

13 In addition, there are appropriated such sums as may  
14 be necessary under current law for the salaries of the chief  
15 justice and associate justices of the court.

16 CARE OF THE BUILDING AND GROUNDS

17 For such expenditures as may be necessary to enable  
18 the Architect of the Capitol to carry out the duties im-  
19 posed upon the Architect by 40 U.S.C. 6111 and 6112,  
20 \$14,868,000, to remain available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL  
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of officers and employees, and for nec-  
5 essary expenses of the court, as authorized by law,  
6 \$30,108,000.

7 In addition, there are appropriated such sums as may  
8 be necessary under current law for the salaries of the chief  
9 judge and judges of the court.

10 UNITED STATES COURT OF INTERNATIONAL TRADE

11 SALARIES AND EXPENSES

12 For salaries of officers and employees of the court,  
13 services, and necessary expenses of the court, as author-  
14 ized by law, \$18,462,000.

15 In addition, there are appropriated such sums as may  
16 be necessary under current law for the salaries of the chief  
17 judge and judges of the court.

18 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

19 JUDICIAL SERVICES

20 SALARIES AND EXPENSES

21 For the salaries of judges of the United States Court  
22 of Federal Claims, magistrate judges, and all other offi-  
23 cers and employees of the Federal Judiciary not otherwise  
24 specifically provided for, necessary expenses of the courts,  
25 and the purchase, rental, repair, and cleaning of uniforms

1 for Probation and Pretrial Services Office staff, as author-  
2 ized by law, \$5,010,000,000 (reduced by \$1,000,000) (in-  
3 cluding the purchase of firearms and ammunition); of  
4 which not to exceed \$27,817,000 shall remain available  
5 until expended for space alteration projects and for fur-  
6 niture and furnishings related to new space alteration and  
7 construction projects.

8 In addition, there are appropriated such sums as may  
9 be necessary under current law for the salaries of circuit  
10 and district judges (including judges of the territorial  
11 courts of the United States), bankruptcy judges, and jus-  
12 tices and judges retired from office or from regular active  
13 service.

14 In addition, for expenses of the United States Court  
15 of Federal Claims associated with processing cases under  
16 the National Childhood Vaccine Injury Act of 1986 (Pub-  
17 lic Law 99–660), not to exceed \$6,260,000, to be appro-  
18 priated from the Vaccine Injury Compensation Trust  
19 Fund.

#### 20 DEFENDER SERVICES

21 For the operation of Federal Defender organizations;  
22 the compensation and reimbursement of expenses of attor-  
23 neys appointed to represent persons under 18 U.S.C.  
24 3006A and 3599, and for the compensation and reim-  
25 bursement of expenses of persons furnishing investigative,

1 expert, and other services for such representations as au-  
2 thorized by law; the compensation (in accordance with the  
3 maximums under 18 U.S.C. 3006A) and reimbursement  
4 of expenses of attorneys appointed to assist the court in  
5 criminal cases where the defendant has waived representa-  
6 tion by counsel; the compensation and reimbursement of  
7 expenses of attorneys appointed to represent jurors in civil  
8 actions for the protection of their employment, as author-  
9 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-  
10 bursement of expenses of attorneys appointed under 18  
11 U.S.C. 983(b)(1) in connection with certain judicial civil  
12 forfeiture proceedings; the compensation and reimburse-  
13 ment of travel expenses of guardians ad litem appointed  
14 under 18 U.S.C. 4100(b); and for necessary training and  
15 general administrative expenses, \$1,056,326,000, to re-  
16 main available until expended.

17 FEES OF JURORS AND COMMISSIONERS

18 For fees and expenses of jurors as authorized by 28  
19 U.S.C. 1871 and 1876; compensation of jury commis-  
20 sioners as authorized by 28 U.S.C. 1863; and compensa-  
21 tion of commissioners appointed in condemnation cases  
22 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-  
23 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$43,723,000,  
24 to remain available until expended: *Provided*, That the  
25 compensation of land commissioners shall not exceed the



1 daily equivalent of the highest rate payable under 5 U.S.C.  
2 5332.

3 COURT SECURITY

4 (INCLUDING TRANSFERS OF FUNDS)

5 For necessary expenses, not otherwise provided for,  
6 incident to the provision of protective guard services for  
7 United States courthouses and other facilities housing  
8 Federal court operations, and the procurement, installa-  
9 tion, and maintenance of security systems and equipment  
10 for United States courthouses and other facilities housing  
11 Federal court operations, including building ingress-egress  
12 control, inspection of mail and packages, directed security  
13 patrols, perimeter security, basic security services provided  
14 by the Federal Protective Service, and other similar activi-  
15 ties as authorized by section 1010 of the Judicial Improve-  
16 ment and Access to Justice Act (Public Law 100–702),  
17 \$565,388,000, of which not to exceed \$20,000,000 shall  
18 remain available until expended, to be expended directly  
19 or transferred to the United States Marshals Service,  
20 which shall be responsible for administering the Judicial  
21 Facility Security Program consistent with standards or  
22 guidelines agreed to by the Director of the Administrative  
23 Office of the United States Courts and the Attorney Gen-  
24 eral.

## 1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

## 2 COURTS

## 3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office  
5 of the United States Courts as authorized by law, includ-  
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-  
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),  
8 advertising and rent in the District of Columbia and else-  
9 where, \$87,500,000, of which not to exceed \$8,500 is au-  
10 thorized for official reception and representation expenses.

## 11 FEDERAL JUDICIAL CENTER

## 12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-  
14 ter, as authorized by Public Law 90–219, \$28,200,000;  
15 of which \$1,800,000 shall remain available through Sep-  
16 tember 30, 2018, to provide education and training to  
17 Federal court personnel; and of which not to exceed  
18 \$1,500 is authorized for official reception and representa-  
19 tion expenses.

## 20 UNITED STATES SENTENCING COMMISSION

## 21 SALARIES AND EXPENSES

22 For the salaries and expenses necessary to carry out  
23 the provisions of chapter 58 of title 28, United States  
24 Code, \$18,000,000, of which not to exceed \$1,000 is au-  
25 thorized for official reception and representation expenses.

## 1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 301. Appropriations and authorizations made in  
4 this title which are available for salaries and expenses shall  
5 be available for services as authorized by 5 U.S.C. 3109.

6 SEC. 302. Not to exceed 5 percent of any appropria-  
7 tion made available for the current fiscal year for the Judi-  
8 ciary in this Act may be transferred between such appro-  
9 priations, but no such appropriation, except “Courts of  
10 Appeals, District Courts, and Other Judicial Services, De-  
11 fender Services” and “Courts of Appeals, District Courts,  
12 and Other Judicial Services, Fees of Jurors and Commis-  
13 sioners”, shall be increased by more than 10 percent by  
14 any such transfers: *Provided*, That any transfer pursuant  
15 to this section shall be treated as a reprogramming of  
16 funds under sections 604 and 608 of this Act and shall  
17 not be available for obligation or expenditure except in  
18 compliance with the procedures set forth in section 608.

19 SEC. 303. Notwithstanding any other provision of  
20 law, the salaries and expenses appropriation for “Courts  
21 of Appeals, District Courts, and Other Judicial Services”  
22 shall be available for official reception and representation  
23 expenses of the Judicial Conference of the United States:  
24 *Provided*, That such available funds shall not exceed  
25 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the  
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Section 3314(a) of title 40, United States  
4 Code, shall be applied by substituting “Federal” for “exec-  
5 utive” each place it appears.

6 SEC. 305. In accordance with 28 U.S.C. 561–569,  
7 and notwithstanding any other provision of law, the  
8 United States Marshals Service shall provide, for such  
9 courthouses as its Director may designate in consultation  
10 with the Director of the Administrative Office of the  
11 United States Courts, for purposes of a pilot program, the  
12 security services that 40 U.S.C. 1315 authorizes the De-  
13 partment of Homeland Security to provide, except for the  
14 services specified in 40 U.S.C. 1315(b)(2)(E). For build-  
15 ing-specific security services at these courthouses, the Di-  
16 rector of the Administrative Office of the United States  
17 Courts shall reimburse the United States Marshals Service  
18 rather than the Department of Homeland Security.

19 SEC. 306. (a) Section 203(c) of the Judicial Improve-  
20 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133  
21 note), is amended in the second sentence (relating to the  
22 District of Kansas) following paragraph (12), by striking  
23 “25 years and 6 months” and inserting “26 years and  
24 6 months”.

1 (b) Section 406 of the Transportation, Treasury,  
2 Housing and Urban Development, the Judiciary, the Dis-  
3 trict of Columbia, and Independent Agencies Appropria-  
4 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;  
5 28 U.S.C. 133 note) is amended in the second sentence  
6 (relating to the eastern District of Missouri) by striking  
7 “23 years and 6 months” and inserting “24 years and  
8 6 months”.

9 (c) Section 312(c)(2) of the 21st Century Depart-  
10 ment of Justice Appropriations Authorization Act (Public  
11 Law 107–273; 28 U.S.C. 133 note), is amended—

12 (1) in the first sentence by striking “14 years”  
13 and inserting “15 years”;

14 (2) in the second sentence (relating to the cen-  
15 tral District of California), by striking “13 years  
16 and 6 months” and inserting “14 years and 6  
17 months”; and

18 (3) in the third sentence (relating to the west-  
19 ern district of North Carolina), by striking “12  
20 years” and inserting “13 years”.

21 SEC. 307. (a) Section 1871(b) of title 28, United  
22 States Code, is amended in paragraph (1) by striking  
23 “\$40” and inserting “\$50”.

1 (b) EFFECTIVE DATE.— The amendment made  
2 in subsection (a) shall take effect 45 days after the date  
3 of enactment of this Act.

4 SEC. 308. (a) Section 2(a)(2)(A) of the Temporary  
5 Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C.  
6 152 note; Public Law 112–121) is amended by striking  
7 “subparagraphs (B), (C), (D), and (E)” and inserting  
8 “subparagraphs (B), (C), (D), (E), (F), (G), and (H)”.

9 (b) Section 2(a)(2) of the Temporary Bankruptcy  
10 Judgeships Extension Act of 2012 (28 U.S.C. 152 note;  
11 Public Law 112–121) is amended by adding at the end  
12 the following:

13 “(F) EASTERN DISTRICT OF MICHIGAN.—

14 The 1st vacancy in the office of a bankruptcy  
15 judge for the eastern district of Michigan—

16 “(i) occurring 6 years or more after  
17 the date of the enactment of this Act, and

18 “(ii) resulting from the death, retire-  
19 ment, resignation, or removal of a bank-  
20 ruptcy judge,

21 shall not be filled.

22 “(G) DISTRICT OF PUERTO RICO.—The 1st  
23 vacancy in the office of a bankruptcy judge for  
24 the district of Puerto Rico—

1           “(i) occurring 6 years or more after  
2           the date of the enactment of this Act, and

3           “(ii) resulting from the death, retire-  
4           ment, resignation, or removal of a bank-  
5           ruptcy judge,

6           shall not be filled.

7           “(H) EASTERN DISTRICT OF VIRGINIA.—

8           The 1st vacancy in the office of a bankruptcy  
9           judge for the eastern district of Virginia—

10           “(i) occurring 6 years or more after  
11           the date of the enactment of this Act, and

12           “(ii) resulting from the death, retire-  
13           ment, resignation, or removal of a bank-  
14           ruptcy judge,

15           shall not be filled.”.

16           (c) Section 2(a)(2)(C) of the Temporary Bankruptcy  
17           Judgeships Extension Act of 2012 (28 U.S.C. 152 note;  
18           Public Law 112–121) is amended—

19           (1) by redesignating clauses (i) and (ii) as  
20           clauses (ii) and (iii), respectively;

21           (2) by inserting before clause (ii), as so redesign-  
22           nated, the following:

23           “(i) in the case of the 1st and 2d va-  
24           cancies, occurring more than 6 years after

1 the date of the enactment of this Act,”;

2 and

3 (3) in clause (ii), as so redesignated, by insert-  
4 ing “in the case of the 3d and 4th vacancies,” before  
5 “occurring more than 5 years”.

6 (d) Section 2(a)(2)(D)(i) of the Temporary Bank-  
7 ruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152  
8 note; Public Law 112–121) is amended (with regard to  
9 the 1st and 2d vacancies in the southern district of Flor-  
10 ida) by striking “5 years” and inserting “6 years”.

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

## 13 TITLE IV

### 14 DISTRICT OF COLUMBIA

#### 15 FEDERAL FUNDS

##### 16 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

17 For a Federal payment to the District of Columbia,  
18 to be deposited into a dedicated account, for a nationwide  
19 program to be administered by the Mayor, for District of  
20 Columbia resident tuition support, \$20,000,000, to remain  
21 available until expended: *Provided*, That such funds, in-  
22 cluding any interest accrued thereon, may be used on be-  
23 half of eligible District of Columbia residents to pay an  
24 amount based upon the difference between in-State and  
25 out-of-State tuition at public institutions of higher edu-



1 cation, or to pay up to \$2,500 each year at eligible private  
2 institutions of higher education: *Provided further*, That the  
3 awarding of such funds may be prioritized on the basis  
4 of a resident's academic merit, the income and need of  
5 eligible students and such other factors as may be author-  
6 ized: *Provided further*, That the District of Columbia gov-  
7 ernment shall maintain a dedicated account for the Resi-  
8 dent Tuition Support Program that shall consist of the  
9 Federal funds appropriated to the Program in this Act  
10 and any subsequent appropriations, any unobligated bal-  
11 ances from prior fiscal years, and any interest earned in  
12 this or any fiscal year: *Provided further*, That the account  
13 shall be under the control of the District of Columbia  
14 Chief Financial Officer, who shall use those funds solely  
15 for the purposes of carrying out the Resident Tuition Sup-  
16 port Program: *Provided further*, That the Office of the  
17 Chief Financial Officer shall provide a quarterly financial  
18 report to the Committees on Appropriations of the House  
19 of Representatives and the Senate for these funds show-  
20 ing, by object class, the expenditures made and the pur-  
21 pose therefor.

22 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND  
23 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

24 For a Federal payment of necessary expenses, as de-  
25 termined by the Mayor of the District of Columbia in writ-

1 ten consultation with the elected county or city officials  
2 of surrounding jurisdictions, \$40,000,000, to remain  
3 available until expended, for the costs of providing public  
4 safety at events related to the presence of the National  
5 Capital in the District of Columbia, including support re-  
6 quested by the Director of the United States Secret Serv-  
7 ice in carrying out protective duties under the direction  
8 of the Secretary of Homeland Security, and for the costs  
9 of providing support to respond to immediate and specific  
10 terrorist threats or attacks in the District of Columbia or  
11 surrounding jurisdictions.

12 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

13 COURTS

14 For salaries and expenses for the District of Colum-  
15 bia Courts, \$274,541,000 to be allocated as follows: for  
16 the District of Columbia Court of Appeals, \$14,303,000,  
17 of which not to exceed \$2,500 is for official reception and  
18 representation expenses; for the Superior Court of the  
19 District of Columbia, \$124,800,000, of which not to ex-  
20 ceed \$2,500 is for official reception and representation ex-  
21 penses; for the District of Columbia Court System,  
22 \$74,783,000, of which not to exceed \$2,500 is for official  
23 reception and representation expenses; and \$60,655,000,  
24 to remain available until September 30, 2018, for capital  
25 improvements for District of Columbia courthouse facili-

1 ties: *Provided*, That funds made available for capital im-  
2 provements shall be expended consistent with the District  
3 of Columbia Courts master plan study and facilities condi-  
4 tion assessment: *Provided further*, That notwithstanding  
5 any other provision of law, all amounts under this heading  
6 shall be apportioned quarterly by the Office of Manage-  
7 ment and Budget and obligated and expended in the same  
8 manner as funds appropriated for salaries and expenses  
9 of other Federal agencies: *Provided further*, That 30 days  
10 after providing written notice to the Committees on Ap-  
11 propriations of the House of Representatives and the Sen-  
12 ate, the District of Columbia Courts may reallocate not  
13 more than \$6,000,000 of the funds provided under this  
14 heading among the items and entities funded under this  
15 heading: *Provided further*, That the Joint Committee on  
16 Judicial Administration in the District of Columbia may,  
17 by regulation, establish a program substantially similar to  
18 the program set forth in subchapter II of chapter 35 of  
19 title 5, United States Code, for employees of the District  
20 of Columbia Courts.

21 FEDERAL PAYMENT FOR DEFENDER SERVICES IN THE  
22 DISTRICT OF COLUMBIA COURTS

23 For payments authorized under section 11–2604 and  
24 section 11–2605, D.C. Official Code (relating to represen-  
25 tation provided under the District of Columbia Criminal

1 Justice Act), payments for counsel appointed in pro-  
2 ceedings in the Family Court of the Superior Court of the  
3 District of Columbia under chapter 23 of title 16, D.C.  
4 Official Code, or pursuant to contractual agreements to  
5 provide guardian ad litem representation, training, tech-  
6 nical assistance, and such other services as are necessary  
7 to improve the quality of guardian ad litem representation,  
8 payments for counsel appointed in adoption proceedings  
9 under chapter 3 of title 16, D.C. Official Code, and pay-  
10 ments authorized under section 21–2060, D.C. Official  
11 Code (relating to services provided under the District of  
12 Columbia Guardianship, Protective Proceedings, and Du-  
13 rable Power of Attorney Act of 1986), \$49,890,000, to  
14 remain available until expended: *Provided*, That funds  
15 provided under this heading shall be administered by the  
16 Joint Committee on Judicial Administration in the Dis-  
17 trict of Columbia: *Provided further*, That, notwithstanding  
18 any other provision of law, this appropriation shall be ap-  
19 portioned quarterly by the Office of Management and  
20 Budget and obligated and expended in the same manner  
21 as funds appropriated for expenses of other Federal agen-  
22 cies.

1 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-  
2 FENDER SUPERVISION AGENCY FOR THE DISTRICT  
3 OF COLUMBIA

4 For salaries and expenses, including the transfer and  
5 hire of motor vehicles, of the Court Services and Offender  
6 Supervision Agency for the District of Columbia, as au-  
7 thorized by the National Capital Revitalization and Self-  
8 Government Improvement Act of 1997, \$246,386,000, of  
9 which not to exceed \$2,000 is for official reception and  
10 representation expenses related to Community Supervision  
11 and Pretrial Services Agency programs, of which not to  
12 exceed \$25,000 is for dues and assessments relating to  
13 the implementation of the Court Services and Offender  
14 Supervision Agency Interstate Supervision Act of 2002;  
15 of which \$182,564,000 shall be for necessary expenses of  
16 Community Supervision and Sex Offender Registration, to  
17 include expenses relating to the supervision of adults sub-  
18 ject to protection orders or the provision of services for  
19 or related to such persons; and of which \$63,822,000 shall  
20 be available to the Pretrial Services Agency: *Provided,*  
21 That notwithstanding any other provision of law, all  
22 amounts under this heading shall be apportioned quarterly  
23 by the Office of Management and Budget and obligated  
24 and expended in the same manner as funds appropriated  
25 for salaries and expenses of other Federal agencies: *Pro-*

1 *vided further*, That amounts under this heading may be  
2 used for programmatic incentives for defendants to suc-  
3 cessfully complete their terms of supervision.

4 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA  
5 PUBLIC DEFENDER SERVICE

6 For salaries and expenses, including the transfer and  
7 hire of motor vehicles, of the District of Columbia Public  
8 Defender Service, as authorized by the National Capital  
9 Revitalization and Self-Government Improvement Act of  
10 1997, \$41,359,000: *Provided*, That notwithstanding any  
11 other provision of law, all amounts under this heading  
12 shall be apportioned quarterly by the Office of Manage-  
13 ment and Budget and obligated and expended in the same  
14 manner as funds appropriated for salaries and expenses  
15 of Federal agencies.

16 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE  
17 COORDINATING COUNCIL

18 For a Federal payment to the Criminal Justice Co-  
19 ordinating Council, \$2,000,000, to remain available until  
20 expended, to support initiatives related to the coordination  
21 of Federal and local criminal justice resources in the Dis-  
22 trict of Columbia.

23 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

24 For a Federal payment, to remain available until  
25 September 30, 2018, to the Commission on Judicial Dis-

1 abilities and Tenure, \$310,000, and for the Judicial Nomi-  
2 nation Commission, \$275,000.

3 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

4 For a Federal payment for a school improvement pro-  
5 gram in the District of Columbia, \$45,000,000, to remain  
6 available until expended, for payments authorized under  
7 the Scholarship for Opportunity and Results Act (division  
8 C of Public Law 112–10): *Provided*, That, to the extent  
9 that funds are available for opportunity scholarships and  
10 following the priorities included in section 3006 of such  
11 Act, the Secretary of Education shall make scholarships  
12 available to students eligible under section 3013(3) of such  
13 Act (Public Law 112–10; 125 Stat. 211) including stu-  
14 dents who were not offered a scholarship during any pre-  
15 vious school year: *Provided further*, That within funds pro-  
16 vided for opportunity scholarships \$3,200,000 shall be for  
17 the activities specified in sections 3007(b) through  
18 3007(d) and 3009 of the Act.

19 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

20 NATIONAL GUARD

21 For a Federal payment to the District of Columbia  
22 National Guard, \$450,000, to remain available until ex-  
23 pended for the Major General David F. Wherley, Jr. Dis-  
24 trict of Columbia National Guard Retention and College  
25 Access Program.

1 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF  
2 HIV/AIDS

3 For a Federal payment to the District of Columbia  
4 for the testing of individuals for, and the treatment of in-  
5 dividuals with, human immunodeficiency virus and ac-  
6 quired immunodeficiency syndrome in the District of Co-  
7 lumbia, \$5,000,000.

8 DISTRICT OF COLUMBIA FUNDS

9 Local funds are appropriated for the District of Co-  
10 lumbia for the current fiscal year out of the General Fund  
11 of the District of Columbia (“General Fund”) for pro-  
12 grams and activities set forth under the heading “Part  
13 A—Summary of Expenses” and at the rate set forth  
14 under such heading, as included in D.C. Bill 21–668, as  
15 amended as of the date of the enactment of this Act: *Pro-*  
16 *vided*, That notwithstanding any other provision of law,  
17 except as provided in section 450A of the District of Co-  
18 lumbia Home Rule Act (section 1–204.50a, D.C. Official  
19 Code), sections 816 and 817 of the Financial Services and  
20 General Government Appropriations Act, 2009 (secs. 47–  
21 369.01 and 47–369.02, D.C. Official Code), and provi-  
22 sions of this Act, the total amount appropriated in this  
23 Act for operating expenses for the District of Columbia  
24 for fiscal year 2017 under this heading shall not exceed  
25 the estimates included in D.C. Bill 21–668, as amended



1 as of the date of the enactment of this Act, or the sum  
2 of the total revenues of the District of Columbia for such  
3 fiscal year: *Provided further*, That the amount appro-  
4 priated may be increased by proceeds of one-time trans-  
5 actions, which are expended for emergency or unantici-  
6 pated operating or capital needs: *Provided further*, That  
7 such increases shall be approved by enactment of local  
8 District law and shall comply with all reserve requirements  
9 contained in the District of Columbia Home Rule Act:  
10 *Provided further*, That the Chief Financial Officer of the  
11 District of Columbia shall take such steps as are necessary  
12 to assure that the District of Columbia meets these re-  
13 quirements, including the apportioning by the Chief Fi-  
14 nancial Officer of the appropriations and funds made  
15 available to the District during fiscal year 2017, except  
16 that the Chief Financial Officer may not reprogram for  
17 operating expenses any funds derived from bonds, notes,  
18 or other obligations issued for capital projects: *Provided*  
19 *further*, That the Fiscal Year 2017 Local Budget Act is  
20 repealed.

21       This title may be cited as the “District of Columbia  
22 Appropriations Act, 2017”.

1 TITLE V  
2 INDEPENDENT AGENCIES  
3 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES  
4 SALARIES AND EXPENSES

5 For necessary expenses of the Administrative Con-  
6 ference of the United States, authorized by 5 U.S.C. 591  
7 et seq., \$3,100,000, to remain available until September  
8 30, 2018, of which not to exceed \$1,000 is for official re-  
9 ception and representation expenses.

10 BUREAU OF CONSUMER FINANCIAL PROTECTION  
11 ADMINISTRATIVE PROVISIONS

12 SEC. 501. Section 1017(a)(2)(C) of Public Law 111-  
13 203 is repealed.

14 SEC. 502. Effective October 1, 2017, notwithstanding  
15 section 1017 of Public Law 111-203—

16 (1) the Board of Governors of the Federal Re-  
17 serve System shall not transfer amounts specified  
18 under such section to the Bureau of Consumer Fi-  
19 nancial Protection; and

20 (2) there are authorized to be appropriated to  
21 the Bureau of Consumer Financial Protection such  
22 sums as may be necessary to carry out the authori-  
23 ties of the Bureau under Federal consumer financial  
24 law.

1        SEC. 503. (a) During fiscal year 2017, on the date  
2 on which a request is made for a transfer of funds in ac-  
3 cordance with section 1017 of Public Law 111–203, the  
4 Bureau of Consumer Financial Protection shall notify the  
5 Committees on Appropriations of the House of Represent-  
6 atives and the Senate, the Committee on Financial Serv-  
7 ices of the House of Representatives, and the Committee  
8 on Banking, Housing, and Urban Affairs of the Senate  
9 of such request.

10        (b)(1) Any such notification shall include the amount  
11 of the funds requested, an explanation of how the funds  
12 will be obligated by object class and activity, and why the  
13 funds are necessary to protect consumers.

14        (2) Any notification required by this section shall be  
15 made available on the Bureau’s public Web site.

16        SEC. 504. (a) Not later than 2 weeks after the end  
17 of each quarter of each fiscal year, the Bureau of Con-  
18 sumer Financial Protection shall submit a report on its  
19 activities to the Committees on Appropriations of the  
20 House of Representatives and the Senate, the Committee  
21 on Financial Services of the House of Representatives,  
22 and the Committee on Banking, Housing, and Urban Af-  
23 fairs of the Senate.

24        (b) The reports required under subsection (a) shall  
25 include—

1           (1) the obligations made during the previous  
2           quarter by object class, office, and activity;

3           (2) the estimated obligations for the remainder  
4           of the fiscal year by object class, office, and activity;

5           (3) the number of full-time equivalents within  
6           each office during the previous quarter;

7           (4) the estimated number of full-time equiva-  
8           lents within each office for the remainder of the fis-  
9           cal year; and

10          (5) actions taken to achieve the goals, objec-  
11          tives, and performance measures of each office.

12          (c) At the request of any committee specified in sub-  
13          section (a), the Bureau of Consumer Financial Protection  
14          shall make Bureau officials available to testify on the con-  
15          tents of the reports required under subsection (a).

16          SEC. 505. (a) IN GENERAL.—Section 1011 of the  
17          Consumer Financial Protection Act of 2010 (12 U.S.C.  
18          5491) is amended—

19                 (1) by striking subsections (b), (c), and (d);

20                 (2) by redesignating subsection (e) as sub-  
21                 section (c); and

22                 (3) by inserting after subsection (a) the fol-  
23                 lowing:

24                 “(b) MANAGEMENT OF THE BUREAU.—

1           “(1) IN GENERAL.—The management of the  
2 Bureau shall be vested in a Board of Directors con-  
3 sisting of 5 members, who shall be appointed by the  
4 President, by and with the advice and consent of the  
5 Senate, from among individuals who—

6           “(A) are citizens of the United States; and

7           “(B) have developed strong competency  
8 and understanding of, and have experience  
9 working with, financial products and services.

10          “(2) TERMS.—

11           “(A) IN GENERAL.—Except as provided in  
12 subparagraph (B), each member of the Board,  
13 including the Chairperson, shall serve for a  
14 term of 5 years.

15           “(B) STAGGERED TERMS.—The members  
16 of the Board shall serve staggered terms, which  
17 shall initially be for terms of 1, 2, 3, 4, and 5  
18 years, respectively, and such members shall be  
19 appointed such that, after the appointments of  
20 the initial 5 members of the Board, members of  
21 different political parties are appointed alter-  
22 nately.

23           “(C) REMOVAL.—The President may re-  
24 move any member of the Board for inefficiency,  
25 neglect of duty, or malfeasance in office.

1           “(D) VACANCIES.—Any member of the  
2 Board appointed to fill a vacancy occurring be-  
3 fore the expiration of the term to which the  
4 predecessor of that member was appointed (in-  
5 cluding the Chairperson) shall be appointed  
6 only for the remainder of the term.

7           “(E) CONTINUATION OF SERVICE.—Each  
8 member of the Board may continue to serve  
9 after the expiration of the term of office to  
10 which that member was appointed until a suc-  
11 cessor has been appointed by the President and  
12 confirmed by the Senate, except that a member  
13 may not continue to serve more than 1 year  
14 after the date on which the term of that mem-  
15 ber would otherwise expire.

16           “(F) SUCCESSIVE TERMS.—A member of  
17 the Board may not be reappointed to a second  
18 consecutive term, except that an initial member  
19 of the Board appointed for less than a 5-year  
20 term may be reappointed to a full 5-year term  
21 and a future member appointed to fill an unex-  
22 pired term may be reappointed for a full 5-year  
23 term.

1           “(3) AFFILIATION.—Not more than 3 members  
2 of the Board shall be members of any 1 political  
3 party.

4           “(4) CHAIRPERSON OF THE BOARD.—

5           “(A) APPOINTMENT.—The President shall  
6 appoint 1 of the 5 members of the Board to  
7 serve as Chairperson of the Board.

8           “(B) AUTHORITY.—The Chairperson shall  
9 be the principal executive officer of the Bureau,  
10 and shall exercise all of the executive and ad-  
11 ministrative functions of the Bureau, including  
12 with respect to—

13           “(i) the supervision of personnel em-  
14 ployed by the Bureau (other than per-  
15 sonnel employed regularly and full time in  
16 the immediate offices of members of the  
17 Board other than the Chairperson);

18           “(ii) the distribution of business  
19 among personnel appointed and supervised  
20 by the Chairperson and among administra-  
21 tive units of the Bureau; and

22           “(iii) the use and expenditure of  
23 funds.

24           “(C) LIMITATION.—In carrying out any of  
25 the functions of the Chairperson under this

1 paragraph, the Chairperson shall be governed  
2 by general policies of the Bureau and by such  
3 regulatory decisions, findings, and determina-  
4 tions as the Bureau may by law be authorized  
5 to make.

6 “(D) REQUESTS OR ESTIMATES RELATED  
7 TO APPROPRIATIONS.—Any request or estimate  
8 for regular, supplemental, or deficiency appro-  
9 priations on behalf of the Bureau, including any  
10 request for a transfer of funds under section  
11 1017(a), may not be submitted by the Chair-  
12 person without the prior approval of the Board.

13 “(E) VACANCY.—The President may des-  
14 ignate a member of the Board to serve as Act-  
15 ing Chairperson in the event of a vacancy in the  
16 office of the Chairperson.

17 “(5) COMPENSATION.—

18 “(A) CHAIRPERSON.—The Chairperson  
19 shall receive compensation at the rate pre-  
20 scribed for level I of the Executive Schedule  
21 under section 5312 of title 5, United States  
22 Code.

23 “(B) OTHER MEMBERS OF THE BOARD.—  
24 The 4 members of the Board other than the  
25 Chairperson shall each receive compensation at



1           the rate prescribed for level II of the Executive  
2           Schedule under section 5313 of title 5, United  
3           States Code.

4           “(6) OTHER EMPLOYMENT PROHIBITED.—A  
5           member of the Board may not engage in any other  
6           business, vocation, or employment.”.

7           (b) TECHNICAL AND CONFORMING AMENDMENTS.—

8           (1) CONSUMER FINANCIAL PROTECTION ACT OF  
9           2010.—The Consumer Financial Protection Act of  
10          2010 (12 U.S.C. 5481 et seq.) is amended—

11           (A) in section 1002 (12 U.S.C. 5481)—

12           (i) by striking paragraph (10) and in-  
13           serting:

14           “(10) BOARD.—The term ‘Board’ means the  
15           Board of Directors of the Bureau of Consumer Fi-  
16           nancial Protection.”; and

17           (ii) by inserting after paragraph (29)  
18           the following:

19           “(30) CHAIRPERSON.—The term ‘Chairperson’  
20           means the Chairperson of the Board of Directors of  
21           the Bureau of Consumer Financial Protection.”;

22           (B) in section 1012 (12 U.S.C. 5492)—

23           (i) in subsection (a)(8), by striking  
24           “appointed and supervised by the Direc-

1           tor” and inserting “appointed by the  
2           Board and supervised by the Chairperson”;  
3           (ii) in subsection (b), by striking “Di-  
4           rector” and inserting “Board”; and  
5           (iii) in subsection (c)—  
6                 (I) in paragraph (2)(A), by strik-  
7                 ing “Director” and inserting  
8                 “Board”; and  
9                 (II) in paragraph (4), by striking  
10                “the Director” each place that term  
11                appears and inserting “any member of  
12                the Board”;  
13           (C) in section 1013 (12 U.S.C. 5493)—  
14                 (i) in subsections (a), (b), (d), and  
15                 (e), by striking “Director” each place that  
16                 term appears and inserting “Board”;  
17                 (ii) in subsection (c)—  
18                 (I) in paragraphs (1) and (2), by  
19                 striking “Director” each place that  
20                 term appears and inserting “Board”;  
21                 and  
22                 (II) in paragraph (3)—  
23                         (aa) by striking “Assistant  
24                         Director” each place that term

1 appears and inserting “Head of  
2 Office”; and

3 (bb) by striking “the Direc-  
4 tor” each place that term ap-  
5 pears and inserting “the Board”;

6 (iii) in subsection (g)—

7 (I) in paragraph (1), by striking  
8 “Director” and inserting “Board”;  
9 and

10 (II) in paragraph (2)—

11 (aa) in the paragraph head-  
12 ing, by striking “ASSISTANT DI-  
13 RECTOR” and inserting “HEAD  
14 OF THE OFFICE”; and

15 (bb) by striking “an assist-  
16 ant director” and inserting “the  
17 Head of the Office of Financial  
18 Protection for Older Americans”;

19 (D) in section 1014 (12 U.S.C. 5494), by  
20 striking “Director” each place that term ap-  
21 pears and inserting “Board”;

22 (E) in section 1016(a) (12 U.S.C.  
23 5496(a)), by striking “Director of the Bureau”  
24 and inserting “Chairperson”;

25 (F) in section 1017—

- 1 (i) in subsection (a)—
- 2 (I) in paragraph (1), by striking
- 3 “Director” and inserting “Board”;
- 4 (II) in paragraph (4)—
- 5 (aa) in subparagraph (A)—
- 6 (AA) by striking “Di-
- 7 rector shall” and inserting
- 8 “Board shall”;
- 9 (BB) by striking “Di-
- 10 rector,” and inserting
- 11 “Board,”; and
- 12 (CC) by striking “Di-
- 13 rector in” each place that
- 14 term appears and inserting
- 15 “Board in”;
- 16 (bb) in subparagraph (D),
- 17 by striking “Director” and in-
- 18 serting “Board”; and
- 19 (cc) in subparagraph (E), by
- 20 striking “Director to” and insert-
- 21 ing “Board to”; and
- 22 (III) in paragraph (5)(C), by
- 23 striking “Director of the Bureau” and
- 24 inserting “Chairperson”;
- 25 (ii) in subsection (c)(1)—

1 (I) by striking “Director,” and  
2 inserting “Board,”; and

3 (II) by striking “Director and”  
4 and inserting “the members of the  
5 Board and”; and

6 (iii) in subsection (e), by striking “Di-  
7 rector” each place that term appears and  
8 inserting “Board”;

9 (G) in subtitles B (12 U.S.C. 5511 et  
10 seq.), C (12 U.S.C. 5531 et seq.), and G (12  
11 U.S.C. 5601 et seq.), by striking “Director”  
12 each place that term appears and inserting  
13 “Board”;

14 (H) in section 1061(e)(2)(C)(i) (12 U.S.C.  
15 5581(e)(2)(C)(i)), by striking “the Board” and  
16 inserting “the National Credit Union Adminis-  
17 tration Board”; and

18 (I) in section 1066(a) (12 U.S.C. 5586(a)),  
19 by inserting “first” before “Director”.

20 (2) FINANCIAL STABILITY ACT OF 2010.—Sec-  
21 tion 111(b)(1)(D) of the Financial Stability Act of  
22 2010 (12 U.S.C. 5321(b)(1)(D)) is amended by  
23 striking “Director of the Bureau” and inserting  
24 “Chairperson of the Board of Directors of the Bu-  
25 reau”.

1           (3) MORTGAGE REFORM AND ANTI-PREDATORY  
2 LENDING ACT.—Section 1447 of the Mortgage Re-  
3 form and Anti-Predatory Lending Act (12 U.S.C.  
4 1701p-2) is amended by striking “Director” each  
5 place the term appears and inserting “Board of Di-  
6 rectors”.

7           (4) ELECTRONIC FUND TRANSFER ACT.—Sec-  
8 tion 920(a)(4)(C) of the Electronic Fund Transfer  
9 Act (15 U.S.C. 1693o-2(a)(4)(C)) is amended by  
10 striking “Director of the Bureau” and inserting  
11 “Board of Directors of the Bureau”.

12           (5) EXPEDITED FUNDS AVAILABILITY ACT.—  
13 The Expedited Funds Availability Act (12 U.S.C.  
14 4001 et seq.) is amended by striking “Director of  
15 the Bureau” each place that term appears and in-  
16 serting “Board of Directors of the Bureau”.

17           (6) FEDERAL DEPOSIT INSURANCE ACT.—Sec-  
18 tion 2 of the Federal Deposit Insurance Act (12  
19 U.S.C. 1812) is amended—

20                   (A) by striking “Director of the Consumer  
21 Financial Protection Bureau” each place that  
22 term appears and inserting “Chairperson of the  
23 Board of Directors of the Bureau of Consumer  
24 Financial Protection”; and

1 (B) in subsection (d)(2), by striking  
2 “Comptroller or Director” and inserting  
3 “Comptroller or Chairperson”.

4 (7) FEDERAL FINANCIAL INSTITUTIONS EXAM-  
5 INATION COUNCIL ACT OF 1978.—Section 1004(a)(4)  
6 of the Federal Financial Institutions Examination  
7 Council Act of 1978 (12 U.S.C. 3303(a)(4)) is  
8 amended by striking “Director of the Consumer Fi-  
9 nancial Protection Bureau” and inserting “Chair-  
10 person of the Board of Directors of the Bureau of  
11 Consumer Financial Protection”.

12 (8) FINANCIAL LITERACY AND EDUCATION IM-  
13 PROVEDMENT ACT.—Section 513 of the Financial Lit-  
14 eracy and Education Improvement Act (20 U.S.C.  
15 9702) is amended by striking “Director” each place  
16 that term appears and inserting “Chairperson of the  
17 Board of Directors”.

18 (9) HOME MORTGAGE DISCLOSURE ACT OF  
19 1975.—Section 307 of the Home Mortgage Disclo-  
20 sure Act of 1975 (12 U.S.C. 2806) is amended by  
21 striking “Director of the Bureau of Consumer” each  
22 place that term appears and inserting “Board of Di-  
23 rectors of the Bureau of Consumer”.

1           (10) INTERSTATE LAND SALES FULL DISCLO-  
2           SURE ACT.—The Interstate Land Sales Full Disclo-  
3           sure Act (15 U.S.C. 1701 et seq.) is amended—

4           (A) in section 1402(1) (15 U.S.C.  
5           1701(1)), by striking “‘Director’ means the Di-  
6           rector” and inserting “‘Board’ means the  
7           Board of Directors”;

8           (B) by striking “Director” each place that  
9           term appears and inserting “Board”;

10          (C) in section 1403(c) (15 U.S.C.  
11          1702(c))—

12           (i) by striking “by him” and inserting  
13           “by the Board”; and

14           (ii) by striking “he” and inserting  
15           “the Board”;

16          (D) in section 1407 (15 U.S.C. 1706)—

17           (i) in subsection (c), by striking “he”  
18           and inserting “the Board”; and

19           (ii) in subsection (e), by striking  
20           “him” and inserting “the Board”;

21          (E) in section 1411 (15 U.S.C. 1710)—

22           (i) in subsection (a)—

23           (I) by striking “his findings” and  
24           inserting “its finding”; and



1 (II) by striking “his rec-  
2 ommendation” and inserting “a rec-  
3 ommendation”; and

4 (ii) in subsection (b), by striking  
5 “Secretary’s order” and inserting “order of  
6 the Board”;

7 (F) in section 1415 (15 U.S.C. 1714)—

8 (i) by striking “him” each place that  
9 term appears and inserting “the Board”;

10 (ii) in subsection (a), by striking “he  
11 may, in his discretion” and inserting “the  
12 Board may, at the discretion of the  
13 Board”;

14 (iii) in subsection (b), by striking  
15 “he” each time that term appears and in-  
16 serting “the Board”; and

17 (iv) by striking “in his discretion”  
18 each time that term appears and inserting  
19 “at the discretion of the Board”;

20 (G) in section 1416(a) (15 U.S.C.  
21 1715(a))—

22 (i) by striking “of the Bureau of Con-  
23 sumer Financial Protection” the first time  
24 that term appears;

1 (ii) by striking “his functions, duties,  
2 and powers” and inserting “the functions,  
3 duties, and powers of the Board”;

4 (iii) by striking “his administrative  
5 law judges” and inserting “the administra-  
6 tive law judges of the Bureau of Consumer  
7 Financial Protection”; and

8 (iv) by striking “himself” and insert-  
9 ing “the Board”;

10 (H)(i) in section 1418a(b)(4) (15 U.S.C.  
11 1717a(b)(4)), by striking “The Secretary’s de-  
12 termination or order” and inserting “A deter-  
13 mination or order of the Board”; and

14 (ii) in section 1418a(d) (15 U.S.C.  
15 1717a(d)), by striking “the Secretary’s deter-  
16 mination or order” and inserting “a determina-  
17 tion or order of the Board”;

18 (I) in section 1419 (15 U.S.C. 1718)—

19 (i) by striking “him” and inserting  
20 “the Board”;

21 (ii) by striking “his rules and regula-  
22 tions” and inserting “the rules and regula-  
23 tions of the Board”; and

1 (iii) by striking “his jurisdiction” and  
2 inserting “the jurisdiction of the Bureau of  
3 Consumer Financial Protection”; and

4 (J) in section 1420 (15 U.S.C. 1719)—

5 (i) by inserting “or any member of  
6 the Board” before “in any proceeding”;  
7 and

8 (ii) by striking “him” and inserting  
9 “the Board or any member of the Board”.

10 (11) REAL ESTATE SETTLEMENT PROCEDURES  
11 ACT OF 1974.—Section 5 of the Real Estate Settle-  
12 ment Procedures Act of 1974 (12 U.S.C. 2604) is  
13 amended—

14 (A) by striking “Director of” and inserting  
15 “Board of Directors of”; and

16 (B) by striking “Director” each place that  
17 term appears and inserting “Board”.

18 (12) S.A.F.E. MORTGAGE LICENSING ACT OF  
19 2008.—The S.A.F.E. Mortgage Licensing Act of  
20 2008 (12 U.S.C. 5101 et seq.) is amended—

21 (A) in section 1503(10) (12 U.S.C.  
22 5102(10))—

23 (i) in the paragraph heading, by strik-  
24 ing “DIRECTOR” and inserting “BOARD”;  
25 and

1 (ii) by striking “‘Director’ means the  
2 Director” and inserting “‘Board’ means  
3 the Board of Directors”;

4 (B) by striking “Director” each place that  
5 term appears and inserting “Board”;

6 (C) in section 1514(b)(5) (12 U.S.C.  
7 5113(b)(5)), by striking “Secretary’s expenses”  
8 and inserting “expenses of the Board”;

9 (D) in section 1514(c)(4)(C) (12 U.S.C.  
10 5113(c)(4)(C)), by striking “Secretary’s” and  
11 inserting “Board’s”;

12 (E) in the headings of section 1514(c)(1),  
13 (c)(4)(A), and (c)(5), by striking “DIRECTOR”  
14 and inserting “BOARD”; and

15 (F) in the heading of section 1514(d), by  
16 striking “DIRECTOR” and inserting “BOARD”.

17 (13) TITLE 44.—Section 3513(c) of title 44,  
18 United States Code, is amended by striking “Direc-  
19 tor of the Bureau” and inserting “Board of Direc-  
20 tors of the Bureau”.

21 (c) REFERENCES.—Any reference in a law, regula-  
22 tion, document, paper, or other record of the United  
23 States to the Director of the Bureau of Consumer Finan-  
24 cial Protection shall be deemed a reference to the Board

1 of Directors of the Bureau of Consumer Financial Protec-  
2 tion, unless otherwise specified in this Act.

3 (d) EFFECTIVE DATE.—This section and the amend-  
4 ments made by this section shall take effect on the later  
5 of—

6 (1) October 1, 2017; or

7 (2) the date on which not less than 3 persons  
8 have been confirmed by the Senate to serve as mem-  
9 bers of the Board of Directors of the Bureau of  
10 Consumer Financial Protection.

11 SEC. 506. None of the funds made available in this  
12 Act or transferred to the Bureau of Consumer Financial  
13 Protection pursuant to section 1017 of Public law 111-  
14 203 may be used to regulate pre-dispute arbitration agree-  
15 ments (as described in section 1028 of Public Law 111-  
16 203) and any regulation finalized by the Bureau to regu-  
17 late pre-dispute arbitration agreements shall have no legal  
18 force or effect until the requirements regarding pre-dis-  
19 pute arbitration specified in the report accompanying this  
20 Act under the heading “Bureau of Consumer Financial  
21 Protection,” are fulfilled.

22 CONSUMER PRODUCT SAFETY COMMISSION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Consumer Product  
25 Safety Commission, including hire of passenger motor ve-

1 hicles, services as authorized by 5 U.S.C. 3109, but at  
2 rates for individuals not to exceed the per diem rate equiv-  
3 alent to the maximum rate payable under 5 U.S.C. 5376,  
4 purchase of nominal awards to recognize non-Federal offi-  
5 cials' contributions to Commission activities, and not to  
6 exceed \$4,000 for official reception and representation ex-  
7 penses, \$121,300,000, of which \$1,000,000 shall be avail-  
8 able for the advisory committees in the report accom-  
9 panying this Act under the heading "Consumer Product  
10 Safety Commission", and of which \$1,300,000 shall re-  
11 main available until expended to carry out the program,  
12 including administrative costs, required by section 1405  
13 of the Virginia Graeme Baker Pool and Spa Safety Act  
14 (Public Law 110–140; 15 U.S.C. 8004).

15 ADMINISTRATIVE PROVISION—CONSUMER PRODUCT

16 SAFETY COMMISSION

17 SEC. 510. During fiscal year 2017, none of the  
18 amounts made available by this Act may be used to final-  
19 ize or implement the Safety Standard for Recreational  
20 Off-Highway Vehicles published by the Consumer Product  
21 Safety Commission in the Federal Register on November  
22 19, 2014 (79 Fed. Reg. 68964) until after—

23 (1) the National Academy of Sciences, in con-  
24 sultation with the National Highway Traffic Safety

1 Administration and the Department of Defense,  
2 completes a study to determine—

3 (A) the technical validity of the lateral sta-  
4 bility and vehicle handling requirements pro-  
5 posed by such standard for purposes of reduc-  
6 ing the risk of Recreational Off-Highway Vehi-  
7 cle (referred to in this section as “ROV”) roll-  
8 overs in the off-road environment, including the  
9 repeatability and reproducibility of testing for  
10 compliance with such requirements;

11 (B) the number of ROV rollovers that  
12 would be prevented if the proposed require-  
13 ments were adopted;

14 (C) whether there is a technical basis for  
15 the proposal to provide information on a point-  
16 of-sale hangtag about a ROV’s rollover resist-  
17 ance on a progressive scale; and

18 (D) the effect on the utility of ROVs used  
19 by the United States military if the proposed  
20 requirements were adopted; and

21 (2) a report containing the results of the study  
22 completed under paragraph (1) is delivered to—

23 (A) the Committee on Commerce, Science,  
24 and Transportation of the Senate;

1 (B) the Committee on Energy and Com-  
2 merce of the House of Representatives;

3 (C) the Committee on Appropriations of  
4 the Senate; and

5 (D) the Committee on Appropriations of  
6 the House of Representatives.

7 ELECTION ASSISTANCE COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses to carry out the Help Amer-  
10 ica Vote Act of 2002 (Public Law 107–252), \$4,900,000.

11 FEDERAL COMMUNICATIONS COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Communica-  
14 tions Commission, as authorized by law, including uni-  
15 forms and allowances therefor, as authorized by 5 U.S.C.  
16 5901–5902; not to exceed \$4,000 for official reception and  
17 representation expenses; purchase and hire of motor vehi-  
18 cles; special counsel fees; and services as authorized by  
19 5 U.S.C. 3109, \$314,844,000, to remain available until  
20 expended: *Provided*, That \$314,844,000 of offsetting col-  
21 lections shall be assessed and collected pursuant to section  
22 9 of title I of the Communications Act of 1934, shall be  
23 retained and used for necessary expenses and shall remain  
24 available until expended: *Provided further*, That the sum  
25 herein appropriated shall be reduced as such offsetting



1 collections are received during fiscal year 2017 so as to  
2 result in a final fiscal year 2017 appropriation estimated  
3 at \$0: *Provided further*, That any offsetting collections re-  
4 ceived in excess of \$314,844,000 in fiscal year 2017 shall  
5 not be available for obligation: *Provided further*, That re-  
6 maining offsetting collections from prior years collected in  
7 excess of the amount specified for collection in each such  
8 year and otherwise becoming available on October 1, 2016,  
9 shall not be available for obligation: *Provided further*,  
10 That, notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds  
11 from the use of a competitive bidding system that may  
12 be retained and made available for obligation shall not ex-  
13 ceed \$106,000,000 for fiscal year 2017: *Provided further*,  
14 That, of the amount appropriated under this heading, not  
15 less than \$11,751,000 shall be for the salaries and ex-  
16 penses of the Office of Inspector General.

17 FEDERAL DEPOSIT INSURANCE CORPORATION

18 OFFICE OF THE INSPECTOR GENERAL

19 For necessary expenses of the Office of Inspector  
20 General in carrying out the provisions of the Inspector  
21 General Act of 1978, \$35,958,000, to be derived from the  
22 Deposit Insurance Fund or, only when appropriate, the  
23 FSLIC Resolution Fund.

## 1 FEDERAL ELECTION COMMISSION

## 2 SALARIES AND EXPENSES

3 For necessary expenses to carry out the provisions  
4 of the Federal Election Campaign Act of 1971,  
5 \$80,540,000, of which \$8,000,000 shall remain available  
6 until September 30, 2018, for lease expiration and re-  
7 placement lease expenses; and of which not to exceed  
8 \$5,000 shall be available for reception and representation  
9 expenses.

## 10 FEDERAL LABOR RELATIONS AUTHORITY

## 11 SALARIES AND EXPENSES

12 For necessary expenses to carry out functions of the  
13 Federal Labor Relations Authority, pursuant to Reorga-  
14 nization Plan Numbered 2 of 1978, and the Civil Service  
15 Reform Act of 1978, \$26,631,000, including services au-  
16 thorized by 5 U.S.C. 3109, and including hire of experts  
17 and consultants, hire of passenger motor vehicles and  
18 rental of conference rooms in the District of Columbia and  
19 elsewhere; and of which not to exceed \$1,500 shall be  
20 available for official reception and representation ex-  
21 penses: *Provided*, That public members of the Federal  
22 Service Impasses Panel may be paid travel expenses and  
23 per diem in lieu of subsistence as authorized by law (5  
24 U.S.C. 5703) for persons employed intermittently in the  
25 Government service, and compensation as authorized by

1 5 U.S.C. 3109: *Provided further*, That, notwithstanding  
2 31 U.S.C. 3302, funds received from fees charged to non-  
3 Federal participants at labor-management relations con-  
4 ferences shall be credited to and merged with this account,  
5 to be available without further appropriation for the costs  
6 of carrying out these conferences.

7 FEDERAL TRADE COMMISSION

8 SALARIES AND EXPENSES

9 For necessary expenses of the Federal Trade Com-  
10 mission, including uniforms or allowances therefor, as au-  
11 thorized by 5 U.S.C. 5901–5902; services as authorized  
12 by 5 U.S.C. 3109; hire of passenger motor vehicles; and  
13 not to exceed \$2,000 for official reception and representa-  
14 tion expenses, \$317,000,000 (increased by \$1,000,000), to  
15 remain available until expended: *Provided*, That not to ex-  
16 ceed \$300,000 shall be available for use to contract with  
17 a person or persons for collection services in accordance  
18 with the terms of 31 U.S.C. 3718: *Provided further*, That,  
19 notwithstanding any other provision of law, not to exceed  
20 \$125,000,000 of offsetting collections derived from fees  
21 collected for premerger notification filings under the Hart-  
22 Scott-Rodino Antitrust Improvements Act of 1976 (15  
23 U.S.C. 18a), regardless of the year of collection, shall be  
24 retained and used for necessary expenses in this appro-  
25 priation: *Provided further*, That, notwithstanding any

1 other provision of law, not to exceed \$15,000,000 in off-  
2 setting collections derived from fees sufficient to imple-  
3 ment and enforce the Telemarketing Sales Rule, promul-  
4 gated under the Telemarketing and Consumer Fraud and  
5 Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be  
6 credited to this account, and be retained and used for nec-  
7 essary expenses in this appropriation: *Provided further*,  
8 That the sum herein appropriated from the general fund  
9 shall be reduced as such offsetting collections are received  
10 during fiscal year 2017, so as to result in a final fiscal  
11 year 2017 appropriation from the general fund estimated  
12 at not more than \$177,000,000: *Provided further*, That  
13 none of the funds made available to the Federal Trade  
14 Commission may be used to implement subsection  
15 (e)(2)(B) of section 43 of the Federal Deposit Insurance  
16 Act (12 U.S.C. 1831t).

17                   GENERAL SERVICES ADMINISTRATION

18                               REAL PROPERTY ACTIVITIES

19                                       FEDERAL BUILDINGS FUND

20   LIMITATIONS ON AVAILABILITY OF REVENUE

21   (INCLUDING TRANSFERS OF FUNDS)

22           Amounts in the Fund, including revenues and collec-  
23 tions deposited into the Fund, shall be available for nec-  
24 essary expenses of real property management and related  
25 activities not otherwise provided for, including operation,

1 maintenance, and protection of federally owned and leased  
2 buildings; rental of buildings in the District of Columbia;  
3 restoration of leased premises; moving governmental agen-  
4 cies (including space adjustments and telecommunications  
5 relocation expenses) in connection with the assignment, al-  
6 location, and transfer of space; contractual services inci-  
7 dent to cleaning or servicing buildings, and moving; repair  
8 and alteration of federally owned buildings, including  
9 grounds, approaches, and appurtenances; care and safe-  
10 guarding of sites; maintenance, preservation, demolition,  
11 and equipment; acquisition of buildings and sites by pur-  
12 chase, condemnation, or as otherwise authorized by law;  
13 acquisition of options to purchase buildings and sites; con-  
14 version and extension of federally owned buildings; pre-  
15 liminary planning and design of projects by contract or  
16 otherwise; construction of new buildings (including equip-  
17 ment for such buildings); and payment of principal, inter-  
18 est, and any other obligations for public buildings acquired  
19 by installment purchase and purchase contract; in the ag-  
20 gregate amount of \$9,244,808,000 (reduced by  
21 \$7,000,000) (reduced by \$1,784,000) (reduced by  
22 \$800,000) (reduced by \$3,300,000) (reduced by  
23 \$2,000,000) (reduced by \$5,000,000), of which—  
24           (1) \$504,918,000 shall remain available until  
25           expended for construction and acquisition (including

1 funds for sites and expenses, and associated design  
2 and construction services) as follows:

3 (A) National Capital Region, FBI Head-  
4 quarters Consolidation, \$200,000,000;

5 (B) California, Calexico, Calexico West  
6 Land Port of Entry, \$248,213,000;

7 (C) District of Columbia, Washington,  
8 Southeast Federal Center Remediation,  
9 \$7,000,000;

10 (D) Pembina, North Dakota, United  
11 States Department of Agriculture (USDA) Ani-  
12 mal and Plant Health Inspection Service  
13 (APHIS), \$5,749,000;

14 (E) Boyers, Pennsylvania, Federal Office  
15 Building, \$31,200,000; and

16 (F) Austin, Texas, Internal Revenue Serv-  
17 ice (IRS) Annex Building, \$12,756,000:

18 *Provided*, That each of the foregoing limits of costs  
19 on new construction and acquisition projects may be  
20 exceeded to the extent that savings are effected in  
21 other such projects, but not to exceed 10 percent of  
22 the amounts included in a transmitted prospectus, if  
23 required, unless advance approval is obtained from  
24 the Committees on Appropriations of a greater  
25 amount;

1           (2) \$758,790,000 shall remain available until  
2 expended for repairs and alterations, including asso-  
3 ciated design and construction services, of which—

4           (A) \$300,000,000 is for Major Repairs and  
5 Alterations;

6           (B) \$312,090,000 is for Basic Repairs and  
7 Alterations; and

8           (C) \$146,700,000 is for Special Emphasis  
9 Programs, of which—

10           (i) \$20,000,000 is for Fire and Life  
11 Safety;

12           (ii) \$26,700,000 is for Judiciary Cap-  
13 ital Security;

14           (iii) \$100,000,000 is for Consolidation  
15 Activities: *Provided*, That consolidation  
16 projects result in reduced annual rent paid  
17 by the tenant agency: *Provided further*,  
18 That no consolidation project exceed  
19 \$10,000,000 in costs: *Provided further*,  
20 That consolidation projects are approved  
21 by each of the committees specified in sec-  
22 tion 3307(a) of title 40, United States  
23 Code: *Provided further*, That preference is  
24 given to consolidation projects that achieve  
25 a utilization rate of 130 usable square feet

1 or less per person for office space: *Pro-*  
2 *vided further*, That the obligation of funds  
3 under this paragraph for consolidation ac-  
4 tivities may not be made until 10 days  
5 after a proposed spending plan and expla-  
6 nation for each project to be undertaken,  
7 including estimated savings, has been sub-  
8 mitted to the Committees on Appropria-  
9 tions of the House of Representatives and  
10 the Senate:

11 *Provided*, That funds made available in this or any  
12 previous Act in the Federal Buildings Fund for Re-  
13 pairs and Alterations shall, for prospectus projects,  
14 be limited to the amount identified for each project,  
15 except each project in this or any previous Act may  
16 be increased by an amount not to exceed 10 percent  
17 unless advance approval is obtained from the Com-  
18 mittees on Appropriations of a greater amount: *Pro-*  
19 *vided further*, That additional projects for which  
20 prospectuses have been fully approved may be fund-  
21 ed under this category only if advance approval is  
22 obtained from the Committees on Appropriations:  
23 *Provided further*, That the amounts provided in this  
24 or any prior Act for “Repairs and Alterations” may  
25 be used to fund costs associated with implementing



1 security improvements to buildings necessary to  
2 meet the minimum standards for security in accord-  
3 ance with current law and in compliance with the re-  
4 programming guidelines of the appropriate Commit-  
5 tees of the House and Senate: *Provided further*,  
6 That the difference between the funds appropriated  
7 and expended on any projects in this or any prior  
8 Act, under the heading “Repairs and Alterations”,  
9 may be transferred to Basic Repairs and Alterations  
10 or used to fund authorized increases in prospectus  
11 projects: *Provided further*, That the amount provided  
12 in this or any prior Act for Basic Repairs and Alter-  
13 ations may be used to pay claims against the Gov-  
14 ernment arising from any projects under the heading  
15 “Repairs and Alterations” or used to fund author-  
16 ized increases in prospectus projects;

17 (3) \$5,645,000,000 (reduced by \$7,000,000)  
18 (reduced by \$1,784,000) (reduced by \$800,000) (re-  
19 duced by \$3,300,000) (reduced by \$2,000,000) (re-  
20 duced by \$5,000,000) for rental of space to remain  
21 available until expended; and

22 (4) \$2,336,100,000 for building operations to  
23 remain available until expended, of which  
24 \$1,184,790,000 is for building services, and  
25 \$1,151,310,000 is for salaries and expenses: *Pro-*

1        *vided*, That not to exceed 5 percent of any appro-  
2        priation made available under this paragraph for  
3        building operations may be transferred between and  
4        merged with such appropriations upon notification  
5        to the Committees on Appropriations of the House  
6        of Representatives and the Senate, but no such ap-  
7        propriation shall be increased by more than 5 per-  
8        cent by any such transfers: *Provided further*, That  
9        section 521 of this title shall not apply with respect  
10       to funds made available under this heading for  
11       building operations: *Provided further*, That the total  
12       amount of funds made available from this Fund to  
13       the General Services Administration shall not be  
14       available for expenses of any construction, repair, al-  
15       teration and acquisition project for which a pro-  
16       spectus, if required by 40 U.S.C. 3307(a), has not  
17       been approved, except that necessary funds may be  
18       expended for each project for required expenses for  
19       the development of a proposed prospectus: *Provided*  
20       *further*, That funds available in the Federal Build-  
21       ings Fund may be expended for emergency repairs  
22       when advance approval is obtained from the Com-  
23       mittees on Appropriations: *Provided further*, That  
24       amounts necessary to provide reimbursable special  
25       services to other agencies under 40 U.S.C. 592(b)(2)

1 and amounts to provide such reimbursable fencing,  
2 lighting, guard booths, and other facilities on private  
3 or other property not in Government ownership or  
4 control as may be appropriate to enable the United  
5 States Secret Service to perform its protective func-  
6 tions pursuant to 18 U.S.C. 3056, shall be available  
7 from such revenues and collections: *Provided further*,  
8 That revenues and collections and any other sums  
9 accruing to this Fund during fiscal year 2017, ex-  
10 cluding reimbursements under 40 U.S.C. 592(b)(2),  
11 in excess of the aggregate new obligational authority  
12 authorized for Real Property Activities of the Fed-  
13 eral Buildings Fund in this Act shall remain in the  
14 Fund and shall not be available for expenditure ex-  
15 cept as authorized in appropriations Acts.

16 GENERAL ACTIVITIES

17 GOVERNMENT-WIDE POLICY

18 For expenses authorized by law, not otherwise pro-  
19 vided for, for Government-wide policy and evaluation ac-  
20 tivities associated with the management of real and per-  
21 sonal property assets and certain administrative services;  
22 Government-wide policy support responsibilities relating to  
23 acquisition, travel, motor vehicles, information technology  
24 management, and related technology activities; and serv-  
25 ices as authorized by 5 U.S.C. 3109; \$58,000,000, of

1 which \$1,000,000 shall remain available until September  
2 30, 2018.

3 OPERATING EXPENSES

4 For expenses authorized by law, not otherwise pro-  
5 vided for, for Government-wide activities associated with  
6 utilization and donation of surplus personal property; dis-  
7 posal of real property; agency-wide policy direction, man-  
8 agement, and communications; and services as authorized  
9 by 5 U.S.C. 3109; \$47,966,000, of which \$24,569,000 is  
10 for Real and Personal Property Management and Disposal  
11 and \$23,397,000 is for the Office of the Administrator,  
12 of which not to exceed \$7,500 is for official reception and  
13 representation expenses.

14 CIVILIAN BOARD OF CONTRACT APPEALS

15 For expenses authorized by law, not otherwise pro-  
16 vided for, for activities associated with the Civilian Board  
17 of Contract Appeals and services as authorized by 5  
18 U.S.C. 3109, \$9,275,000.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector  
21 General and services authorized by 5 U.S.C. 3109,  
22 \$65,000,000, of which \$2,000,000 is available until Sep-  
23 tember 30, 2018: *Provided*, That not to exceed \$50,000  
24 shall be available for payment for information and detec-  
25 tion of fraud against the Government, including payment

1 for recovery of stolen Government property: *Provided fur-*  
2 *ther*, That not to exceed \$2,500 shall be available for  
3 awards to employees of other Federal agencies and private  
4 citizens in recognition of efforts and initiatives resulting  
5 in enhanced Office of Inspector General effectiveness.

6 ALLOWANCES AND OFFICE STAFF FOR FORMER  
7 PRESIDENTS

8 For carrying out the provisions of the Act of August  
9 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,  
10 \$1,932,000.

11 EXPENSES, PRESIDENTIAL TRANSITION  
12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses to carry out the Presidential  
14 Transition Act of 1963 (3 U.S.C. 102 note), \$9,500,000,  
15 of which not to exceed \$1,000,000 is for activities author-  
16 ized by paragraphs (8) and (9) of section 3(a) of the Act:  
17 *Provided*, That such amounts may be transferred to the  
18 “Acquisition Services Fund” or “Federal Buildings Fund”  
19 to reimburse obligations incurred prior to the date of en-  
20 actment of this Act for the purposes provided herein re-  
21 lated to the Presidential election in 2016: *Provided further*,  
22 That amounts available under this heading shall be in ad-  
23 dition to any other amounts available for such purposes.

1 FEDERAL CITIZEN SERVICES FUND  
2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses of the Office of Citizen Serv-  
4 ices and Innovative Technologies, including services au-  
5 thorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for  
6 necessary expenses in support of interagency projects that  
7 enable the Federal Government to enhance its ability to  
8 conduct activities electronically, through the development  
9 and implementation of innovative uses of information  
10 technology; \$55,894,000, to be deposited into the Federal  
11 Citizen Services Fund: *Provided*, That the previous  
12 amount may be transferred to Federal agencies to carry  
13 out the purpose of the Federal Citizen Services Fund: *Pro-*  
14 *vided further*, That the appropriations, revenues, reim-  
15 bursements, and collections deposited into the Fund shall  
16 be available until expended for necessary expenses of Fed-  
17 eral Citizen Services and other activities that enable the  
18 Federal Government to enhance its ability to conduct ac-  
19 tivities electronically in the aggregate amount not to ex-  
20 ceed \$150,000,000: *Provided further*, That appropriations,  
21 revenues, reimbursements, and collections accruing to this  
22 Fund during fiscal year 2017 in excess of such amount  
23 shall remain in the Fund and shall not be available for  
24 expenditure except as authorized in appropriations Acts:  
25 *Provided further*, That any appropriations provided to the

1 Electronic Government Fund that remain unobligated  
2 may be transferred to the Federal Citizen Services Fund:  
3 *Provided further*, That the transfer authorities provided  
4 herein shall be in addition to any other transfer authority  
5 provided in this Act.

6 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

7 ADMINISTRATION

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 520. Funds available to the General Services  
10 Administration shall be available for the hire of passenger  
11 motor vehicles.

12 SEC. 521. Funds in the Federal Buildings Fund  
13 made available for fiscal year 2017 for Federal Buildings  
14 Fund activities may be transferred between such activities  
15 only to the extent necessary to meet program require-  
16 ments: *Provided*, That any proposed transfers shall be ap-  
17 proved in advance by the Committees on Appropriations  
18 of the House of Representatives and the Senate.

19 SEC. 522. Except as otherwise provided in this title,  
20 funds made available by this Act shall be used to transmit  
21 a fiscal year 2018 request for United States Courthouse  
22 construction only if the request: (1) meets the design guide  
23 standards for construction as established and approved by  
24 the General Services Administration, the Judicial Con-  
25 ference of the United States, and the Office of Manage-

1 ment and Budget; (2) reflects the priorities of the Judicial  
2 Conference of the United States as set out in its approved  
3 5-year construction plan; and (3) includes a standardized  
4 courtroom utilization study of each facility to be con-  
5 structed, replaced, or expanded.

6       SEC. 523. None of the funds provided in this Act may  
7 be used to increase the amount of occupiable square feet,  
8 provide cleaning services, security enhancements, or any  
9 other service usually provided through the Federal Build-  
10 ings Fund, to any agency that does not pay the rate per  
11 square foot assessment for space and services as deter-  
12 mined by the General Services Administration in consider-  
13 ation of the Public Buildings Amendments Act of 1972  
14 (Public Law 92–313).

15       SEC. 524. From funds made available under the  
16 heading Federal Buildings Fund, Limitations on Avail-  
17 ability of Revenue, claims against the Government of less  
18 than \$250,000 arising from direct construction projects  
19 and acquisition of buildings may be liquidated from sav-  
20 ings effected in other construction projects with prior noti-  
21 fication to the Committees on Appropriations of the House  
22 of Representatives and the Senate.

23       SEC. 525. In any case in which the Committee on  
24 Transportation and Infrastructure of the House of Rep-  
25 resentatives and the Committee on Environment and Pub-



1 lie Works of the Senate adopt a resolution granting lease  
2 authority pursuant to a prospectus transmitted to Con-  
3 gress by the Administrator of the General Services Admin-  
4 istration under 40 U.S.C. 3307, the Administrator shall  
5 ensure that the delineated area of procurement is identical  
6 to the delineated area included in the prospectus for all  
7 lease agreements, except that, if the Administrator deter-  
8 mines that the delineated area of the procurement should  
9 not be identical to the delineated area included in the pro-  
10 spectus, the Administrator shall provide an explanatory  
11 statement to each of such committees and the Committees  
12 on Appropriations of the House of Representatives and the  
13 Senate prior to exercising any lease authority provided in  
14 the resolution.

15       SEC. 526. With respect to each project funded under  
16 the heading “Major Repairs and Alterations” or “Judici-  
17 ary Capital Security Program”, and with respect to E-  
18 Government projects funded under the heading “Federal  
19 Citizen Services Fund”, the Administrator of General  
20 Services shall submit a spending plan and explanation for  
21 each project to be undertaken to the Committees on Ap-  
22 propriations of the House of Representatives and the Sen-  
23 ate not later than 60 days after the date of enactment  
24 of this Act.

1        SEC. 527. Strike subsection (d) of section 3173 of  
2 title 40, United States Code.

3                    MERIT SYSTEMS PROTECTION BOARD

4                                SALARIES AND EXPENSES

5                                    (INCLUDING TRANSFER OF FUNDS)

6        For necessary expenses to carry out functions of the  
7 Merit Systems Protection Board pursuant to Reorganiza-  
8 tion Plan Numbered 2 of 1978, the Civil Service Reform  
9 Act of 1978, and the Whistleblower Protection Act of  
10 1989 (5 U.S.C. 5509 note), including services as author-  
11 ized by 5 U.S.C. 3109, rental of conference rooms in the  
12 District of Columbia and elsewhere, hire of passenger  
13 motor vehicles, direct procurement of survey printing, and  
14 not to exceed \$2,000 for official reception and representa-  
15 tion expenses, \$44,786,000, to remain available until Sep-  
16 tember 30, 2018, and in addition not to exceed  
17 \$2,345,000, to remain available until September 30, 2018,  
18 for administrative expenses to adjudicate retirement ap-  
19 peals to be transferred from the Civil Service Retirement  
20 and Disability Fund in amounts determined by the Merit  
21 Systems Protection Board.

22                    NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

23                                OPERATING EXPENSES

24        For necessary expenses in connection with the admin-  
25 istration of the National Archives and Records Adminis-

1 tration and archived Federal records and related activities,  
2 as provided by law, and for expenses necessary for the re-  
3 view and declassification of documents, the activities of  
4 the Public Interest Declassification Board, the operations  
5 and maintenance of the electronic records archives, the  
6 hire of passenger motor vehicles, and for uniforms or al-  
7 lowances therefor, as authorized by law (5 U.S.C. 5901),  
8 including maintenance, repairs, and cleaning,  
9 \$380,634,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector  
12 General in carrying out the provisions of the Inspector  
13 General Reform Act of 2008, Public Law 110–409, 122  
14 Stat. 4302–16 (2008), and the Inspector General Act of  
15 1978 (5 U.S.C. App.), and for the hire of passenger motor  
16 vehicles, \$4,801,000.

17 REPAIRS AND RESTORATION

18 For the repair, alteration, and improvement of ar-  
19 chives facilities, and to provide adequate storage for hold-  
20 ings, \$7,500,000, to remain available until expended.

21 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

22 COMMISSION

23 GRANTS PROGRAM

24 For necessary expenses for allocations and grants for  
25 historical publications and records as authorized by 44

1 U.S.C. 2504, \$6,000,000, to remain available until ex-  
2 pended.

3 NATIONAL CREDIT UNION ADMINISTRATION

4 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

5 For the Community Development Revolving Loan  
6 Fund program as authorized by 42 U.S.C. 9812, 9822  
7 and 9910, \$2,000,000 shall be available until September  
8 30, 2018, for technical assistance to low-income des-  
9 ignated credit unions.

10 OFFICE OF GOVERNMENT ETHICS

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out functions of the  
13 Office of Government Ethics pursuant to the Ethics in  
14 Government Act of 1978, the Ethics Reform Act of 1989,  
15 and the Stop Trading on Congressional Knowledge Act of  
16 2012, including services as authorized by 5 U.S.C. 3109,  
17 rental of conference rooms in the District of Columbia and  
18 elsewhere, hire of passenger motor vehicles, and not to ex-  
19 ceed \$1,500 for official reception and representation ex-  
20 penses, \$16,090,000.

21 OFFICE OF PERSONNEL MANAGEMENT

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFER OF TRUST FUNDS)

24 For necessary expenses to carry out functions of the  
25 Office of Personnel Management (OPM) pursuant to Re-

1 organization Plan Numbered 2 of 1978 and the Civil Serv-  
2 ice Reform Act of 1978, including services as authorized  
3 by 5 U.S.C. 3109; medical examinations performed for  
4 veterans by private physicians on a fee basis; rental of con-  
5 ference rooms in the District of Columbia and elsewhere;  
6 hire of passenger motor vehicles; not to exceed \$2,500 for  
7 official reception and representation expenses; advances  
8 for reimbursements to applicable funds of OPM and the  
9 Federal Bureau of Investigation for expenses incurred  
10 under Executive Order No. 10422 of January 9, 1953,  
11 as amended; and payment of per diem or subsistence al-  
12 lowances to employees where Voting Rights Act activities  
13 require an employee to remain overnight at his or her post  
14 of duty, \$144,867,000: *Provided*, That of the total amount  
15 made available under this heading, not to exceed  
16 \$37,000,000 shall remain available until September 30,  
17 2018, for the operation and strengthening of the security  
18 of OPM legacy and Shell environment IT systems and the  
19 modernization, migration, and testing of such systems:  
20 *Provided further*, That the amount made available by the  
21 previous proviso may not be obligated until the Director  
22 of the Office of Personnel Management submits to the  
23 Committees on Appropriations of the Senate and the  
24 House of Representatives a plan for expenditure of such  
25 amount, prepared in consultation with the Director of the

1 Office of Management and Budget, the Administrator of  
2 the United States Digital Service, and the Secretary of  
3 Homeland Security, that—

4 (1) identifies the full scope and cost of the IT  
5 systems remediation and stabilization project;

6 (2) meets the capital planning and investment  
7 control review requirements established by the Office  
8 of Management and Budget, including Circular A–  
9 11, part 7;

10 (3) includes a Major IT Business Case under  
11 the requirements established by the Office of Man-  
12 agement and Budget Exhibit 300;

13 (4) complies with the acquisition rules, require-  
14 ments, guidelines, and systems acquisition manage-  
15 ment practices of the Government;

16 (5) complies with all Office of Management and  
17 Budget, Department of Homeland Security and Na-  
18 tional Institute of Standards and Technology re-  
19 quirements related to securing the agency’s informa-  
20 tion system as described in 44 U.S.C. 3554; and

21 (6) is reviewed and commented upon by the In-  
22 spector General of the Office of Personnel Manage-  
23 ment, and such comments are submitted to the Di-  
24 rector of the Office of Personnel Management before  
25 the date of such submission:

1 *Provided further*, That, not later than 6 months after the  
2 date of enactment of this Act, the Comptroller General  
3 shall submit to the Committees on Appropriations of the  
4 Senate and the House of Representatives a report that—

5 (A) evaluates—

6 (i) the steps taken by the Office of Per-  
7 sonnel Management to prevent, mitigate, and  
8 respond to data breaches involving sensitive  
9 personnel records and information;

10 (ii) the Office’s cybersecurity policies and  
11 procedures in place on the date of enactment of  
12 this Act, including policies and procedures re-  
13 lating to IT best practices such as data  
14 encryption, multifactor authentication, and con-  
15 tinuous monitoring;

16 (iii) the Office’s oversight of contractors  
17 providing IT services; and

18 (iv) the Office’s compliance with govern-  
19 ment-wide initiatives to improve cybersecurity;  
20 and

21 (B) sets forth improvements that could be made  
22 to assist the Office of Personnel Management in ad-  
23 dressing cybersecurity challenges:

24 *Provided further*, That of the total amount made available  
25 under this heading, \$391,000 may be made available for

1 strengthening the capacity and capabilities of the acquisi-  
2 tion workforce (as defined by the Office of Federal Pro-  
3 curement Policy Act, as amended (41 U.S.C. 4001 et  
4 seq.)), including the recruitment, hiring, training, and re-  
5 tention of such workforce and information technology in  
6 support of acquisition workforce effectiveness or for man-  
7 agement solutions to improve acquisition management;  
8 and in addition \$141,611,000 for administrative expenses,  
9 to be transferred from the appropriate trust funds of OPM  
10 without regard to other statutes, including direct procure-  
11 ment of printed materials, for the retirement and insur-  
12 ance programs: *Provided further*, That the provisions of  
13 this appropriation shall not affect the authority to use ap-  
14 plicable trust funds as provided by sections 8348(a)(1)(B),  
15 8958(f)(2)(A), 8988(f)(2)(A), and 9004(f)(2)(A) of title  
16 5, United States Code: *Provided further*, That no part of  
17 this appropriation shall be available for salaries and ex-  
18 penses of the Legal Examining Unit of OPM established  
19 pursuant to Executive Order No. 9358 of July 1, 1943,  
20 or any successor unit of like purpose: *Provided further*,  
21 That the President's Commission on White House Fel-  
22 lows, established by Executive Order No. 11183 of Octo-  
23 ber 3, 1964, may, during fiscal year 2017, accept dona-  
24 tions of money, property, and personal services: *Provided*  
25 *further*, That such donations, including those from prior



1 years, may be used for the development of publicity mate-  
2 rials to provide information about the White House Fel-  
3 lows, except that no such donations shall be accepted for  
4 travel or reimbursement of travel expenses, or for the sala-  
5 ries of employees of such Commission.

6 OFFICE OF INSPECTOR GENERAL

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF TRUST FUNDS)

9 For necessary expenses of the Office of Inspector  
10 General in carrying out the provisions of the Inspector  
11 General Act of 1978, including services as authorized by  
12 5 U.S.C. 3109, hire of passenger motor vehicles,  
13 \$5,072,000, and in addition, not to exceed \$26,662,000  
14 for administrative expenses to audit, investigate, and pro-  
15 vide other oversight of the Office of Personnel Manage-  
16 ment's retirement and insurance programs, to be trans-  
17 ferred from the appropriate trust funds of the Office of  
18 Personnel Management, as determined by the Inspector  
19 General: *Provided*, That the Inspector General is author-  
20 ized to rent conference rooms in the District of Columbia  
21 and elsewhere.

22 OFFICE OF SPECIAL COUNSEL

23 SALARIES AND EXPENSES

24 For necessary expenses to carry out functions of the  
25 Office of Special Counsel pursuant to Reorganization Plan

1 Numbered 2 of 1978, the Civil Service Reform Act of  
2 1978 (Public Law 95–454), the Whistleblower Protection  
3 Act of 1989 (Public Law 101–12) as amended by Public  
4 Law 107–304, the Whistleblower Protection Enhancement  
5 Act of 2012 (Public Law 112–199), and the Uniformed  
6 Services Employment and Reemployment Rights Act of  
7 1994 (Public Law 103–353), including services as author-  
8 ized by 5 U.S.C. 3109, payment of fees and expenses for  
9 witnesses, rental of conference rooms in the District of Co-  
10 lumbia and elsewhere, and hire of passenger motor vehi-  
11 cles; \$25,735,000 (increased by \$800,000).

12 POSTAL REGULATORY COMMISSION

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses of the Postal Regulatory  
16 Commission in carrying out the provisions of the Postal  
17 Accountability and Enhancement Act (Public Law 109–  
18 435), \$16,200,000, to be derived by transfer from the  
19 Postal Service Fund and expended as authorized by sec-  
20 tion 603(a) of such Act.

21 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

22 SALARIES AND EXPENSES

23 For necessary expenses of the Privacy and Civil Lib-  
24 erties Oversight Board, as authorized by section 1061 of  
25 the Intelligence Reform and Terrorism Prevention Act of

1 2004 (42 U.S.C. 2000ee), \$8,297,000 (increased by  
2 \$1,784,000).

3 SECURITIES AND EXCHANGE COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses for the Securities and Ex-  
6 change Commission, including services as authorized by  
7 5 U.S.C. 3109, the rental of space (to include multiple  
8 year leases) in the District of Columbia and elsewhere, and  
9 not to exceed \$3,500 for official reception and representa-  
10 tion expenses, \$1,555,000,000, to remain available until  
11 expended; of which not less than \$14,700,000 shall be for  
12 the Office of Inspector General; of which not to exceed  
13 \$75,000 shall be available for a permanent secretariat for  
14 the International Organization of Securities Commissions;  
15 of which not to exceed \$100,000 shall be available for ex-  
16 penses for consultations and meetings hosted by the Com-  
17 mission with foreign governmental and other regulatory  
18 officials, members of their delegations and staffs to ex-  
19 change views concerning securities matters, such expenses  
20 to include necessary logistic and administrative expenses  
21 and the expenses of Commission staff and foreign invitees  
22 in attendance including: (1) incidental expenses such as  
23 meals; (2) travel and transportation; and (3) related lodg-  
24 ing or subsistence; of which funding for information tech-  
25 nology initiatives shall be increased over the fiscal year

1 2016 level by not less than \$50,000,000; and of which not  
2 less than \$72,049,000 shall be for the Division of Eco-  
3 nomic and Risk Analysis: *Provided*, That fees and charges  
4 authorized by section 31 of the Securities Exchange Act  
5 of 1934 (15 U.S.C. 78ee) shall be credited to this account  
6 as offsetting collections: *Provided further*, That not to ex-  
7 ceed \$1,555,000,000 of such offsetting collections shall be  
8 available until expended for necessary expenses of this ac-  
9 count: *Provided further*, That the total amount appro-  
10 priated under this heading from the general fund for fiscal  
11 year 2017 shall be reduced as such offsetting fees are re-  
12 ceived so as to result in a final total fiscal year 2017 ap-  
13 propriation from the general fund estimated at not more  
14 than \$0.

15 SELECTIVE SERVICE SYSTEM

16 SALARIES AND EXPENSES

17 For necessary expenses of the Selective Service Sys-  
18 tem, including expenses of attendance at meetings and of  
19 training for uniformed personnel assigned to the Selective  
20 Service System, as authorized by 5 U.S.C. 4101–4118 for  
21 civilian employees; hire of passenger motor vehicles; serv-  
22 ices as authorized by 5 U.S.C. 3109; and not to exceed  
23 \$750 for official reception and representation expenses;  
24 \$22,703,000: *Provided*, That during the current fiscal  
25 year, the President may exempt this appropriation from

1 the provisions of 31 U.S.C. 1341, whenever the President  
2 deems such action to be necessary in the interest of na-  
3 tional defense: *Provided further*, That none of the funds  
4 appropriated by this Act may be expended for or in con-  
5 nection with the induction of any person into the Armed  
6 Forces of the United States.

7 SMALL BUSINESS ADMINISTRATION

8 SALARIES AND EXPENSES

9 For necessary expenses, not otherwise provided for,  
10 of the Small Business Administration, including hire of  
11 passenger motor vehicles as authorized by sections 1343  
12 and 1344 of title 31, United States Code, and not to ex-  
13 ceed \$3,500 for official reception and representation ex-  
14 penses, \$268,000,000, of which not less than \$12,000,000  
15 shall be available for examinations, reviews, and other  
16 lender oversight activities: *Provided*, That the Adminis-  
17 trator is authorized to charge fees to cover the cost of pub-  
18 lications developed by the Small Business Administration,  
19 and certain loan program activities, including fees author-  
20 ized by section 5(b) of the Small Business Act: *Provided*  
21 *further*, That, notwithstanding 31 U.S.C. 3302, revenues  
22 received from all such activities shall be credited to this  
23 account, to remain available until expended, for carrying  
24 out these purposes without further appropriations: *Pro-*  
25 *vided further*, That the Small Business Administration

1 may accept gifts in an amount not to exceed \$4,000,000  
2 and may co-sponsor activities, each in accordance with sec-  
3 tion 132(a) of division K of Public Law 108–447, during  
4 fiscal year 2017: *Provided further*, That \$6,100,000 shall  
5 be available for the Loan Modernization and Accounting  
6 System, to be available until September 30, 2018.

7 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

8 For necessary expenses of programs supporting en-  
9 trepreneurial and small business development,  
10 \$243,100,000, to remain available until September 30,  
11 2018: *Provided*, That \$125,000,000 (increased by  
12 \$5,000,000) shall be available to fund grants for perform-  
13 ance in fiscal year 2017 or fiscal year 2018 as authorized  
14 by section 21 of the Small Business Act: *Provided further*,  
15 That \$31,000,000 shall be for marketing, management,  
16 and technical assistance under section 7(m) of the Small  
17 Business Act (15 U.S.C. 636(m)(4)) by intermediaries  
18 that make microloans under the microloan program: *Pro-*  
19 *vided further*, That \$20,000,000 shall be available for  
20 grants to States to carry out export programs that assist  
21 small business concerns authorized under section 1207 of  
22 Public Law 111–240.

## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978, \$19,900,000.

## 5 OFFICE OF ADVOCACY

6 For necessary expenses of the Office of Advocacy in  
7 carrying out the provisions of title II of Public Law 94–  
8 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-  
9 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,320,000, to  
10 remain available until expended.

## 11 BUSINESS LOANS PROGRAM ACCOUNT

## 12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of direct loans, \$4,338,000, to remain  
14 available until expended: *Provided*, That such costs, in-  
15 cluding the cost of modifying such loans, shall be as de-  
16 fined in section 502 of the Congressional Budget Act of  
17 1974: *Provided further*, That subject to section 502 of the  
18 Congressional Budget Act of 1974, during fiscal year  
19 2017 commitments to guarantee loans under section 503  
20 of the Small Business Investment Act of 1958 shall not  
21 exceed \$7,500,000,000: *Provided further*, That during fis-  
22 cal year 2017 commitments for general business loans au-  
23 thorized under section 7(a) of the Small Business Act  
24 shall not exceed \$28,500,000,000 for a combination of  
25 amortizing term loans and the aggregated maximum line

1 of credit provided by revolving loans: *Provided further*,  
2 That during fiscal year 2017 commitments for loans au-  
3 thorized under subparagraph (C) of section 502(7) of the  
4 Small Business Investment Act of 1958 (15 U.S.C.  
5 696(7)) shall not exceed \$7,500,000,000: *Provided further*,  
6 That during fiscal year 2017 commitments to guarantee  
7 loans for debentures under section 303(b) of the Small  
8 Business Investment Act of 1958 shall not exceed  
9 \$4,000,000,000: *Provided further*, That during fiscal year  
10 2017, guarantees of trust certificates authorized by sec-  
11 tion 5(g) of the Small Business Act shall not exceed a  
12 principal amount of \$12,000,000,000. In addition, for ad-  
13 ministrative expenses to carry out the direct and guaran-  
14 teed loan programs, \$152,726,000, which may be trans-  
15 ferred to and merged with the appropriations for Salaries  
16 and Expenses.

17 DISASTER LOANS PROGRAM ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For administrative expenses to carry out the direct  
20 loan program authorized by section 7(b) of the Small  
21 Business Act, \$185,977,000, to be available until ex-  
22 pended, of which \$1,000,000 is for the Office of Inspector  
23 General of the Small Business Administration for audits  
24 and reviews of disaster loans and the disaster loan pro-  
25 grams and shall be transferred to and merged with the



1 appropriations for the Office of Inspector General; of  
2 which \$175,977,000 is for direct administrative expenses  
3 of loan making and servicing to carry out the direct loan  
4 program, which may be transferred to and merged with  
5 the appropriations for Salaries and Expenses; and of  
6 which \$9,000,000 is for indirect administrative expenses  
7 for the direct loan program, which may be transferred to  
8 and merged with the appropriations for Salaries and Ex-  
9 penses.

10 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

11 ADMINISTRATION

12 (INCLUDING TRANSFER OF FUNDS)

13 (INCLUDING RESCISSION)

14 SEC. 530. Not to exceed 5 percent of any appropria-  
15 tion made available for the current fiscal year for the  
16 Small Business Administration in this Act may be trans-  
17 ferred between such appropriations, but no such appro-  
18 priation shall be increased by more than 10 percent by  
19 any such transfers: *Provided*, That any transfer pursuant  
20 to this section shall be treated as a reprogramming of  
21 funds under section 608 of this Act and shall not be avail-  
22 able for obligation or expenditure except in compliance  
23 with the procedures set forth in that section.

24 SEC. 531. (a) None of the funds made available under  
25 this Act may be used to collect a guarantee fee under sec-

1 tion 7(a)(18) of the Small Business Act (15 U.S.C.  
2 636(a)(18)) with respect to a loan guaranteed under sec-  
3 tion 7(a)(31) of such Act that is made to a small business  
4 concern (as defined under section 3 of such Act (15 U.S.C.  
5 632)) that is 51 percent or more owned and controlled  
6 by 1 or more individuals who is a veteran (as defined in  
7 section 101 of title 38, United States Code) or the spouse  
8 of a veteran.

9 (b) Nothing in this section shall be construed to limit  
10 the authority of the Administrator of the Small Business  
11 Administration to waive such a guarantee fee or any other  
12 loan fee with respect to a loan to a small business concern  
13 described in subsection (a) or any other borrower.

14 SEC. 532. Of the unobligated balances available for  
15 the Certified Development Company Program under sec-  
16 tion 503 of the Small Business Investment Act of 1958,  
17 as amended, \$55,000,000 are hereby permanently re-  
18 scinded: *Provided*, That no amounts may be so rescinded  
19 from amounts that were designated by the Congress as  
20 an emergency requirement pursuant to the Concurrent  
21 Resolution on the Budget or the Balanced Budget and  
22 Emergency Deficit Control Act of 1985.

1                   UNITED STATES POSTAL SERVICE  
2                   PAYMENT TO THE POSTAL SERVICE FUND

3           For payment to the Postal Service Fund for revenue  
4 forgone on free and reduced rate mail, pursuant to sub-  
5 sections (c) and (d) of section 2401 of title 39, United  
6 States Code, \$41,151,000: *Provided*, That mail for over-  
7 seas voting and mail for the blind shall continue to be free:  
8 *Provided further*, That 6-day delivery and rural delivery  
9 of mail shall continue at not less than the 1983 level: *Pro-*  
10 *vided further*, That none of the funds made available to  
11 the Postal Service by this Act shall be used to implement  
12 any rule, regulation, or policy of charging any officer or  
13 employee of any State or local child support enforcement  
14 agency, or any individual participating in a State or local  
15 program of child support enforcement, a fee for informa-  
16 tion requested or provided concerning an address of a  
17 postal customer: *Provided further*, That none of the funds  
18 provided in this Act shall be used to consolidate or close  
19 small rural and other small post offices.

20                   OFFICE OF INSPECTOR GENERAL

21                   SALARIES AND EXPENSES

22                   (INCLUDING TRANSFER OF FUNDS)

23           For necessary expenses of the Office of Inspector  
24 General in carrying out the provisions of the Inspector  
25 General Act of 1978, \$258,000,000, to be derived by

1 transfer from the Postal Service Fund and expended as  
2 authorized by section 603(b)(3) of the Postal Account-  
3 ability and Enhancement Act (Public Law 109–435).

4 UNITED STATES TAX COURT

5 SALARIES AND EXPENSES

6 For necessary expenses, including contract reporting  
7 and other services as authorized by 5 U.S.C. 3109,  
8 \$51,300,000: *Provided*, That travel expenses of the judges  
9 shall be paid upon the written certificate of the judge.

10 TITLE VI

11 GENERAL PROVISIONS—THIS ACT

12 (INCLUDING RESCISSION)

13 SEC. 601. None of the funds in this Act shall be used  
14 for the planning or execution of any program to pay the  
15 expenses of, or otherwise compensate, non-Federal parties  
16 intervening in regulatory or adjudicatory proceedings  
17 funded in this Act.

18 SEC. 602. None of the funds appropriated in this Act  
19 shall remain available for obligation beyond the current  
20 fiscal year, nor may any be transferred to other appropria-  
21 tions, unless expressly so provided herein.

22 SEC. 603. The expenditure of any appropriation  
23 under this Act for any consulting service through procure-  
24 ment contract pursuant to 5 U.S.C. 3109, shall be limited  
25 to those contracts where such expenditures are a matter

1 of public record and available for public inspection, except  
2 where otherwise provided under existing law, or under ex-  
3 isting Executive order issued pursuant to existing law.

4 SEC. 604. None of the funds made available in this  
5 Act may be transferred to any department, agency, or in-  
6 strumentality of the United States Government, except  
7 pursuant to a transfer made by, or transfer authority pro-  
8 vided in, this Act or any other appropriations Act.

9 SEC. 605. None of the funds made available by this  
10 Act shall be available for any activity or for paying the  
11 salary of any Government employee where funding an ac-  
12 tivity or paying a salary to a Government employee would  
13 result in a decision, determination, rule, regulation, or pol-  
14 icy that would prohibit the enforcement of section 307 of  
15 the Tariff Act of 1930 (19 U.S.C. 1307).

16 SEC. 606. No funds appropriated pursuant to this  
17 Act may be expended by an entity unless the entity agrees  
18 that in expending the assistance the entity will comply  
19 with chapter 83 of title 41, United States Code.

20 SEC. 607. No funds appropriated or otherwise made  
21 available under this Act shall be made available to any  
22 person or entity that has been convicted of violating chap-  
23 ter 83 of title 41, United States Code.

24 SEC. 608. Except as otherwise provided in this Act,  
25 none of the funds provided in this Act, provided by pre-

1 vious appropriations Acts to the agencies or entities fund-  
2 ed in this Act that remain available for obligation or ex-  
3 penditure in fiscal year 2017, or provided from any ac-  
4 counts in the Treasury derived by the collection of fees  
5 and available to the agencies funded by this Act, shall be  
6 available for obligation or expenditure through a re-  
7 programming of funds that: (1) creates a new program;  
8 (2) eliminates a program, project, or activity; (3) increases  
9 funds or personnel for any program, project, or activity  
10 for which funds have been denied or restricted by the Con-  
11 gress; (4) proposes to use funds directed for a specific ac-  
12 tivity by the Committee on Appropriations of either the  
13 House of Representatives or the Senate for a different  
14 purpose; (5) augments existing programs, projects, or ac-  
15 tivities in excess of \$5,000,000 or 10 percent, whichever  
16 is less; (6) reduces existing programs, projects, or activi-  
17 ties by \$5,000,000 or 10 percent, whichever is less; or (7)  
18 creates or reorganizes offices, programs, or activities un-  
19 less prior approval is received from the Committees on Ap-  
20 propriations of the House of Representatives and the Sen-  
21 ate: *Provided*, That prior to any significant reorganization  
22 or restructuring of offices, programs, or activities, each  
23 agency or entity funded in this Act shall consult with the  
24 Committees on Appropriations of the House of Represent-  
25 atives and the Senate: *Provided further*, That not later

1 than 60 days after the date of enactment of this Act, each  
2 agency funded by this Act shall submit a report to the  
3 Committees on Appropriations of the House of Represent-  
4 atives and the Senate to establish the baseline for applica-  
5 tion of reprogramming and transfer authorities for the  
6 current fiscal year: *Provided further*, That at a minimum  
7 the report shall include: (1) a table for each appropriation  
8 with a separate column to display the President's budget  
9 request, adjustments made by Congress, adjustments due  
10 to enacted rescissions, if appropriate, and the fiscal year  
11 enacted level; (2) a delineation in the table for each appro-  
12 priation both by object class and program, project, and  
13 activity as detailed in the budget appendix for the respec-  
14 tive appropriation; and (3) an identification of items of  
15 special congressional interest: *Provided further*, That the  
16 amount appropriated or limited for salaries and expenses  
17 for an agency shall be reduced by \$100,000 per day for  
18 each day after the required date that the report has not  
19 been submitted to the Congress.

20       SEC. 609. Except as otherwise specifically provided  
21 by law, not to exceed 50 percent of unobligated balances  
22 remaining available at the end of fiscal year 2017 from  
23 appropriations made available for salaries and expenses  
24 for fiscal year 2017 in this Act, shall remain available  
25 through September 30, 2018, for each such account for

1 the purposes authorized: *Provided*, That a request shall  
2 be submitted to the Committees on Appropriations of the  
3 House of Representatives and the Senate for approval  
4 prior to the expenditure of such funds: *Provided further*,  
5 That these requests shall be made in compliance with re-  
6 programming guidelines.

7       SEC. 610. (a) None of the funds made available in  
8 this Act may be used by the Executive Office of the Presi-  
9 dent to request—

10           (1) any official background investigation report  
11           on any individual from the Federal Bureau of Inves-  
12           tigation; or

13           (2) a determination with respect to the treat-  
14           ment of an organization as described in section  
15           501(c) of the Internal Revenue Code of 1986 and  
16           exempt from taxation under section 501(a) of such  
17           Code from the Department of the Treasury or the  
18           Internal Revenue Service.

19       (b) Subsection (a) shall not apply—

20           (1) in the case of an official background inves-  
21           tigation report, if such individual has given express  
22           written consent for such request not more than 6  
23           months prior to the date of such request and during  
24           the same presidential administration; or



1           (2) if such request is required due to extraor-  
2           dinary circumstances involving national security.

3           SEC. 611. The cost accounting standards promul-  
4           gated under chapter 15 of title 41, United States Code  
5           shall not apply with respect to a contract under the Fed-  
6           eral Employees Health Benefits Program established  
7           under chapter 89 of title 5, United States Code.

8           SEC. 612. For the purpose of resolving litigation and  
9           implementing any settlement agreements regarding the  
10          nonforeign area cost-of-living allowance program, the Of-  
11          fice of Personnel Management may accept and utilize  
12          (without regard to any restriction on unanticipated travel  
13          expenses imposed in an Appropriations Act) funds made  
14          available to the Office of Personnel Management pursuant  
15          to court approval.

16          SEC. 613. No funds appropriated by this Act shall  
17          be available to pay for an abortion, or the administrative  
18          expenses in connection with any health plan under the  
19          Federal employees health benefits program which provides  
20          any benefits or coverage for abortions.

21          SEC. 614. The provision of section 613 shall not  
22          apply where the life of the mother would be endangered  
23          if the fetus were carried to term, or the pregnancy is the  
24          result of an act of rape or incest.

1       SEC. 615. In order to promote Government access to  
2 commercial information technology, the restriction on pur-  
3 chasing nondomestic articles, materials, and supplies set  
4 forth in chapter 83 of title 41, United States Code (popu-  
5 larly known as the Buy American Act), shall not apply  
6 to the acquisition by the Federal Government of informa-  
7 tion technology (as defined in section 11101 of title 40,  
8 United States Code), that is a commercial item (as defined  
9 in section 103 of title 41, United States Code).

10       SEC. 616. Notwithstanding section 1353 of title 31,  
11 United States Code, no officer or employee of any regu-  
12 latory agency or commission funded by this Act may ac-  
13 cept on behalf of that agency, nor may such agency or  
14 commission accept, payment or reimbursement from a  
15 non-Federal entity for travel, subsistence, or related ex-  
16 penses for the purpose of enabling an officer or employee  
17 to attend and participate in any meeting or similar func-  
18 tion relating to the official duties of the officer or em-  
19 ployee when the entity offering payment or reimbursement  
20 is a person or entity subject to regulation by such agency  
21 or commission, or represents a person or entity subject  
22 to regulation by such agency or commission, unless the  
23 person or entity is an organization described in section  
24 501(c)(3) of the Internal Revenue Code of 1986 and ex-  
25 empt from tax under section 501(a) of such Code.

1        SEC. 617. Notwithstanding section 708 of this Act,  
2 funds made available to the Commodity Futures Trading  
3 Commission and the Securities and Exchange Commission  
4 by this or any other Act may be used for the interagency  
5 funding and sponsorship of a joint advisory committee to  
6 advise on emerging regulatory issues.

7        SEC. 618. (a)(1) Notwithstanding any other provision  
8 of law, an Executive agency covered by this Act otherwise  
9 authorized to enter into contracts for either leases or the  
10 construction or alteration of real property for office, meet-  
11 ing, storage, or other space must consult with the General  
12 Services Administration before issuing a solicitation for of-  
13 fers of new leases or construction contracts, and in the  
14 case of succeeding leases, before entering into negotiations  
15 with the current lessor.

16        (2) Any such agency with authority to enter into an  
17 emergency lease may do so during any period declared by  
18 the President to require emergency leasing authority with  
19 respect to such agency.

20        (b) For purposes of this section, the term “Executive  
21 agency covered by this Act” means any Executive agency  
22 provided funds by this Act, but does not include the Gen-  
23 eral Services Administration or the United States Postal  
24 Service.

1       SEC. 619. (a) There are appropriated for the fol-  
2       lowing activities the amounts required under current law:

3               (1) Compensation of the President (3 U.S.C.  
4       102).

5               (2) Payments to—

6                       (A) the Judicial Officers' Retirement Fund  
7       (28 U.S.C. 377(o));

8                       (B) the Judicial Survivors' Annuities Fund  
9       (28 U.S.C. 376(c)); and

10                      (C) the United States Court of Federal  
11       Claims Judges' Retirement Fund (28 U.S.C.  
12       178(l)).

13               (3) Payment of Government contributions—

14                      (A) with respect to the health benefits of  
15       retired employees, as authorized by chapter 89  
16       of title 5, United States Code, and the Retired  
17       Federal Employees Health Benefits Act (74  
18       Stat. 849); and

19                      (B) with respect to the life insurance bene-  
20       fits for employees retiring after December 31,  
21       1989 (5 U.S.C. ch. 87).

22               (4) Payment to finance the unfunded liability of  
23       new and increased annuity benefits under the Civil  
24       Service Retirement and Disability Fund (5 U.S.C.  
25       8348).

1           (5) Payment of annuities authorized to be paid  
2           from the Civil Service Retirement and Disability  
3           Fund by statutory provisions other than subchapter  
4           III of chapter 83 or chapter 84 of title 5, United  
5           States Code.

6           (b) Nothing in this section may be construed to ex-  
7           empt any amount appropriated by this section from any  
8           otherwise applicable limitation on the use of funds con-  
9           tained in this Act.

10          SEC. 620. None of the funds made available in this  
11          Act may be used by the Federal Trade Commission to  
12          complete the draft report entitled “Interagency Working  
13          Group on Food Marketed to Children: Preliminary Pro-  
14          posed Nutrition Principles to Guide Industry Self-Regu-  
15          latory Efforts” unless the Interagency Working Group on  
16          Food Marketed to Children complies with Executive Order  
17          No. 13563.

18          SEC. 621. None of the funds made available by this  
19          Act may be used to pay the salaries and expenses for the  
20          following positions:

21                 (1) Director, White House Office of Health Re-  
22                 form, or any substantially similar position.

23                 (2) Assistant to the President for Energy and  
24                 Climate Change, or any substantially similar posi-  
25                 tion.

1           (3) Senior Advisor to the Secretary of the  
2 Treasury assigned to the Presidential Task Force on  
3 the Auto Industry and Senior Counselor for Manu-  
4 facturing Policy, or any substantially similar posi-  
5 tion.

6           (4) White House Director of Urban Affairs, or  
7 any substantially similar position.

8       SEC. 622. None of the funds made available in this  
9 Act may be used in contravention of chapter 29, 31, or  
10 33 of title 44, United States Code.

11       SEC. 623. (a) Not later than 180 days after the date  
12 of enactment of this section, the agencies specified in sub-  
13 section (b) shall each submit a report to the Committees  
14 on Appropriations of the House of Representatives and the  
15 Senate on—

16           (1) increasing public participation in the rule-  
17 making process and reducing uncertainty;

18           (2) improving coordination with other Federal  
19 agencies to eliminate redundant, inconsistent, and  
20 overlapping regulations; and

21           (3) identifying existing regulations that have  
22 been reviewed and determined to be outmoded, inef-  
23 fective, or excessively burdensome.

24       (b) The agencies required to submit a report specified  
25 in subsection (a) are—

- 1 (1) the Consumer Product Safety Commission;
- 2 (2) the Federal Communications Commission;
- 3 (3) the Federal Trade Commission; and
- 4 (4) the Securities and Exchange Commission.

5 SEC. 624. The unobligated balance in the Securities  
6 and Exchange Commission Reserve Fund established by  
7 section 991 of the Dodd-Frank Wall Street Reform and  
8 Consumer Protection Act (Public Law 111–203) is perma-  
9 nently rescinded.

10 SEC. 625. None of the funds made available by this  
11 Act shall be used by the Securities and Exchange Commis-  
12 sion to study, develop, propose, finalize, issue, or imple-  
13 ment any rule, regulation, or order regarding the disclo-  
14 sure of political contributions to tax exempt organizations,  
15 or dues paid to trade associations.

16 SEC. 626. None of the funds made available by this  
17 or any other Act may be used by the Financial Stability  
18 Oversight Council to make a determination, pursuant to  
19 subsection (a) or (b) of section 113 of the Financial Sta-  
20 bility Act of 2010 (12 U.S.C. 5323), with respect to a  
21 nonbank financial company until—

- 22 (1) the Financial Stability Oversight Council, in  
23 the notice described in subsection (e)(1) of such sec-  
24 tion, identifies with specificity the risks to the finan-  
25 cial stability of the United States presented by the

1 nonbank financial company and explains in sufficient  
2 detail why regulatory action by the relevant primary  
3 financial regulatory agency would be insufficient to  
4 mitigate or prevent such risks; and

5 (2) if the nonbank financial company presents  
6 a plan in a hearing conducted pursuant to sub-  
7 section (e)(2) of such section to modify its business,  
8 structure, or operations in order to mitigate the  
9 risks identified in such a notice—

10 (A) the Financial Stability Oversight  
11 Council makes a determination as to whether  
12 such plan, if implemented, adequately mitigates  
13 the identified risks; and

14 (B) if the Financial Stability Oversight  
15 Council determines that such plan would ade-  
16 quately mitigate the identified risk, the Coun-  
17 cil—

18 (i) approves such plan; and

19 (ii) allows the nonbank financial com-  
20 pany a reasonable period of time to imple-  
21 ment such plan.

22 SEC. 627. None of the funds made available in this  
23 Act may be used by a governmental entity to require the  
24 disclosure by a provider of electronic communication serv-  
25 ice to the public or remote computing service of the con-



1 tents of a wire or electronic communication that is in elec-  
2 tronic storage with the provider (as such terms are defined  
3 in sections 2510 and 2711 of title 18, United States Code)  
4 in a manner that violates the Fourth Amendment to the  
5 Constitution of the United States.

6 SEC. 628. (a) In each of fiscal years 2017 through  
7 2025, section 628 of division E of the Consolidated Appro-  
8 priations Act, 2016 (Public Law 114–113; 129 Stat.  
9 2469) applies to a joint sales agreement regardless of any  
10 change in the ownership of the stations involved in such  
11 agreement.

12 (b) In the case of a joint sales agreement to which  
13 such section applies, while such section is in effect, the  
14 Federal Communications Commission—

15 (1) may not require the termination or modi-  
16 fication of such agreement as a condition of the  
17 transfer or assignment of a station license or the  
18 transfer of station ownership or control; and

19 (2) upon request of the transferee or assignee  
20 of the station license, shall eliminate any such condi-  
21 tion that was imposed after March 31, 2014, and  
22 permit the licensees of the stations whose adver-  
23 tising was jointly sold pursuant to such agreement  
24 to enter into a new joint sales agreement on sub-

1       stantially similar terms and conditions as the prior  
2       agreement.

3       (c) In this section, the term “joint sales agreement”  
4 has the meaning given such term in Note 2(k) to section  
5 73.3555 of title 47, Code of Federal Regulations, and  
6 where a joint sales agreement is part of a broader con-  
7 tract, this section shall be limited to the joint sales agree-  
8 ment portion of such contract.

9       SEC. 629. None of the funds appropriated by this Act  
10 may be used by the Federal Communications Commission  
11 to modify, amend, or change the rules or regulations of  
12 the Commission for universal service high-cost support for  
13 competitive eligible telecommunications carriers in a way  
14 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-  
15 tion 54.307 of title 47, Code of Federal Regulations, as  
16 in effect on July 15, 2015: *Provided*, That this section  
17 shall not prohibit the Commission from considering, devel-  
18 oping, or adopting other support mechanisms as an alter-  
19 native to Mobility Fund Phase II.

20       SEC. 630. None of the funds made available by this  
21 Act may be used to implement, administer, or enforce any  
22 rule (as defined in section 551 of title 5, United States  
23 Code), or any amendment or repeal of an existing rule,  
24 that is adopted by vote of the Federal Communications  
25 Commission after the date of the enactment of this Act,

1 unless the Commission publishes the text of such rule,  
2 amendment, or repeal on the Internet Web site of the  
3 Commission not later than 21 days before the date on  
4 which the vote occurs.

5       SEC. 631. None of the funds made available by this  
6 Act may be used to regulate, directly or indirectly, the  
7 prices, other fees, or data caps and allowances (as such  
8 terms are described in paragraph 164 of the Report and  
9 Order on Remand, Declaratory Ruling, and Order in the  
10 matter of protecting and promoting the open Internet,  
11 adopted by the Federal Communications Commission on  
12 February 26, 2015 (FCC 15–24)) charged or imposed by  
13 providers of broadband Internet access service (as defined  
14 in the final rules in Appendix A of such Report and Order  
15 on Remand, Declaratory Ruling, and Order) for such serv-  
16 ice, regardless of whether such regulation takes the form  
17 of requirements for future conduct or enforcement regard-  
18 ing past conduct.

19       SEC. 632. None of the funds made available by this  
20 Act may be used to implement, administer, or enforce the  
21 Report and Order on Remand, Declaratory Ruling, and  
22 Order in the matter of protecting and promoting the open  
23 Internet, adopted by the Federal Communications Com-  
24 mission on February 26, 2015 (FCC 15–24), until the  
25 first date on which there has been a final disposition (in-

1 cluding the exhaustion of or expiration of the time for any  
2 appeals) of all of the following civil actions:

3 (1) *Alamo Broadband Inc. v. Federal Commu-*  
4 *nications Commission, et al.*, No. 15–60201, pending  
5 in the United States Court of Appeals for the Fifth  
6 Circuit as of the date of the enactment of this Act.

7 (2) *United States Telecom Assoc. v. Federal*  
8 *Communications Commission, et al.*, No. 15–1063,  
9 pending in the United States Court of Appeals for  
10 the District of Columbia Circuit as of the date of the  
11 enactment of this Act.

12 (3) *CenturyLink v. Federal Communications*  
13 *Commission*, No. 15–1099, pending in the United  
14 States Court of Appeals for the District of Columbia  
15 Circuit as of the date of the enactment of this Act.

16 SEC. 633. (a) Section 1105(a)(35) of title 31, United  
17 States Code, is amended—

18 (1) by striking subparagraph (B) and redesignig-  
19 nating subparagraph (C) as subparagraph (B);

20 (2) by striking “homeland security” in each in-  
21 stance it appears and inserting “cybersecurity”; and

22 (3) by amending subparagraph (B) (as redesignig-  
23 nated by paragraph (1)) to read as follows:

24 “(B) Prior to implementing this paragraph, in-  
25 cluding determining what Federal activities or ac-

1 counts constitute cybersecurity for purposes of budg-  
2 etary classification, the Office of Management and  
3 Budget shall consult with the Committees on Appro-  
4 priations and the Committees on the Budget of the  
5 House of Representatives and the Senate, the Com-  
6 mittee on Homeland Security of the House of Rep-  
7 resentatives, and the Committee on Homeland Secu-  
8 rity and Government Affairs of the Senate.”.

9 (b) The amendments made by subsection (a) shall  
10 apply to budget submissions under section 1105(a) of title  
11 31, United States Code, for fiscal year 2018 and each sub-  
12 sequent fiscal year.

13 SEC. 634. (a) Effective one year after the date of the  
14 enactment of this Act, subtitle B of title IV of Public Law  
15 102–281 is repealed.

16 (b) On the day before the date of the repeal under  
17 subsection (a), the Secretary of the Treasury shall trans-  
18 fer the amounts in the fund described in section 408(a)  
19 of subtitle A of title IV of such Public Law into the gen-  
20 eral fund of the Treasury.

21 SEC. 635. (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, adjudication activities, or  
5 other law enforcement- or victim assistance-related activ-  
6 ity.

7 SEC. 636. (a) None of the funds made available by  
8 this Act may be used to finalize, adopt, implement, admin-  
9 ister, or enforce any proposed rule under section 629 of  
10 the Communications Act of 1934 (47 U.S.C. 549) before  
11 the date that is 180 days after the completion of the fol-  
12 lowing process:

13 (1) There has been completed a study that—

14 (A) evaluates the potential costs and bene-  
15 fits of the proposed rule and the potential costs  
16 and benefits of other market-based solutions;  
17 and

18 (B) meets the requirements of subsection

19 (b).

20 (2) The Federal Communications Commission  
21 has—

22 (A) sought public comment on the study  
23 described in paragraph (1);

24 (B) provided a period of not less than 90  
25 days for the submission of such comments; and

1 (C) addressed the concerns raised in the  
2 comment cycle under subparagraph (B) in a re-  
3 port adopted by vote of the Commission and  
4 made publicly available.

5 (b) A study meets the requirements of this subsection  
6 if the study—

7 (1) is a peer-reviewed study conducted by an in-  
8 stitution of higher education (as defined in section  
9 101(a) of the Higher Education Act of 1965 (20  
10 U.S.C. 1001(a))) or an individual in the individual’s  
11 capacity as a faculty member at such an institution;  
12 and

13 (2) at minimum, analyzes the potential impact  
14 of the proposed rule on—

15 (A) all parties in the video programming  
16 marketplace, including video programming cre-  
17 ators, programming networks, multichannel  
18 video programming distributors, and sub-  
19 scribers of multichannel video programming  
20 services;

21 (B) video programming content diversity;

22 (C) intellectual property and content li-  
23 censing; and

1 (D) consumer privacy and the legal rem-  
2 edies available to consumers for violations of  
3 video privacy obligations.

4 SEC. 637. None of the funds made available in this  
5 Act or transferred pursuant to section 1017 of Public Law  
6 111–203 may be used to take any action on the basis of  
7 an individual being a mortgage originator as defined in  
8 section 103(cc) of the Truth in Lending Act (15 U.S.C.  
9 1602(cc)) against any individual who is a retailer of manu-  
10 factured homes or its employees, unless such retailer or  
11 its employees receive compensation or gain for engaging  
12 in activities described in paragraph (1)(A) of such section  
13 103(cc) that is in excess of any compensation or gain re-  
14 ceived in a comparable cash transaction.

15 SEC. 638. None of the funds made available in this  
16 Act or transferred pursuant to section 1017 of Public Law  
17 111–203 may be used to enforce the provisions of section  
18 129 of the Truth in Lending Act (15 U.S.C. 1639) for  
19 any transaction that is less than \$75,000 and is secured  
20 by a dwelling that is personal property or is a transaction  
21 that does not include the purchase of real property on  
22 which a dwelling is to be placed if—

23 (1) the annual percentage rate at consumma-  
24 tion of the transaction, as determined under section



1 103(bb) of the Truth in Lending Act (15 U.S.C.  
2 1602(bb)) does not exceed 10 percentage points; and  
3 (2) the total points and fees payable in connec-  
4 tion with the transaction, as determined under such  
5 section 103(bb), do not exceed the greater of 5 per-  
6 cent or \$3,000.

7 SEC. 639. None of the funds made available by this  
8 Act, any other Act, or transferred to the Bureau of Con-  
9 sumer Financial Protection pursuant to section 1017 of  
10 the Consumer Financial Protection Act of 2010 may be  
11 used to issue or enforce any rule or regulation with respect  
12 to payday loans (as described under section 1024(a)(1)(E)  
13 of such Act), vehicle title loans, or other similar loans dur-  
14 ing fiscal year 2017 and the Bureau may not issue or en-  
15 force any such rule or regulation after fiscal year 2017  
16 until such time as the Bureau has submitted to Congress  
17 a detailed report, after providing for a public comment pe-  
18 riod of not less than 90 days, that: (1) analyzes the impact  
19 of any such rule or regulation on consumer access to cred-  
20 it, including an analysis of the rule or regulation's impact  
21 on populations that have traditionally had limited access  
22 to credit; and (2) identifies existing alternative credit  
23 products that are immediately available to existing users  
24 of payday loans, vehicle title loans, or other similar loans  
25 at the same credit risk profiles and at sufficient levels to

1 fully replace any anticipated potential reduction in current  
2 sources of short-term, small-dollar credit as a result of the  
3 rule or regulation.

4 SEC. 640. (a) None of the funds made available by  
5 this Act shall be used to implement, promulgate, finalize  
6 or enforce Executive Order No. 13673, issued July 31,  
7 2014, or to develop any regulation or guidance related  
8 thereto, until—

9 (1) a study is conducted by the Comptroller  
10 General analyzing the impacts of such order on af-  
11 fected Federal agencies' missions, impacts on the in-  
12 dustrial base, and including a cost benefit analysis  
13 of implementation of the such order versus potential  
14 alternatives; and

15 (2) the Secretary of Labor has reviewed the re-  
16 port of the study conducted pursuant to paragraph  
17 (1) and certified that the benefits of the order out-  
18 weigh any associated costs and will not impede agen-  
19 cy missions.

20 (b) The study to be conducted by the Comptroller  
21 General shall be publicly available and shall be submitted  
22 to the Committees on Appropriations of the House of Rep-  
23 resentatives and Senate. The elements of the study shall  
24 include an assessment of—

1 (1) the estimated costs to each Federal agency or de-  
2 partment to implement the Executive order, including the  
3 costs of designating labor compliance advisors and any  
4 other associated positions or resources needed to support  
5 the functions of the labor compliance advisors;

6 (2) the effects of the Executive order on the indus-  
7 trial base (including the defense industrial base) and in-  
8 cluding input from both the Federal agencies (including  
9 the Department of Defense) and affected members of the  
10 industrial base, including how the order would affect the  
11 ability of mission critical contractors to continue to pro-  
12 vide goods and services to the Federal Government;

13 (3) any private sector capabilities that the agency or  
14 department would risk losing access to if the Executive  
15 order were implemented as defined in the FAR proposed  
16 rule (FAR Case 2014–025; Docket No. 2014–0025) and  
17 any related final rule;

18 (4) costs to prime contractors and subcontractors as-  
19 sociated with complying with the proposed rule or any re-  
20 lated final rule, including the costs of having to create new  
21 information systems or processes to obtain and manage  
22 the data required by the Executive order;

23 (5) the effect of the Executive order on Federal ac-  
24 quisition competition and the ability to encourage non-tra-  
25 ditional contractors to compete in the Federal market;

1 (6) the effect of the Executive order on the ability  
2 of the Federal Government to meet statutory small busi-  
3 ness prime contracting and subcontracting goals, includ-  
4 ing such goals for minority-owned, women-owned, and  
5 service-disabled veteran-owned small businesses;

6 (7) the total number of violations (as defined in the  
7 proposed Department of Labor guidance) and the number  
8 of such violations where a challenge was still pending that  
9 would trigger disclosure by potential bidders to a Govern-  
10 ment solicitation;

11 (8) any delays to the procurement process that will  
12 result from the implementation of the Executive order;

13 (9) alternative approaches to effect the goal of the  
14 Executive order, including potential improvements to Gov-  
15 ernment information systems, that could provide greater  
16 transparency into labor law compliance without shifting  
17 the reporting burden to industry; and

18 (10) such other matters as the Comptroller General  
19 determines relevant.

20 SEC. 641. (1) None of the funds appropriated by this  
21 Act shall be available to pay for an abortion or the admin-  
22 istrative expenses in connection with a multi-State quali-  
23 fied health plan offered under a contract under section  
24 1334 of the Patient Protection and Affordable Care Act

1 (42 U.S.C. 18054) which provides any benefits or coverage  
2 for abortions.

3 (2) The provision of paragraph (1) shall not apply  
4 where the life of the mother would be endangered if the  
5 fetus were carried to term, or the pregnancy is the result  
6 of an act of rape or incest.

## 7 TITLE VII

### 8 GENERAL PROVISIONS—GOVERNMENT-WIDE

#### 9 DEPARTMENTS, AGENCIES, AND CORPORATIONS

##### 10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 701. No department, agency, or instrumentality  
12 of the United States receiving appropriated funds under  
13 this or any other Act for fiscal year 2017 shall obligate  
14 or expend any such funds, unless such department, agen-  
15 cy, or instrumentality has in place, and will continue to  
16 administer in good faith, a written policy designed to en-  
17 sure that all of its workplaces are free from the illegal  
18 use, possession, or distribution of controlled substances  
19 (as defined in the Controlled Substances Act (21 U.S.C.  
20 802)) by the officers and employees of such department,  
21 agency, or instrumentality.

22 SEC. 702. Unless otherwise specifically provided, the  
23 maximum amount allowable during the current fiscal year  
24 in accordance with subsection 1343(c) of title 31, United  
25 States Code, for the purchase of any passenger motor ve-

1 hicle (exclusive of buses, ambulances, law enforcement ve-  
2 hicles, protective vehicles, and undercover surveillance ve-  
3 hicles), is hereby fixed at \$19,947 except station wagons  
4 for which the maximum shall be \$19,997: *Provided*, That  
5 these limits may be exceeded by not to exceed \$7,250 for  
6 police-type vehicles: *Provided further*, That the limits set  
7 forth in this section may not be exceeded by more than  
8 5 percent for electric or hybrid vehicles purchased for  
9 demonstration under the provisions of the Electric and  
10 Hybrid Vehicle Research, Development, and Demonstra-  
11 tion Act of 1976: *Provided further*, That the limits set  
12 forth in this section may be exceeded by the incremental  
13 cost of clean alternative fuels vehicles acquired pursuant  
14 to Public Law 101–549 over the cost of comparable con-  
15 ventionally fueled vehicles: *Provided further*, That the lim-  
16 its set forth in this section shall not apply to any vehicle  
17 that is a commercial item and which operates on alter-  
18 native fuel, including but not limited to electric, plug-in  
19 hybrid electric, and hydrogen fuel cell vehicles.

20 SEC. 703. Appropriations of the executive depart-  
21 ments and independent establishments for the current fis-  
22 cal year available for expenses of travel, or for the ex-  
23 penses of the activity concerned, are hereby made available  
24 for quarters allowances and cost-of-living allowances, in  
25 accordance with 5 U.S.C. 5922–5924.

1        SEC. 704. Unless otherwise specified in law during  
2 the current fiscal year, no part of any appropriation con-  
3 tained in this or any other Act shall be used to pay the  
4 compensation of any officer or employee of the Govern-  
5 ment of the United States (including any agency the ma-  
6 jority of the stock of which is owned by the Government  
7 of the United States) whose post of duty is in the conti-  
8 nental United States unless such person: (1) is a citizen  
9 of the United States; (2) is a person who is lawfully admit-  
10 ted for permanent residence and is seeking citizenship as  
11 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who  
12 is admitted as a refugee under 8 U.S.C. 1157 or is grant-  
13 ed asylum under 8 U.S.C. 1158 and has filed a declaration  
14 of intention to become a lawful permanent resident and  
15 then a citizen when eligible; or (4) is a person who owes  
16 allegiance to the United States: *Provided*, That for pur-  
17 poses of this section, affidavits signed by any such person  
18 shall be considered prima facie evidence that the require-  
19 ments of this section with respect to his or her status are  
20 being complied with: *Provided further*, That for purposes  
21 of subsections (2) and (3) such affidavits shall be sub-  
22 mitted prior to employment and updated thereafter as nec-  
23 essary: *Provided further*, That any payment made to any  
24 officer or employee contrary to the provisions of this sec-  
25 tion shall be recoverable in action by the Federal Govern-

1 ment: *Provided further*, That this section shall not apply  
2 to any person who is an officer or employee of the Govern-  
3 ment of the United States on the date of enactment of  
4 this Act, or to international broadcasters employed by the  
5 Broadcasting Board of Governors, or to temporary em-  
6 ployment of translators, or to temporary employment in  
7 the field service (not to exceed 60 days) as a result of  
8 emergencies: *Provided further*, That this section does not  
9 apply to the employment as wildland firefighters for not  
10 more than 120 days of nonresident aliens employed by the  
11 Department of the Interior or the USDA Forest Service  
12 pursuant to an agreement with another country.

13       SEC. 705. Appropriations available to any depart-  
14 ment or agency during the current fiscal year for nec-  
15 essary expenses, including maintenance or operating ex-  
16 penses, shall also be available for payment to the General  
17 Services Administration for charges for space and services  
18 and those expenses of renovation and alteration of build-  
19 ings and facilities which constitute public improvements  
20 performed in accordance with the Public Buildings Act of  
21 1959 (73 Stat. 479), the Public Buildings Amendments  
22 of 1972 (86 Stat. 216), or other applicable law.

23       SEC. 706. In addition to funds provided in this or  
24 any other Act, all Federal agencies are authorized to re-  
25 ceive and use funds resulting from the sale of materials,



1 including Federal records disposed of pursuant to a  
2 records schedule recovered through recycling or waste pre-  
3 vention programs. Such funds shall be available until ex-  
4 pended for the following purposes:

5           (1) Acquisition, waste reduction and prevention,  
6           and recycling programs as described in Executive  
7           Order No. 13693 (March 19, 2015), including any  
8           such programs adopted prior to the effective date of  
9           the Executive order.

10           (2) Other Federal agency environmental man-  
11           agement programs, including, but not limited to, the  
12           development and implementation of hazardous waste  
13           management and pollution prevention programs.

14           (3) Other employee programs as authorized by  
15           law or as deemed appropriate by the head of the  
16           Federal agency.

17       SEC. 707. Funds made available by this or any other  
18 Act for administrative expenses in the current fiscal year  
19 of the corporations and agencies subject to chapter 91 of  
20 title 31, United States Code, shall be available, in addition  
21 to objects for which such funds are otherwise available,  
22 for rent in the District of Columbia; services in accordance  
23 with 5 U.S.C. 3109; and the objects specified under this  
24 head, all the provisions of which shall be applicable to the  
25 expenditure of such funds unless otherwise specified in the

1 Act by which they are made available: *Provided*, That in  
2 the event any functions budgeted as administrative ex-  
3 penses are subsequently transferred to or paid from other  
4 funds, the limitations on administrative expenses shall be  
5 correspondingly reduced.

6 SEC. 708. No part of any appropriation contained in  
7 this or any other Act shall be available for interagency  
8 financing of boards (except Federal Executive Boards),  
9 commissions, councils, committees, or similar groups  
10 (whether or not they are interagency entities) which do  
11 not have a prior and specific statutory approval to receive  
12 financial support from more than one agency or instru-  
13 mentality.

14 SEC. 709. None of the funds made available pursuant  
15 to the provisions of this or any other Act shall be used  
16 to implement, administer, or enforce any regulation which  
17 has been disapproved pursuant to a joint resolution duly  
18 adopted in accordance with the applicable law of the  
19 United States.

20 SEC. 710. During the period in which the head of  
21 any department or agency, or any other officer or civilian  
22 employee of the Federal Government appointed by the  
23 President of the United States, holds office, no funds may  
24 be obligated or expended in excess of \$5,000 to furnish  
25 or redecorate the office of such department head, agency

1 head, officer, or employee, or to purchase furniture or  
2 make improvements for any such office, unless advance  
3 notice of such furnishing or redecoration is transmitted  
4 to the Committees on Appropriations of the House of Rep-  
5 resentatives and the Senate. For the purposes of this sec-  
6 tion, the term “office” shall include the entire suite of of-  
7 fices assigned to the individual, as well as any other space  
8 used primarily by the individual or the use of which is  
9 directly controlled by the individual.

10       SEC. 711. Notwithstanding 31 U.S.C. 1346, or sec-  
11 tion 708 of this Act, funds made available for the current  
12 fiscal year by this or any other Act shall be available for  
13 the interagency funding of national security and emer-  
14 gency preparedness telecommunications initiatives which  
15 benefit multiple Federal departments, agencies, or enti-  
16 ties, as provided by Executive Order No. 13618 (July 6,  
17 2012).

18       SEC. 712. (a) None of the funds made available by  
19 this or any other Act may be obligated or expended by  
20 any department, agency, or other instrumentality of the  
21 Federal Government to pay the salaries or expenses of any  
22 individual appointed to a position of a confidential or pol-  
23 icy-determining character that is excepted from the com-  
24 petitive service under section 3302 of title 5, United  
25 States Code, (pursuant to schedule C of subpart C of part

1 213 of title 5 of the Code of Federal Regulations) unless  
2 the head of the applicable department, agency, or other  
3 instrumentality employing such schedule C individual cer-  
4 tifies to the Director of the Office of Personnel Manage-  
5 ment that the schedule C position occupied by the indi-  
6 vidual was not created solely or primarily in order to detail  
7 the individual to the White House.

8 (b) The provisions of this section shall not apply to  
9 Federal employees or members of the Armed Forces de-  
10 tailed to or from an element of the intelligence community  
11 (as that term is defined under section 3(4) of the National  
12 Security Act of 1947 (50 U.S.C. 3003(4))).

13 SEC. 713. No part of any appropriation contained in  
14 this or any other Act shall be available for the payment  
15 of the salary of any officer or employee of the Federal  
16 Government, who—

17 (1) prohibits or prevents, or attempts or threat-  
18 ens to prohibit or prevent, any other officer or em-  
19 ployee of the Federal Government from having any  
20 direct oral or written communication or contact with  
21 any Member, committee, or subcommittee of the  
22 Congress in connection with any matter pertaining  
23 to the employment of such other officer or employee  
24 or pertaining to the department or agency of such  
25 other officer or employee in any way, irrespective of

1 whether such communication or contact is at the ini-  
2 tiative of such other officer or employee or in re-  
3 sponse to the request or inquiry of such Member,  
4 committee, or subcommittee; or

5 (2) removes, suspends from duty without pay,  
6 demotes, reduces in rank, seniority, status, pay, or  
7 performance or efficiency rating, denies promotion  
8 to, relocates, reassigns, transfers, disciplines, or dis-  
9 criminate in regard to any employment right, enti-  
10 tlement, or benefit, or any term or condition of em-  
11 ployment of, any other officer or employee of the  
12 Federal Government, or attempts or threatens to  
13 commit any of the foregoing actions with respect to  
14 such other officer or employee, by reason of any  
15 communication or contact of such other officer or  
16 employee with any Member, committee, or sub-  
17 committee of the Congress as described in paragraph  
18 (1).

19 SEC. 714. (a) None of the funds made available in  
20 this or any other Act may be obligated or expended for  
21 any employee training that—

22 (1) does not meet identified needs for knowl-  
23 edge, skills, and abilities bearing directly upon the  
24 performance of official duties;

1           (2) contains elements likely to induce high lev-  
2           els of emotional response or psychological stress in  
3           some participants;

4           (3) does not require prior employee notification  
5           of the content and methods to be used in the train-  
6           ing and written end of course evaluation;

7           (4) contains any methods or content associated  
8           with religious or quasi-religious belief systems or  
9           “new age” belief systems as defined in Equal Em-  
10          ployment Opportunity Commission Notice N-  
11          915.022, dated September 2, 1988; or

12          (5) is offensive to, or designed to change, par-  
13          ticipants’ personal values or lifestyle outside the  
14          workplace.

15          (b) Nothing in this section shall prohibit, restrict, or  
16          otherwise preclude an agency from conducting training  
17          bearing directly upon the performance of official duties.

18          SEC. 715. No part of any funds appropriated in this  
19          or any other Act shall be used by an agency of the execu-  
20          tive branch, other than for normal and recognized execu-  
21          tive-legislative relationships, for publicity or propaganda  
22          purposes, and for the preparation, distribution or use of  
23          any kit, pamphlet, booklet, publication, radio, television,  
24          infographic, social media, or film presentation designed to

1 support or defeat legislation pending before the Congress,  
2 except in presentation to the Congress itself.

3 SEC. 716. None of the funds appropriated by this or  
4 any other Act may be used by an agency to provide a Fed-  
5 eral employee's home address to any labor organization  
6 except when the employee has authorized such disclosure  
7 or when such disclosure has been ordered by a court of  
8 competent jurisdiction.

9 SEC. 717. None of the funds made available in this  
10 or any other Act may be used to provide any non-public  
11 information such as mailing, telephone or electronic mail-  
12 ing lists to any person or any organization outside of the  
13 Federal Government without the approval of the Commit-  
14 tees on Appropriations of the House of Representatives  
15 and the Senate.

16 SEC. 718. No part of any appropriation contained in  
17 this or any other Act shall be used directly or indirectly,  
18 including by private contractor, for publicity or propa-  
19 ganda purposes within the United States not heretofore  
20 authorized by Congress.

21 SEC. 719. (a) In this section, the term "agency"—

22 (1) means an Executive agency, as defined  
23 under 5 U.S.C. 105; and

24 (2) includes a military department, as defined  
25 under section 102 of such title, the United States

1       Postal Service, and the Postal Regulatory Commis-  
2       sion.

3       (b) Unless authorized in accordance with law or regu-  
4       lations to use such time for other purposes, an employee  
5       of an agency shall use official time in an honest effort  
6       to perform official duties. An employee not under a leave  
7       system, including a Presidential appointee exempted under  
8       5 U.S.C. 6301(2), has an obligation to expend an honest  
9       effort and a reasonable proportion of such employee's time  
10      in the performance of official duties.

11      SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-  
12      tion 708 of this Act, funds made available for the current  
13      fiscal year by this or any other Act to any department  
14      or agency, which is a member of the Federal Accounting  
15      Standards Advisory Board (FASAB), shall be available to  
16      finance an appropriate share of FASAB administrative  
17      costs.

18      SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-  
19      tion 708 of this Act, the head of each Executive depart-  
20      ment and agency is hereby authorized to transfer to or  
21      reimburse "General Services Administration, Government-  
22      wide Policy" with the approval of the Director of the Of-  
23      fice of Management and Budget, funds made available for  
24      the current fiscal year by this or any other Act, including  
25      rebates from charge card and other contracts: *Provided,*



1 That these funds shall be administered by the Adminis-  
2 trator of General Services to support Government-wide  
3 and other multi-agency financial, information technology,  
4 procurement, and other management innovations, initia-  
5 tives, and activities, including improving coordination and  
6 reducing duplication, as approved by the Director of the  
7 Office of Management and Budget, in consultation with  
8 the appropriate interagency and multi-agency groups des-  
9 ignated by the Director (including the President’s Man-  
10 agement Council for overall management improvement ini-  
11 tiatives, the Chief Financial Officers Council for financial  
12 management initiatives, the Chief Information Officers  
13 Council for information technology initiatives, the Chief  
14 Human Capital Officers Council for human capital initia-  
15 tives, the Chief Acquisition Officers Council for procure-  
16 ment initiatives, and the Performance Improvement Coun-  
17 cil for performance improvement initiatives): *Provided fur-*  
18 *ther*, That the total funds transferred or reimbursed shall  
19 not exceed \$15,000,000 to improve coordination, reduce  
20 duplication, and for other activities related to Federal  
21 Government Priority Goals established by 31 U.S.C. 1120,  
22 and not to exceed \$17,000,000 for Government-Wide inno-  
23 vations, initiatives, and activities: *Provided further*, That  
24 the funds transferred to or for reimbursement of “General  
25 Services Administration, Government-wide Policy” during

1 fiscal year 2017 shall remain available for obligation  
2 through September 30, 2018: *Provided further*, That such  
3 transfers or reimbursements may only be made after 15  
4 days following notification of the Committees on Appro-  
5 priations of the House of Representatives and the Senate  
6 by the Director of the Office of Management and Budget.

7       SEC. 722. Notwithstanding any other provision of  
8 law, a woman may breastfeed her child at any location  
9 in a Federal building or on Federal property, if the woman  
10 and her child are otherwise authorized to be present at  
11 the location.

12       SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-  
13 tion 708 of this Act, funds made available for the current  
14 fiscal year by this or any other Act shall be available for  
15 the interagency funding of specific projects, workshops,  
16 studies, and similar efforts to carry out the purposes of  
17 the National Science and Technology Council (authorized  
18 by Executive Order No. 12881), which benefit multiple  
19 Federal departments, agencies, or entities: *Provided*, That  
20 the Office of Management and Budget shall provide a re-  
21 port describing the budget of and resources connected with  
22 the National Science and Technology Council to the Com-  
23 mittees on Appropriations, the House Committee on  
24 Science and Technology, and the Senate Committee on

1 Commerce, Science, and Transportation 90 days after en-  
2 actment of this Act.

3 SEC. 724. Any request for proposals, solicitation,  
4 grant application, form, notification, press release, or  
5 other publications involving the distribution of Federal  
6 funds shall comply with any relevant requirements in part  
7 200 of title 2, Code of Federal Regulations: *Provided*,  
8 That this section shall apply to direct payments, formula  
9 funds, and grants received by a State receiving Federal  
10 funds.

11 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY  
12 MONITORING OF INDIVIDUALS' INTERNET USE.—None of  
13 the funds made available in this or any other Act may  
14 be used by any Federal agency—

15 (1) to collect, review, or create any aggregation  
16 of data, derived from any means, that includes any  
17 personally identifiable information relating to an in-  
18 dividual's access to or use of any Federal Govern-  
19 ment Internet site of the agency; or

20 (2) to enter into any agreement with a third  
21 party (including another government agency) to col-  
22 lect, review, or obtain any aggregation of data, de-  
23 rived from any means, that includes any personally  
24 identifiable information relating to an individual's

1 access to or use of any nongovernmental Internet  
2 site.

3 (b) EXCEPTIONS.—The limitations established in  
4 subsection (a) shall not apply to—

5 (1) any record of aggregate data that does not  
6 identify particular persons;

7 (2) any voluntary submission of personally iden-  
8 tifiable information;

9 (3) any action taken for law enforcement, regu-  
10 latory, or supervisory purposes, in accordance with  
11 applicable law; or

12 (4) any action described in subsection (a)(1)  
13 that is a system security action taken by the oper-  
14 ator of an Internet site and is necessarily incident  
15 to providing the Internet site services or to pro-  
16 tecting the rights or property of the provider of the  
17 Internet site.

18 (c) DEFINITIONS.—For the purposes of this section:

19 (1) The term “regulatory” means agency ac-  
20 tions to implement, interpret or enforce authorities  
21 provided in law.

22 (2) The term “supervisory” means examina-  
23 tions of the agency’s supervised institutions, includ-  
24 ing assessing safety and soundness, overall financial  
25 condition, management practices and policies and

1 compliance with applicable standards as provided in  
2 law.

3 SEC. 726. (a) None of the funds appropriated by this  
4 Act may be used to enter into or renew a contract which  
5 includes a provision providing prescription drug coverage,  
6 except where the contract also includes a provision for con-  
7 traceptive coverage.

8 (b) Nothing in this section shall apply to a contract  
9 with—

10 (1) any of the following religious plans:

11 (A) Personal Care's HMO; and

12 (B) OSF HealthPlans, Inc.; and

13 (2) any existing or future plan, if the carrier  
14 for the plan objects to such coverage on the basis of  
15 religious beliefs.

16 (c) In implementing this section, any plan that enters  
17 into or renews a contract under this section may not sub-  
18 ject any individual to discrimination on the basis that the  
19 individual refuses to prescribe or otherwise provide for  
20 contraceptives because such activities would be contrary  
21 to the individual's religious beliefs or moral convictions.

22 (d) Nothing in this section shall be construed to re-  
23 quire coverage of abortion or abortion-related services.

24 SEC. 727. The United States is committed to ensur-  
25 ing the health of its Olympic, Pan American, and

1 Paralympic athletes, and supports the strict adherence to  
2 anti-doping in sport through testing, adjudication, edu-  
3 cation, and research as performed by nationally recognized  
4 oversight authorities.

5       SEC. 728. Notwithstanding any other provision of  
6 law, funds appropriated for official travel to Federal de-  
7 partments and agencies may be used by such departments  
8 and agencies, if consistent with Office of Management and  
9 Budget Circular A-126 regarding official travel for Gov-  
10 ernment personnel, to participate in the fractional aircraft  
11 ownership pilot program.

12       SEC. 729. Notwithstanding any other provision of  
13 law, none of the funds appropriated or made available  
14 under this or any other appropriations Act may be used  
15 to implement or enforce restrictions or limitations on the  
16 Coast Guard Congressional Fellowship Program, or to im-  
17 plement the proposed regulations of the Office of Per-  
18 sonnel Management to add sections 300.311 through  
19 300.316 to part 300 of title 5 of the Code of Federal Reg-  
20 ulations, published in the Federal Register, volume 68,  
21 number 174, on September 9, 2003 (relating to the detail  
22 of executive branch employees to the legislative branch).

23       SEC. 730. Notwithstanding any other provision of  
24 law, no executive branch agency shall purchase, construct,  
25 or lease any additional facilities, except within or contig-

1 uous to existing locations, to be used for the purpose of  
2 conducting Federal law enforcement training without the  
3 advance approval of the Committees on Appropriations of  
4 the House of Representatives and the Senate, except that  
5 the Federal Law Enforcement Training Center is author-  
6 ized to obtain the temporary use of additional facilities  
7 by lease, contract, or other agreement for training which  
8 cannot be accommodated in existing Center facilities.

9       SEC. 731. Unless otherwise authorized by existing  
10 law, none of the funds provided in this or any other Act  
11 may be used by an executive branch agency to produce  
12 any prepackaged news story intended for broadcast or dis-  
13 tribution in the United States, unless the story includes  
14 a clear notification within the text or audio of the pre-  
15 packaged news story that the prepackaged news story was  
16 prepared or funded by that executive branch agency.

17       SEC. 732. None of the funds made available in this  
18 Act may be used in contravention of section 552a of title  
19 5, United States Code (popularly known as the Privacy  
20 Act), and regulations implementing that section.

21       SEC. 733. (a) IN GENERAL.—None of the funds ap-  
22 propriated or otherwise made available by this or any  
23 other Act may be used for any Federal Government con-  
24 tract with any foreign incorporated entity which is treated  
25 as an inverted domestic corporation under section 835(b)

1 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))  
2 or any subsidiary of such an entity.

3 (b) WAIVERS.—

4 (1) IN GENERAL.—Any Secretary shall waive  
5 subsection (a) with respect to any Federal Govern-  
6 ment contract under the authority of such Secretary  
7 if the Secretary determines that the waiver is re-  
8 quired in the interest of national security.

9 (2) REPORT TO CONGRESS.—Any Secretary  
10 issuing a waiver under paragraph (1) shall report  
11 such issuance to Congress.

12 (c) EXCEPTION.—This section shall not apply to any  
13 Federal Government contract entered into before the date  
14 of the enactment of this Act, or to any task order issued  
15 pursuant to such contract.

16 SEC. 734. During fiscal year 2017, for each employee  
17 who—

18 (1) retires under section 8336(d)(2) or  
19 8414(b)(1)(B) of title 5, United States Code; or

20 (2) retires under any other provision of sub-  
21 chapter III of chapter 83 or chapter 84 of such title  
22 5 and receives a payment as an incentive to sepa-  
23 rate, the separating agency shall remit to the Civil  
24 Service Retirement and Disability Fund an amount  
25 equal to the Office of Personnel Management's aver-



1 age unit cost of processing a retirement claim for  
2 the preceding fiscal year. Such amounts shall be  
3 available until expended to the Office of Personnel  
4 Management and shall be deemed to be an adminis-  
5 trative expense under section 8348(a)(1)(B) of title  
6 5, United States Code.

7 SEC. 735. (a) None of the funds made available in  
8 this or any other Act may be used to recommend or re-  
9 quire any entity submitting an offer for a Federal contract  
10 or otherwise performing or participating in acquisition at  
11 any stage of the acquisition process (as defined in section  
12 131 of title 41, United States Code) of property or services  
13 by the Federal Government to disclose any of the following  
14 information as a condition of submitting the offer or oth-  
15 erwise performing in or participating in such acquisition:

16 (1) Any payment consisting of a contribution,  
17 expenditure, independent expenditure, or disburse-  
18 ment for an electioneering communication that is  
19 made by the entity, its officers or directors, or any  
20 of its affiliates or subsidiaries to a candidate for  
21 election for Federal office or to a political com-  
22 mittee, or that is otherwise made with respect to any  
23 election for Federal office.

24 (2) Any disbursement of funds (other than a  
25 payment described in paragraph (1)) made by the

1       entity, its officers or directors, or any of its affiliates  
2       or subsidiaries to any person with the intent or the  
3       reasonable expectation that the person will use the  
4       funds to make a payment described in paragraph  
5       (1).

6       (b) In this section, each of the terms “contribution”,  
7       “expenditure”, “independent expenditure”, “election-  
8       eering communication”, “candidate”, “election”, and  
9       “Federal office” has the meaning given such term in the  
10      Federal Election Campaign Act of 1971 (2 U.S.C. 431  
11      et seq.).

12      SEC. 736. None of the funds made available in this  
13      or any other Act may be used to pay for the painting of  
14      a portrait of an officer or employee of the Federal govern-  
15      ment, including the President, the Vice President, a mem-  
16      ber of Congress (including a Delegate or a Resident Com-  
17      missioner to Congress), the head of an executive branch  
18      agency (as defined in section 133 of title 41, United States  
19      Code), or the head of an office of the legislative branch.

20      SEC. 737. (a)(1) Notwithstanding any other provision  
21      of law, and except as otherwise provided in this section,  
22      no part of any of the funds appropriated for fiscal year  
23      2017, by this or any other Act, may be used to pay any  
24      prevailing rate employee described in section  
25      5342(a)(2)(A) of title 5, United States Code—

1 (A) during the period from the date of expira-  
2 tion of the limitation imposed by the comparable sec-  
3 tion for the previous fiscal years until the normal ef-  
4 fective date of the applicable wage survey adjust-  
5 ment that is to take effect in fiscal year 2017, in an  
6 amount that exceeds the rate payable for the appli-  
7 cable grade and step of the applicable wage schedule  
8 in accordance with such section; and

9 (B) during the period consisting of the remain-  
10 der of fiscal year 2017, in an amount that exceeds,  
11 as a result of a wage survey adjustment, the rate  
12 payable under subparagraph (A) by more than the  
13 sum of—

14 (i) the percentage adjustment taking effect  
15 in fiscal year 2017 under section 5303 of title  
16 5, United States Code, in the rates of pay  
17 under the General Schedule; and

18 (ii) the difference between the overall aver-  
19 age percentage of the locality-based com-  
20 parability payments taking effect in fiscal year  
21 2017 under section 5304 of such title (whether  
22 by adjustment or otherwise), and the overall av-  
23 erage percentage of such payments which was  
24 effective in the previous fiscal year under such  
25 section.

1           (2) Notwithstanding any other provision of law, no  
2 prevailing rate employee described in subparagraph (B) or  
3 (C) of section 5342(a)(2) of title 5, United States Code,  
4 and no employee covered by section 5348 of such title,  
5 may be paid during the periods for which paragraph (1)  
6 is in effect at a rate that exceeds the rates that would  
7 be payable under paragraph (1) were paragraph (1) appli-  
8 cable to such employee.

9           (3) For the purposes of this subsection, the rates pay-  
10 able to an employee who is covered by this subsection and  
11 who is paid from a schedule not in existence on September  
12 30, 2016, shall be determined under regulations pre-  
13 scribed by the Office of Personnel Management.

14           (4) Notwithstanding any other provision of law, rates  
15 of premium pay for employees subject to this subsection  
16 may not be changed from the rates in effect on September  
17 30, 2016, except to the extent determined by the Office  
18 of Personnel Management to be consistent with the pur-  
19 pose of this subsection.

20           (5) This subsection shall apply with respect to pay  
21 for service performed after September 30, 2016.

22           (6) For the purpose of administering any provision  
23 of law (including any rule or regulation that provides pre-  
24 mium pay, retirement, life insurance, or any other em-  
25 ployee benefit) that requires any deduction or contribu-

1 tion, or that imposes any requirement or limitation on the  
2 basis of a rate of salary or basic pay, the rate of salary  
3 or basic pay payable after the application of this sub-  
4 section shall be treated as the rate of salary or basic pay.

5 (7) Nothing in this subsection shall be considered to  
6 permit or require the payment to any employee covered  
7 by this subsection at a rate in excess of the rate that would  
8 be payable were this subsection not in effect.

9 (8) The Office of Personnel Management may provide  
10 for exceptions to the limitations imposed by this sub-  
11 section if the Office determines that such exceptions are  
12 necessary to ensure the recruitment or retention of quali-  
13 fied employees.

14 (b) Notwithstanding subsection (a), the adjustment  
15 in rates of basic pay for the statutory pay systems that  
16 take place in fiscal year 2017 under sections 5344 and  
17 5348 of title 5, United States Code, shall be—

18 (1) not less than the percentage received by em-  
19 ployees in the same location whose rates of basic pay  
20 are adjusted pursuant to the statutory pay systems  
21 under sections 5303 and 5304 of title 5, United  
22 States Code: *Provided*, That prevailing rate employ-  
23 ees at locations where there are no employees whose  
24 pay is increased pursuant to sections 5303 and 5304  
25 of title 5, United States Code, and prevailing rate

1 employees described in section 5343(a)(5) of title 5,  
2 United States Code, shall be considered to be located  
3 in the pay locality designated as “Rest of United  
4 States” pursuant to section 5304 of title 5, United  
5 States Code, for purposes of this subsection; and

6 (2) effective as of the first day of the first ap-  
7 plicable pay period beginning after September 30,  
8 2016.

9 SEC. 738. (a) The Vice President may not receive a  
10 pay raise in calendar year 2017, notwithstanding the rate  
11 adjustment made under section 104 of title 3, United  
12 States Code, or any other provision of law.

13 (b) An employee serving in an Executive Schedule po-  
14 sition, or in a position for which the rate of pay is fixed  
15 by statute at an Executive Schedule rate, may not receive  
16 a pay rate increase in calendar year 2017, notwith-  
17 standing schedule adjustments made under section 5318  
18 of title 5, United States Code, or any other provision of  
19 law, except as provided in subsection (g), (h), or (i). This  
20 subsection applies only to employees who are holding a po-  
21 sition under a political appointment.

22 (c) A chief of mission or ambassador at large may  
23 not receive a pay rate increase in calendar year 2017, not-  
24 withstanding section 401 of the Foreign Service Act of

1 1980 (Public Law 96–465) or any other provision of law,  
2 except as provided in subsection (g), (h), or (i).

3 (d) Notwithstanding sections 5382 and 5383 of title  
4 5, United States Code, a pay rate increase may not be  
5 received in calendar year 2017 (except as provided in sub-  
6 section (g), (h), or (i)) by—

7 (1) a noncareer appointee in the Senior Execu-  
8 tive Service paid a rate of basic pay at or above level  
9 IV of the Executive Schedule; or

10 (2) a limited term appointee or limited emer-  
11 gency appointee in the Senior Executive Service  
12 serving under a political appointment and paid a  
13 rate of basic pay at or above level IV of the Execu-  
14 tive Schedule.

15 (e) Any employee paid a rate of basic pay (including  
16 any locality-based payments under section 5304 of title  
17 5, United States Code, or similar authority) at or above  
18 level IV of the Executive Schedule who serves under a po-  
19 litical appointment may not receive a pay rate increase  
20 in calendar year 2017, notwithstanding any other provi-  
21 sion of law, except as provided in subsection (g), (h), or  
22 (i). This subsection does not apply to employees in the  
23 General Schedule pay system or the Foreign Service pay  
24 system, or to employees appointed under section 3161 of  
25 title 5, United States Code, or to employees in another

1 pay system whose position would be classified at GS–15  
2 or below if chapter 51 of title 5, United States Code, ap-  
3 plied to them.

4 (f) Nothing in subsections (b) through (e) shall pre-  
5 vent employees who do not serve under a political appoint-  
6 ment from receiving pay increases as otherwise provided  
7 under applicable law.

8 (g) A career appointee in the Senior Executive Serv-  
9 ice who receives a Presidential appointment and who  
10 makes an election to retain Senior Executive Service basic  
11 pay entitlements under section 3392 of title 5, United  
12 States Code, is not subject to this section.

13 (h) A member of the Senior Foreign Service who re-  
14 ceives a Presidential appointment to any position in the  
15 executive branch and who makes an election to retain Sen-  
16 ior Foreign Service pay entitlements under section 302(b)  
17 of the Foreign Service Act of 1980 (Public Law 96–465)  
18 is not subject to this section.

19 (i) Notwithstanding subsections (b) through (e), an  
20 employee in a covered position may receive a pay rate in-  
21 crease upon an authorized movement to a different cov-  
22 ered position with higher-level duties and a pre-established  
23 higher level or range of pay, except that any such increase  
24 must be based on the rates of pay and applicable pay limi-  
25 tations in effect on December 31, 2013.



1 (j) Notwithstanding any other provision of law, for  
2 an individual who is newly appointed to a covered position  
3 during the period of time subject to this section, the initial  
4 pay rate shall be based on the rates of pay and applicable  
5 pay limitations in effect on December 31, 2013.

6 (k) If an employee affected by subsections (b)  
7 through (e) is subject to a biweekly pay period that begins  
8 in calendar year 2017 but ends in calendar year 2018,  
9 the bar on the employee's receipt of pay rate increases  
10 shall apply through the end of that pay period.

11 SEC. 739. (a) The head of any Executive branch de-  
12 partment, agency, board, commission, or office funded by  
13 this or any other appropriations Act shall submit annual  
14 reports to the Inspector General or senior ethics official  
15 for any entity without an Inspector General, regarding the  
16 costs and contracting procedures related to each con-  
17 ference held by any such department, agency, board, com-  
18 mission, or office during fiscal year 2017 for which the  
19 cost to the United States Government was more than  
20 \$100,000.

21 (b) Each report submitted shall include, for each con-  
22 ference described in subsection (a) held during the applica-  
23 ble period—

24 (1) a description of its purpose;

25 (2) the number of participants attending;

1           (3) a detailed statement of the costs to the  
2 United States Government, including—

3                   (A) the cost of any food or beverages;

4                   (B) the cost of any audio-visual services;

5                   (C) the cost of employee or contractor  
6 travel to and from the conference; and

7                   (D) a discussion of the methodology used  
8 to determine which costs relate to the con-  
9 ference; and

10           (4) a description of the contracting procedures  
11 used including—

12                   (A) whether contracts were awarded on a  
13 competitive basis; and

14                   (B) a discussion of any cost comparison  
15 conducted by the departmental component or  
16 office in evaluating potential contractors for the  
17 conference.

18           (c) Within 15 days after the end of a quarter, the  
19 head of any such department, agency, board, commission,  
20 or office shall notify the Inspector General or senior ethics  
21 official for any entity without an Inspector General, of the  
22 date, location, and number of employees attending a con-  
23 ference held by any Executive branch department, agency,  
24 board, commission, or office funded by this or any other  
25 appropriations Act during fiscal year 2017 for which the

1 cost to the United States Government was more than  
2 \$20,000.

3 (d) A grant or contract funded by amounts appro-  
4 priated by this or any other appropriations Act may not  
5 be used for the purpose of defraying the costs of a con-  
6 ference described in subsection (c) that is not directly and  
7 programmatically related to the purpose for which the  
8 grant or contract was awarded, such as a conference held  
9 in connection with planning, training, assessment, review,  
10 or other routine purposes related to a project funded by  
11 the grant or contract.

12 (e) None of the funds made available in this or any  
13 other appropriations Act may be used for travel and con-  
14 ference activities that are not in compliance with Office  
15 of Management and Budget Memorandum M-12-12  
16 dated May 11, 2012 or any subsequent revisions to that  
17 memorandum.

18 SEC. 740. None of the funds made available in this  
19 or any other appropriations Act may be used to increase,  
20 eliminate, or reduce funding for a program, project, or ac-  
21 tivity as proposed in the President's budget request for  
22 a fiscal year until such proposed change is subsequently  
23 enacted in an appropriation Act, or unless such change  
24 is made pursuant to the reprogramming or transfer provi-  
25 sions of this or any other appropriations Act.

1        SEC. 741. (a) None of the funds appropriated or oth-  
2 erwise made available by this or any other Act may be  
3 available for a contract, grant, or cooperative agreement  
4 with an entity that requires employees or contractors of  
5 such entity seeking to report fraud, waste, or abuse to sign  
6 internal confidentiality agreements or statements prohib-  
7 iting or otherwise restricting such employees or contrac-  
8 tors from lawfully reporting such waste, fraud, or abuse  
9 to a designated investigative or law enforcement represent-  
10 ative of a Federal department or agency authorized to re-  
11 ceive such information.

12        (b) The limitation in subsection (a) shall not con-  
13 travene requirements applicable to Standard Form 312,  
14 Form 4414, or any other form issued by a Federal depart-  
15 ment or agency governing the nondisclosure of classified  
16 information.

17        SEC. 742. (a) No funds appropriated in this or any  
18 other Act may be used to implement or enforce the agree-  
19 ments in Standard Forms 312 and 4414 of the Govern-  
20 ment or any other nondisclosure policy, form, or agree-  
21 ment if such policy, form, or agreement does not contain  
22 the following provisions: “These provisions are consistent  
23 with and do not supersede, conflict with, or otherwise alter  
24 the employee obligations, rights, or liabilities created by  
25 existing statute or Executive order relating to: (1) classi-

1 fied information; (2) communications to Congress; (3) the  
2 reporting to an Inspector General of a violation of any  
3 law, rule, or regulation, or mismanagement, a gross waste  
4 of funds, an abuse of authority, or a substantial and spe-  
5 cific danger to public health or safety; or (4) any other  
6 whistleblower protection. The definitions, requirements,  
7 obligations, rights, sanctions, and liabilities created by  
8 controlling Executive orders and statutory provisions are  
9 incorporated into this agreement and are controlling.”:

10 *Provided*, That notwithstanding the preceding provision of  
11 this section, a nondisclosure policy form or agreement that  
12 is to be executed by a person connected with the conduct  
13 of an intelligence or intelligence-related activity, other  
14 than an employee or officer of the United States Govern-  
15 ment, may contain provisions appropriate to the particular  
16 activity for which such document is to be used. Such form  
17 or agreement shall, at a minimum, require that the person  
18 will not disclose any classified information received in the  
19 course of such activity unless specifically authorized to do  
20 so by the United States Government. Such nondisclosure  
21 forms shall also make it clear that they do not bar dislo-  
22 sures to Congress, or to an authorized official of an execu-  
23 tive agency or the Department of Justice, that are essen-  
24 tial to reporting a substantial violation of law.

1 (b) A nondisclosure agreement may continue to be  
2 implemented and enforced notwithstanding subsection (a)  
3 if it complies with the requirements for such agreement  
4 that were in effect when the agreement was entered into.

5 (c) No funds appropriated in this or any other Act  
6 may be used to implement or enforce any agreement en-  
7 tered into during fiscal year 2014 which does not contain  
8 substantially similar language to that required in sub-  
9 section (a).

10 SEC. 743. None of the funds made available by this  
11 or any other Act may be used to enter into a contract,  
12 memorandum of understanding, or cooperative agreement  
13 with, make a grant to, or provide a loan or loan guarantee  
14 to, any corporation that has any unpaid Federal tax liabil-  
15 ity that has been assessed, for which all judicial and ad-  
16 ministrative remedies have been exhausted or have lapsed,  
17 and that is not being paid in a timely manner pursuant  
18 to an agreement with the authority responsible for col-  
19 lecting the tax liability, where the awarding agency is  
20 aware of the unpaid tax liability, unless a Federal agency  
21 has considered suspension or debarment of the corporation  
22 and has made a determination that this further action is  
23 not necessary to protect the interests of the Government.

24 SEC. 744. None of the funds made available by this  
25 or any other Act may be used to enter into a contract,

1 memorandum of understanding, or cooperative agreement  
2 with, make a grant to, or provide a loan or loan guarantee  
3 to, any corporation that was convicted of a felony criminal  
4 violation under any Federal law within the preceding 24  
5 months, where the awarding agency is aware of the convic-  
6 tion, unless a Federal agency has considered suspension  
7 or debarment of the corporation and has made a deter-  
8 mination that this further action is not necessary to pro-  
9 tect the interests of the Government.

10 SEC. 745. None of the funds made available under  
11 this or any other Act may be used to—

12 (a) implement, administer, carry out, modify, revise,  
13 or enforce Executive Order No. 13690, entitled “Estab-  
14 lishing a Federal Flood Risk Management Standard and  
15 a Process for Further Soliciting and Considering Stake-  
16 holder Input” (issued January 30, 2015), until such time  
17 as each affected agency—

18 (1) publically releases and submits to the ap-  
19 propriate Congressional committees an implementa-  
20 tion plan that identifies all specific agency respon-  
21 sibilities and program changes, including an assess-  
22 ment of the near term and long term costs and ben-  
23 efits of the responsibilities and changes identified in  
24 such plan and

1           (2) seeks public comment on any regulation,  
2           policy, or guidance to implement Executive Order  
3           No. 13690 for not less than 180 days and holds at  
4           least one public hearing; or

5           (b) implement Executive Order No. 13690 in a man-  
6           ner that modifies the non-grant components of the Na-  
7           tional Flood Insurance Program under the National Flood  
8           Insurance Act of 1968 (42 U.S.C. 4011 et seq.); or

9           (c) apply Executive Order No. 13690 or the Federal  
10          Flood Risk Management Standard by any component of  
11          the Department of Defense, including the Army Corps of  
12          Engineers in a way that changes the “floodplain” consid-  
13          ered when determining whether or not to issue a permit  
14          under section 404 of the Federal Water Pollution Control  
15          Act (33 U.S.C. 1344) or section 10 of the Act of March  
16          3, 1899 (chapter 425, 30 Stat. 1151; 33 U.S.C. 403).

17          SEC. 746. Except as expressly provided otherwise,  
18          any reference to “this Act” contained in any title other  
19          than title IV or VIII shall not apply to such title IV or  
20          VIII.



1 TITLE VIII  
2 GENERAL PROVISIONS—DISTRICT OF  
3 COLUMBIA

4 (INCLUDING TRANSFERS OF FUNDS)

5 SEC. 801. There are appropriated from the applicable  
6 funds of the District of Columbia such sums as may be  
7 necessary for making refunds and for the payment of legal  
8 settlements or judgments that have been entered against  
9 the District of Columbia government.

10 SEC. 802. None of the Federal funds provided in this  
11 Act shall be used for publicity or propaganda purposes or  
12 implementation of any policy including boycott designed  
13 to support or defeat legislation pending before Congress  
14 or any State legislature.

15 SEC. 803. (a) None of the Federal funds provided  
16 under this Act to the agencies funded by this Act, both  
17 Federal and District government agencies, that remain  
18 available for obligation or expenditure in fiscal year 2017,  
19 or provided from any accounts in the Treasury of the  
20 United States derived by the collection of fees available  
21 to the agencies funded by this Act, shall be available for  
22 obligation or expenditures for an agency through a re-  
23 programming of funds which—

24 (1) creates new programs;

1           (2) eliminates a program, project, or responsi-  
2           bility center;

3           (3) establishes or changes allocations specifi-  
4           cally denied, limited or increased under this Act;

5           (4) increases funds or personnel by any means  
6           for any program, project, or responsibility center for  
7           which funds have been denied or restricted;

8           (5) re-establishes any program or project pre-  
9           viously deferred through reprogramming;

10          (6) augments any existing program, project, or  
11          responsibility center through a reprogramming of  
12          funds in excess of \$3,000,000 or 10 percent, which-  
13          ever is less; or

14          (7) increases by 20 percent or more personnel  
15          assigned to a specific program, project or responsi-  
16          bility center,

17          unless prior approval is received from the Committees on  
18          Appropriations of the House of Representatives and the  
19          Senate.

20          (b) The District of Columbia government is author-  
21          ized to approve and execute reprogramming and transfer  
22          requests of local funds under this title through November  
23          7, 2017.

24          SEC. 804. None of the Federal funds provided in this  
25          Act may be used by the District of Columbia to provide

1 for salaries, expenses, or other costs associated with the  
2 offices of United States Senator or United States Rep-  
3 resentative under section 4(d) of the District of Columbia  
4 Statehood Constitutional Convention Initiatives of 1979  
5 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

6       SEC. 805. Except as otherwise provided in this sec-  
7 tion, none of the funds made available by this Act or by  
8 any other Act may be used to provide any officer or em-  
9 ployee of the District of Columbia with an official vehicle  
10 unless the officer or employee uses the vehicle only in the  
11 performance of the officer’s or employee’s official duties.  
12 For purposes of this section, the term “official duties”  
13 does not include travel between the officer’s or employee’s  
14 residence and workplace, except in the case of—

15           (1) an officer or employee of the Metropolitan  
16 Police Department who resides in the District of Co-  
17 lumbia or is otherwise designated by the Chief of the  
18 Department;

19           (2) at the discretion of the Fire Chief, an offi-  
20 cer or employee of the District of Columbia Fire and  
21 Emergency Medical Services Department who re-  
22 sides in the District of Columbia and is on call 24  
23 hours a day;

24           (3) at the discretion of the Director of the De-  
25 partment of Corrections, an officer or employee of

1 the District of Columbia Department of Corrections  
2 who resides in the District of Columbia and is on  
3 call 24 hours a day;

4 (4) at the discretion of the Chief Medical Ex-  
5 aminer, an officer or employee of the Office of the  
6 Chief Medical Examiner who resides in the District  
7 of Columbia and is on call 24 hours a day;

8 (5) at the discretion of the Director of the  
9 Homeland Security and Emergency Management  
10 Agency, an officer or employee of the Homeland Se-  
11 curity and Emergency Management Agency who re-  
12 sides in the District of Columbia and is on call 24  
13 hours a day;

14 (6) the Mayor of the District of Columbia; and

15 (7) the Chairman of the Council of the District  
16 of Columbia.

17 SEC. 806. (a) None of the Federal funds contained  
18 in this Act may be used by the District of Columbia Attor-  
19 ney General or any other officer or entity of the District  
20 government to provide assistance for any petition drive or  
21 civil action which seeks to require Congress to provide for  
22 voting representation in Congress for the District of Co-  
23 lumbia.

24 (b) Nothing in this section bars the District of Co-  
25 lumbia Attorney General from reviewing or commenting

1 on briefs in private lawsuits, or from consulting with offi-  
2 cials of the District government regarding such lawsuits.

3 SEC. 807. None of the Federal funds contained in  
4 this Act may be used for any program of distributing ster-  
5 ile needles or syringes for the hypodermic injection of any  
6 illegal drug.

7 SEC. 808. Nothing in this Act may be construed to  
8 prevent the Council or Mayor of the District of Columbia  
9 from addressing the issue of the provision of contraceptive  
10 coverage by health insurance plans, but it is the intent  
11 of Congress that any legislation enacted on such issue  
12 should include a “conscience clause” which provides excep-  
13 tions for religious beliefs and moral convictions.

14 SEC. 809. (a) None of the Federal funds contained  
15 in this Act may be used to enact or carry out any law,  
16 rule, or regulation to legalize or otherwise reduce penalties  
17 associated with the possession, use, or distribution of any  
18 schedule I substance under the Controlled Substances Act  
19 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-  
20 rivative.

21 (b) No funds available for obligation or expenditure  
22 by any officer or employee of the District of Columbia gov-  
23 ernment may be used to enact any law, rule, or regulation  
24 to legalize or otherwise reduce penalties associated with  
25 the possession, use, or distribution of any schedule I sub-

1 stance under the Controlled Substances Act (21 U.S.C.  
2 801 et seq.) or any tetrahydrocannabinols derivative for  
3 recreational purposes.

4 SEC. 810. No funds available for obligation or ex-  
5 penditure by any officer or employee of the District of Co-  
6 lumbia government shall be expended for any abortion ex-  
7 cept where the life of the mother would be endangered if  
8 the fetus were carried to term or where the pregnancy is  
9 the result of an act of rape or incest.

10 SEC. 811. (a) No later than 30 calendar days after  
11 the date of the enactment of this Act, the Chief Financial  
12 Officer for the District of Columbia shall submit to the  
13 appropriate committees of Congress, the Mayor, and the  
14 Council of the District of Columbia, a revised appropriated  
15 funds operating budget in the format of the budget that  
16 the District of Columbia government submitted pursuant  
17 to section 442 of the District of Columbia Home Rule Act  
18 (D.C. Official Code, sec. 1-204.42), for all agencies of the  
19 District of Columbia government for fiscal year 2017 that  
20 is in the total amount of the approved appropriation and  
21 that realigns all budgeted data for personal services and  
22 other-than-personal services, respectively, with anticipated  
23 actual expenditures.

24 (b) This section shall apply only to an agency for  
25 which the Chief Financial Officer for the District of Co-

1 lumbia certifies that a reallocation is required to address  
2 unanticipated changes in program requirements.

3       SEC. 812. No later than 30 calendar days after the  
4 date of the enactment of this Act, the Chief Financial Offi-  
5 cer for the District of Columbia shall submit to the appro-  
6 priate committees of Congress, the Mayor, and the Council  
7 for the District of Columbia, a revised appropriated funds  
8 operating budget for the District of Columbia Public  
9 Schools that aligns schools budgets to actual enrollment.  
10 The revised appropriated funds budget shall be in the for-  
11 mat of the budget that the District of Columbia govern-  
12 ment submitted pursuant to section 442 of the District  
13 of Columbia Home Rule Act (D.C. Official Code, sec. 1-  
14 204.42).

15       SEC. 813. (a) Amounts appropriated in this Act as  
16 operating funds may be transferred to the District of Co-  
17 lumbia's enterprise and capital funds and such amounts,  
18 once transferred, shall retain appropriation authority con-  
19 sistent with the provisions of this Act.

20       (b) The District of Columbia government is author-  
21 ized to reprogram or transfer for operating expenses any  
22 local funds transferred or reprogrammed in this or the  
23 four prior fiscal years from operating funds to capital  
24 funds, and such amounts, once transferred or repro-

1 grammed, shall retain appropriation authority consistent  
2 with the provisions of this Act.

3 (c) The District of Columbia government may not  
4 transfer or reprogram for operating expenses any funds  
5 derived from bonds, notes, or other obligations issued for  
6 capital projects.

7 SEC. 814. None of the Federal funds appropriated  
8 in this Act shall remain available for obligation beyond  
9 the current fiscal year, nor may any be transferred to  
10 other appropriations, unless expressly so provided herein.

11 SEC. 815. Except as otherwise specifically provided  
12 by law or under this Act, not to exceed 50 percent of unob-  
13 ligated balances remaining available at the end of fiscal  
14 year 2017 from appropriations of Federal funds made  
15 available for salaries and expenses for fiscal year 2017 in  
16 this Act, shall remain available through September 30,  
17 2018, for each such account for the purposes authorized:  
18 *Provided*, That a request shall be submitted to the Com-  
19 mittees on Appropriations of the House of Representatives  
20 and the Senate for approval prior to the expenditure of  
21 such funds: *Provided further*, That these requests shall be  
22 made in compliance with reprogramming guidelines out-  
23 lined in section 803 of this Act.

24 SEC. 816. (a)(1) During fiscal year 2018, during a  
25 period in which neither a District of Columbia continuing



1 resolution or a regular District of Columbia appropriation  
2 bill is in effect, local funds are appropriated in the amount  
3 provided for any project or activity for which local funds  
4 are provided in the Act referred to in paragraph (2) (sub-  
5 ject to any modifications enacted by the District of Colum-  
6 bia as of the beginning of the period during which this  
7 subsection is in effect) at the rate set forth by such Act.

8       (2) The Act referred to in this paragraph is the Act  
9 of the Council of the District of Columbia pursuant to  
10 which a proposed budget is approved for fiscal year 2018  
11 which (subject to the requirements of the District of Co-  
12 lumbia Home Rule Act) will constitute the local portion  
13 of the annual budget for the District of Columbia govern-  
14 ment for fiscal year 2018 for purposes of section 446 of  
15 the District of Columbia Home Rule Act (sec. 1–204.46,  
16 D.C. Official Code).

17       (b) Appropriations made by subsection (a) shall cease  
18 to be available—

19               (1) during any period in which a District of Co-  
20 lumbia continuing resolution for fiscal year 2018 is  
21 in effect; or

22               (2) upon the enactment into law of the regular  
23 District of Columbia appropriation bill for fiscal year  
24 2018.

1 (c) An appropriation made by subsection (a) is pro-  
2 vided under the authority and conditions as provided  
3 under this Act and shall be available to the extent and  
4 in the manner that would be provided by this Act.

5 (d) An appropriation made by subsection (a) shall  
6 cover all obligations or expenditures incurred for such  
7 project or activity during the portion of fiscal year 2018  
8 for which this section applies to such project or activity.

9 (e) This section shall not apply to a project or activity  
10 during any period of fiscal year 2018 if any other provi-  
11 sion of law (other than an authorization of appropria-  
12 tions)—

13 (1) makes an appropriation, makes funds avail-  
14 able, or grants authority for such project or activity  
15 to continue for such period; or

16 (2) specifically provides that no appropriation  
17 shall be made, no funds shall be made available, or  
18 no authority shall be granted for such project or ac-  
19 tivity to continue for such period.

20 (f) Nothing in this section shall be construed to affect  
21 obligations of the government of the District of Columbia  
22 mandated by other law.

23 SEC. 817. (a) Effective with respect to fiscal year  
24 2013 and each succeeding fiscal year, the Local Budget  
25 Autonomy Amendment Act of 2012 (D.C. Law 19–321)

1 is hereby repealed, and any provision of law amended or  
2 repealed by such Act shall be restored or revived as if such  
3 Act had not been enacted into law.

4 (b)(1) Section 450 of the District of Columbia Home  
5 Rule Act (sec. 1–204.50, D.C. Official Code) is amend-  
6 ed—

7 (A) in the first sentence, by striking “The  
8 General Fund” and inserting “(a) IN GEN-  
9 ERAL.—The General Fund”; and

10 (B) by adding at the end the following new  
11 subsection:

12 “(b) APPLICATION OF FEDERAL APPROPRIATIONS  
13 PROCESS.—Nothing in this Act shall be construed as cre-  
14 ating a continuing appropriation of the General Fund de-  
15 scribed in subsection (a). All funds provided for the Dis-  
16 trict of Columbia shall be appropriated on an annual fiscal  
17 year basis through the Federal appropriations process.  
18 For each fiscal year, the District shall be subject to all  
19 applicable requirements of subchapter III of chapter 13  
20 and subchapter II of chapter 15 of title 31, United States  
21 Code (commonly known as the ‘Anti-Deficiency Act’), the  
22 Budget and Accounting Act of 1921, and all other require-  
23 ments and restrictions applicable to appropriations for  
24 such fiscal year.”.

1 (2) Section 603(a) of such Act (sec. 1–206.03(a),  
2 D.C. Official Code) is amended—

3 (A) by striking “existing”; and

4 (B) by striking the period at the end and in-  
5 serting the following: “, or as authorizing the Dis-  
6 trict of Columbia to make any such change.”.

7 (3) The amendments made by this subsection shall  
8 take effect as if included in the enactment of the District  
9 of Columbia Home Rule Act.

10 SEC. 818. Except as expressly provided otherwise,  
11 any reference to “this Act” contained in this title or in  
12 title IV shall be treated as referring only to the provisions  
13 of this title or of title IV.

## 14 TITLE IX

### 15 SOAR REAUTHORIZATION ACT

16 **SEC. 901. SHORT TITLE; REFERENCES IN TITLE.**

17 (a) **SHORT TITLE.**—This title may be cited as the  
18 “Scholarships for Opportunity and Results Reauthoriza-  
19 tion Act” or the “SOAR Reauthorization Act”.

20 (b) **REFERENCES IN TITLE.**—Except as otherwise ex-  
21 pressly provided, whenever in this title an amendment is  
22 expressed in terms of an amendment to or repeal of a sec-  
23 tion or other provision, the reference shall be considered  
24 to be made to that section or other provision of the Schol-  
25 arships for Opportunity and Results Act (division C of

1 Public Law 112–10; sec. 38–1853.01 et seq., D.C. Official  
2 Code).

3 **SEC. 902. REPEAL.**

4 Section 817 of the Consolidated Appropriations Act,  
5 2016 (Public Law 114–113) is repealed, and any provision  
6 of law amended or repealed by such section is restored  
7 or revived as if such section had not been enacted into  
8 law.

9 **SEC. 903. PURPOSES.**

10 Section 3003 (sec. 38–1853.03, D.C. Official Code)  
11 is amended by striking “particularly parents” and all that  
12 follows through “, with” and inserting “particularly par-  
13 ents of students who attend an elementary school or sec-  
14 ondary school identified as one of the lowest-performing  
15 schools under the District of Columbia’s accountability  
16 system, with”.

17 **SEC. 904. PROHIBITING IMPOSITION OF LIMITS ON TYPES**

18 **OF ELIGIBLE STUDENTS PARTICIPATING IN**

19 **THE PROGRAM.**

20 Section 3004(a) (sec. 38–1853.04(a), D.C. Official  
21 Code) is amended by adding at the end the following:

22 “(3) PROHIBITING IMPOSITION OF LIMITS ON  
23 ELIGIBLE STUDENTS PARTICIPATING IN THE PRO-  
24 GRAM.—

1           “(A) IN GENERAL.—In carrying out the  
2 program under this division, the Secretary may  
3 not limit the number of eligible students receiv-  
4 ing scholarships under section 3007(a), and  
5 may not prevent otherwise eligible students  
6 from participating in the program under this  
7 division, based on any of the following:

8           “(i) The type of school the student  
9 previously attended.

10           “(ii) Whether or not the student pre-  
11 viously received a scholarship or partici-  
12 pated in the program, including whether  
13 an eligible student was awarded a scholar-  
14 ship in any previous year but has not used  
15 the scholarship, regardless of the number  
16 of years of nonuse.

17           “(iii) Whether or not the student was  
18 a member of the control group used by the  
19 Institute of Education Sciences to carry  
20 out previous evaluations of the program  
21 under section 3009.

22           “(B) RULE OF CONSTRUCTION.—Nothing  
23 in subparagraph (A) may be construed to waive  
24 the requirement under section 3005(b)(1)(B)  
25 that the eligible entity carrying out the program

1 under this Act must carry out a random selec-  
2 tion process, which gives weight to the priorities  
3 described in section 3006, if more eligible stu-  
4 dents seek admission in the program than the  
5 program can accommodate.”.

6 **SEC. 905. REQUIRING ELIGIBLE ENTITIES TO UTILIZE IN-**  
7 **TERNAL FISCAL AND QUALITY CONTROLS.**

8 Section 3005(b)(1) (sec. 38–1853.05(b)(1), D.C. Of-  
9 ficial Code) is amended—

10 (1) in subparagraph (I), by striking “, except  
11 that a participating school may not be required to  
12 submit to more than 1 site visit per school year”;

13 (2) by redesignating subparagraphs (K) and  
14 (L) as subparagraphs (L) and (M), respectively;

15 (3) by inserting after subparagraph (J) the fol-  
16 lowing:

17 “(K) how the entity will ensure the finan-  
18 cial viability of participating schools in which  
19 85 percent or more of the total number of stu-  
20 dents enrolled at the school are participating el-  
21 igible students that receive and use an oppor-  
22 tunity scholarship;”;

23 (4) in subparagraph (L), as redesignated by  
24 paragraph (2), by striking “and” at the end; and

25 (5) by adding at the end the following:

1           “(N) how the eligible entity will ensure  
2           that it—

3                   “(i) utilizes internal fiscal and quality  
4                   controls; and

5                   “(ii) complies with applicable financial  
6                   reporting requirements and the require-  
7                   ments of this division; and”.

8 **SEC. 906. CLARIFICATION OF PRIORITIES FOR AWARDING**  
9 **SCHOLARSHIPS TO ELIGIBLE STUDENTS.**

10       Section 3006(1) (sec. 38–1853.06(1), D.C. Official  
11 Code) is amended—

12           (1) in subparagraph (A), by striking “attended”  
13           and all that follows through the semicolon and in-  
14           serting “attended an elementary school or secondary  
15           school identified as one of the lowest-performing  
16           schools under the District of Columbia’s account-  
17           ability system; and”;

18           (2) by striking subparagraph (B);

19           (3) by redesignating subparagraph (C) as sub-  
20           paragraph (B); and

21           (4) in subparagraph (B), as redesignated by  
22           paragraph (3), by striking the semicolon at the end  
23           and inserting “or whether such students have, in the  
24           past, attended a private school;”.



1 **SEC. 907. MODIFICATION OF REQUIREMENTS FOR PARTICI-**  
2 **PATING SCHOOLS AND ELIGIBLE ENTITIES.**

3 (a) **CRIMINAL BACKGROUND CHECKS; COMPLIANCE**  
4 **WITH REPORTING REQUIREMENTS.**—Section 3007(a)(4)  
5 (sec. 38–1853.07(a)(4), D.C. Official Code) is amended—

6 (1) in subparagraph (E), by striking “and” at  
7 the end;

8 (2) by striking subparagraph (F) and inserting  
9 the following:

10 “(F) ensures that, with respect to core  
11 subject matter, participating students are  
12 taught by a teacher who has a baccalaureate  
13 degree or equivalent degree, whether such de-  
14 gree was awarded in or outside of the United  
15 States;” and

16 (3) by adding at the end the following:

17 “(G) conducts criminal background checks  
18 on school employees who have direct and unsu-  
19 pervised interaction with students; and

20 “(H) complies with all requests for data  
21 and information regarding the reporting re-  
22 quirements described in section 3010.”.

23 (b) **ACCREDITATION.**—Section 3007(a) (sec. 38–  
24 1853.07(a), D.C. Official Code), as amended by subsection  
25 (a), is further amended—

1 (1) in paragraph (1), by striking “paragraphs  
2 (2) and (3)” and inserting “paragraphs (2), (3), and  
3 (5)”; and

4 (2) by adding at the end the following:

5 “(5) ACCREDITATION REQUIREMENTS.—

6 “(A) IN GENERAL.—None of the funds  
7 provided under this division for opportunity  
8 scholarships may be used by a participating eli-  
9 gible student to enroll in a participating private  
10 school unless the school—

11 “(i) in the case of a school that is a  
12 participating school as of the date of en-  
13 actment of the SOAR Reauthorization  
14 Act—

15 “(I) is fully accredited by an ac-  
16 crediting body described in any of  
17 subparagraphs (A) through (G) of  
18 section 2202(16) of the District of  
19 Columbia School Reform Act of 1995  
20 (Public Law 104–134; sec. 38–  
21 1802.02(16)(A)–(G), D.C. Official  
22 Code); or

23 “(II) if such participating school  
24 does not meet the requirements of  
25 subclause (I)—

1           “(aa) not later than 1 year  
2           after the date of enactment of  
3           the Consolidated Appropriations  
4           Act, 2016 (Public Law 114–  
5           113), the school is pursuing full  
6           accreditation by an accrediting  
7           body described in subclause (I);  
8           and

9           “(bb) is fully accredited by  
10          such an accrediting body not  
11          later than 5 years after the date  
12          on which that school began the  
13          process of pursuing full accredi-  
14          tation in accordance with item  
15          (aa); and

16          “(ii) in the case of a school that is not  
17          a participating school as of the date of en-  
18          actment of the SOAR Reauthorization Act,  
19          is fully accredited by an accrediting body  
20          described in clause (i)(I) before becoming a  
21          participating school under this division.

22          “(B) REPORTS TO ELIGIBLE ENTITY.—Not  
23          later than 5 years after the date of enactment  
24          of the SOAR Reauthorization Act, each partici-  
25          pating school shall submit to the eligible entity

1 a certification that the school has been fully ac-  
2 credited in accordance with subparagraph (A).

3 “(C) ASSISTING STUDENTS IN ENROLLING  
4 IN OTHER SCHOOLS.—If a participating school  
5 fails to meet the requirements of this para-  
6 graph, the eligible entity shall assist the parents  
7 of the participating eligible students who attend  
8 the school in identifying, applying to, and en-  
9 rolling in another participating school under  
10 this division.

11 “(6) TREATMENT OF STUDENTS AWARDED A  
12 SCHOLARSHIP IN A PREVIOUS YEAR.—An eligible en-  
13 tity shall treat a participating eligible student who  
14 was awarded an opportunity scholarship in any pre-  
15 vious year and who has not used the scholarship as  
16 a renewal student and not as a new applicant, with-  
17 out regard as to—

18 “(A) whether the eligible student has used  
19 the scholarship; and

20 “(B) the year in which the scholarship was  
21 previously awarded.”.

22 (c) REQUIRING USE OF FUNDS REMAINING UNOBLI-  
23 GATED FROM PREVIOUS FISCAL YEARS.—

1           (1) IN GENERAL.—Section 3007 (sec. 38–  
2           1853.07, D.C. Official Code) is amended by adding  
3           at the end the following:

4           “(e) REQUIRING USE OF FUNDS REMAINING UNOB-  
5           LIGATED FROM PREVIOUS FISCAL YEARS.—

6           “(1) IN GENERAL.—To the extent that any  
7           funds appropriated for the opportunity scholarship  
8           program under this division for any fiscal year re-  
9           main available for subsequent fiscal years under sec-  
10          tion 3014(c), the Secretary shall make such funds  
11          available to eligible entities receiving grants under  
12          section 3004(a) for the uses described in paragraph  
13          (2)—

14                 “(A) in the case of any remaining funds  
15                 that were appropriated before the date of enact-  
16                 ment of the SOAR Reauthorization Act, begin-  
17                 ning on the date of enactment of such Act; and

18                 “(B) in the case of any remaining funds  
19                 appropriated on or after the date of enactment  
20                 of such Act, by the first day of the first subse-  
21                 quent fiscal year.

22           “(2) USE OF FUNDS.—If an eligible entity to  
23           which the Secretary provided additional funds under  
24           paragraph (1) elects to use such funds during a fis-  
25           cal year, the eligible entity shall use—

1           “(A) not less than 95 percent of such addi-  
2           tional funds to provide additional scholarships  
3           for eligible students under section 3007(a), or  
4           to increase the amount of the scholarships, dur-  
5           ing such year; and

6           “(B) not more than a total of 5 percent of  
7           such additional funds for administrative ex-  
8           penses, parental assistance, or tutoring, as de-  
9           scribed in subsections (b) and (c), during such  
10          year.

11          “(3) SPECIAL RULE.—Any amounts made avail-  
12          able for administrative expenses, parental assistance,  
13          or tutoring under paragraph (2)(B) shall be in addi-  
14          tion to any other amounts made available for such  
15          purposes in accordance with subsections (b) and  
16          (c).”.

17          (2) EFFECTIVE DATE.—The amendment made  
18          by paragraph (1) shall take effect on the date of en-  
19          actment of this title.

20          (d) USE OF FUNDS FOR ADMINISTRATIVE EXPENSES  
21          AND PARENTAL ASSISTANCE.—Section 3007 (sec. 38–  
22          1853.07, D.C. Official Code), as amended by this section,  
23          is further amended—

24                  (1) by striking subsections (b) and (c) and in-  
25          serting the following:

1       “(b) ADMINISTRATIVE EXPENSES AND PARENTAL  
2 ASSISTANCE.—The Secretary shall make \$2,000,000 of  
3 the amount made available under section 3014(a)(1) for  
4 each fiscal year available to eligible entities receiving a  
5 grant under section 3004(a) to cover the following ex-  
6 penses:

7           “(1) The administrative expenses of carrying  
8 out its program under this division during the year,  
9 including—

10           “(A) determining the eligibility of students  
11 to participate;

12           “(B) selecting the eligible students to re-  
13 ceive scholarships;

14           “(C) determining the amount of the schol-  
15 arships and issuing the scholarships to eligible  
16 students;

17           “(D) compiling and maintaining financial  
18 and programmatic records;

19           “(E) conducting site visits as described in  
20 section 3005(b)(1)(I); and

21           “(F)(i) conducting a study, including a  
22 survey of participating parents, on any barriers  
23 for participating eligible students in gaining ad-  
24 mission to, or attending, the participating  
25 school that is their first choice; and

1           “(ii) not later than the end of the first full  
2           fiscal year after the date of enactment of the  
3           SOAR Reauthorization Act, submitting a report  
4           to Congress that contains the results of such  
5           study.

6           “(2) The expenses of educating parents about  
7           the eligible entity’s program under this division, and  
8           assisting parents through the application process  
9           under this division, including—

10           “(A) providing information about the pro-  
11           gram and the participating schools to parents  
12           of eligible students, including information on  
13           supplemental financial aid that may be available  
14           at participating schools;

15           “(B) providing funds to assist parents of  
16           students in meeting expenses that might other-  
17           wise preclude the participation of eligible stu-  
18           dents in the program; and

19           “(C) streamlining the application process  
20           for parents.”; and

21           (2) by redesignating subsection (d), and sub-  
22           section (e) (as added by subsection (c)(1)), as sub-  
23           sections (c) and (d), respectively.

24           (e) CLARIFICATION OF USE OF FUNDS FOR STU-  
25           DENT ACADEMIC ASSISTANCE.—Section 3007(c) (sec. 38–



1 1853.07(c), D.C. Official Code), as redesignated by sub-  
2 section (d)(2), is amended by striking “previously at-  
3 tended” and all that follows through the period at the end  
4 and inserting “previously attended an elementary school  
5 or secondary school identified as one of the lowest-per-  
6 forming schools under the District of Columbia’s account-  
7 ability system.”.

8 **SEC. 908. PROGRAM EVALUATION.**

9 (a) REVISION OF EVALUATION PROCEDURES AND  
10 REQUIREMENTS.—

11 (1) IN GENERAL.—Section 3009(a) (sec. 38–  
12 1853.09(a), D.C. Official Code) is amended to read  
13 as follows:

14 “(a) IN GENERAL.—

15 “(1) DUTIES OF THE SECRETARY AND THE  
16 MAYOR.—The Secretary and the Mayor of the Dis-  
17 trict of Columbia shall—

18 “(A) jointly enter into an agreement with  
19 the Institute of Education Sciences of the De-  
20 partment of Education to evaluate annually the  
21 opportunity scholarship program under this di-  
22 vision;

23 “(B) jointly enter into an agreement to  
24 monitor and evaluate the use of funds author-  
25 ized and appropriated for the District of Co-

1           lumbia public schools and the District of Co-  
2           lumbia public charter schools under this divi-  
3           sion; and

4           “(C) make the evaluations described in  
5           subparagraphs (A) and (B) public in accord-  
6           ance with subsection (c).

7           “(2) DUTIES OF THE SECRETARY.—The Sec-  
8           retary, through a grant, contract, or cooperative  
9           agreement, shall—

10           “(A) ensure that the evaluation under  
11           paragraph (1)(A)—

12           “(i) is conducted using an acceptable  
13           quasi-experimental research design for de-  
14           termining the effectiveness of the oppor-  
15           tunity scholarship program under this divi-  
16           sion that does not use a control study  
17           group consisting of students who applied  
18           for but did not receive opportunity scholar-  
19           ships; and

20           “(ii) addresses the issues described in  
21           paragraph (4); and

22           “(B) disseminate information on the im-  
23           pact of the program—

24           “(i) in increasing academic achieve-  
25           ment and educational attainment of par-

1            participating eligible students who use an op-  
2            portunity scholarship; and

3            “(ii) on students and schools in the  
4            District of Columbia.

5            “(3) DUTIES OF THE INSTITUTE OF EDU-  
6            CATION SCIENCES.—The Institute of Education  
7            Sciences of the Department of Education shall—

8            “(A) assess participating eligible students  
9            who use an opportunity scholarship in each of  
10           grades 3 through 8, as well as one of the grades  
11           at the high school level, by supervising the ad-  
12           ministration of the same reading and mathe-  
13           matics assessment used by the District of Co-  
14           lumbia public schools to comply with section  
15           1111(b) of the Elementary and Secondary Edu-  
16           cation Act of 1965 (20 U.S.C. 6311(b));

17           “(B) measure the academic achievement of  
18           all participating eligible students who use an  
19           opportunity scholarship in the grades described  
20           in subparagraph (A); and

21           “(C) work with eligible entities receiving a  
22           grant under this division to ensure that the par-  
23           ents of each student who is a participating eli-  
24           gible student that uses an opportunity scholar-  
25           ship agrees to permit their child to participate

1 in the evaluations and assessments carried out  
2 by the Institute of Education Sciences under  
3 this subsection.

4 “(4) ISSUES TO BE EVALUATED.—The issues to  
5 be evaluated under paragraph (1)(A) shall include  
6 the following:

7 “(A) A comparison of the academic  
8 achievement of participating eligible students  
9 who use an opportunity scholarship on the  
10 measurements described in paragraph (3)(B) to  
11 the academic achievement of a comparison  
12 group of students with similar backgrounds in  
13 the District of Columbia public schools.

14 “(B) The success of the program under  
15 this division in expanding choice options for  
16 parents of participating eligible students and  
17 increasing the satisfaction of such parents and  
18 students with their choice.

19 “(C) The reasons parents of participating  
20 eligible students choose for their children to  
21 participate in the program, including important  
22 characteristics for selecting schools.

23 “(D) A comparison of the retention rates,  
24 high school graduation rates, college enrollment  
25 rates, college persistence rates, and college

1 graduation rates of participating eligible stu-  
2 dents who use an opportunity scholarship with  
3 the rates of students in the comparison group  
4 described in subparagraph (A).

5 “(E) A comparison of the college enroll-  
6 ment rates, college persistence rates, and col-  
7 lege graduation rates of students who partici-  
8 pated in the program in 2004, 2005, 2011,  
9 2012, 2013, 2014, and 2015 as the result of  
10 winning the Opportunity Scholarship Program  
11 lottery with such enrollment, persistence, and  
12 graduation rates for students who entered but  
13 did not win such lottery in those years and who,  
14 as a result, served as the control group for pre-  
15 vious evaluations of the program under this di-  
16 vision. Nothing in this subparagraph may be  
17 construed to waive section 3004(a)(3)(A)(iii)  
18 with respect to any such student.

19 “(F) A comparison of the safety of the  
20 schools attended by participating eligible stu-  
21 dents who use an opportunity scholarship and  
22 the schools in the District of Columbia attended  
23 by students in the comparison group described  
24 in subparagraph (A), based on the perceptions  
25 of the students and parents.

1           “(G) An assessment of student academic  
2 achievement at participating schools in which  
3 85 percent of the total number of students en-  
4 rolled at the school are participating eligible  
5 students who receive and use an opportunity  
6 scholarship.

7           “(H) Such other issues with respect to  
8 participating eligible students who use an op-  
9 portunity scholarship as the Secretary considers  
10 appropriate for inclusion in the evaluation, such  
11 as the impact of the program on public elemen-  
12 tary schools and secondary schools in the Dis-  
13 trict of Columbia.

14           “(5) PROHIBITING DISCLOSURE OF PERSONAL  
15 INFORMATION.—

16           “(A) IN GENERAL.—Any disclosure of per-  
17 sonally identifiable information obtained under  
18 this division shall be in compliance with section  
19 444 of the General Education Provisions Act  
20 (commonly known as the ‘Family Educational  
21 Rights and Privacy Act of 1974’) (20 U.S.C.  
22 1232g).

23           “(B) STUDENTS NOT ATTENDING PUBLIC  
24 SCHOOLS.—With respect to any student who is  
25 not attending a public elementary school or sec-

1           ondary school, personally identifiable informa-  
2           tion obtained under this division shall only be  
3           disclosed to—

4                   “(i) individuals carrying out the eval-  
5                   uation described in paragraph (1)(A) for  
6                   such student;

7                   “(ii) the group of individuals pro-  
8                   viding information for carrying out the  
9                   evaluation of such student; and

10                   “(iii) the parents of such student.”.

11           (2) TRANSITION OF EVALUATION.—

12                   (A) TERMINATION OF PREVIOUS EVALUA-  
13                   TIONS.—The Secretary of Education shall—

14                           (i) terminate the evaluations con-  
15                           ducted under section 3009(a) of the Schol-  
16                           arships for Opportunity and Results Act  
17                           (sec. 38–1853.09(a), D.C. Official Code),  
18                           as in effect on the day before the date of  
19                           enactment of this title, after obtaining  
20                           data for the 2016–2017 school year; and

21                           (ii) submit any reports required for  
22                           the 2016–2017 school year or preceding  
23                           years with respect to the evaluations in ac-  
24                           cordance with section 3009(b) of such Act.

25                   (B) NEW EVALUATIONS.—

1 (i) IN GENERAL.—Effective beginning  
2 with respect to the 2017–2018 school year,  
3 the Secretary shall conduct new evalua-  
4 tions in accordance with the provisions of  
5 section 3009(a) of the Scholarships for Op-  
6 portunity and Results Act (sec. 38–  
7 1853.09(a), D.C. Official Code), as amend-  
8 ed by this title.

9 (ii) MOST RECENT EVALUATION.—As  
10 a component of the new evaluations de-  
11 scribed in clause (i), the Secretary shall  
12 continue to monitor and evaluate the stu-  
13 dents who were evaluated in the most re-  
14 cent evaluation under such section prior to  
15 the date of enactment of this title, includ-  
16 ing by monitoring and evaluating the test  
17 scores and other information of such stu-  
18 dents.

19 (b) DUTY OF MAYOR TO ENSURE INSTITUTE HAS  
20 ALL INFORMATION NECESSARY TO CARRY OUT EVALUA-  
21 TIONS.—Section 3011(a)(1) (sec. 38–1853.11(a)(1), D.C.  
22 Official Code) is amended to read as follows:

23 “(1) INFORMATION NECESSARY TO CARRY OUT  
24 EVALUATIONS.—Ensure that all District of Colum-  
25 bia public schools and District of Columbia public



1 charter schools make available to the Institute of  
2 Education Sciences of the Department of Education  
3 all of the information the Institute requires to carry  
4 out the assessments and perform the evaluations re-  
5 quired under section 3009(a).”.

6 **SEC. 909. FUNDING FOR DISTRICT OF COLUMBIA PUBLIC**  
7 **SCHOOLS AND PUBLIC CHARTER SCHOOLS.**

8 (a) MANDATORY WITHHOLDING OF FUNDS FOR  
9 FAILURE TO COMPLY WITH CONDITIONS.—Section  
10 3011(b) (sec. 38–1853.11(b), D.C. Official Code) is  
11 amended to read as follows:

12 “(b) ENFORCEMENT.—If, after reasonable notice and  
13 an opportunity for a hearing, the Secretary determines  
14 that the Mayor has failed to comply with any of the re-  
15 quirements of subsection (a), the Secretary may withhold  
16 from the Mayor, in whole or in part—

17 “(1) the funds otherwise authorized to be ap-  
18 propriated under section 3014(a)(2), if the failure to  
19 comply relates to the District of Columbia public  
20 schools;

21 “(2) the funds otherwise authorized to be ap-  
22 propriated under section 3014(a)(3), if the failure to  
23 comply relates to the District of Columbia public  
24 charter schools; or

1           “(3) the funds otherwise authorized to be ap-  
2           propriated under both paragraphs (2) and (3) of  
3           section 3014(a), if the failure relates to both the  
4           District of Columbia public schools and the District  
5           of Columbia public charter schools.”.

6           (b) RULES FOR USE OF FUNDS PROVIDED FOR SUP-  
7           PORT OF PUBLIC CHARTER SCHOOLS.—Section 3011  
8           (sec. 38–1853.11, D.C. Official Code), as amended by sec-  
9           tion 7(b) and section 8(a), is further amended—

10           (1) by redesignating subsection (c) as sub-  
11           section (d); and

12           (2) by inserting after subsection (b) the fol-  
13           lowing new subsection:

14           “(c) SPECIFIC RULES REGARDING FUNDS PROVIDED  
15           FOR SUPPORT OF PUBLIC CHARTER SCHOOLS.—The fol-  
16           lowing rules shall apply with respect to the funds provided  
17           under this division for the support of District of Columbia  
18           public charter schools:

19           “(1) The Secretary may direct the funds pro-  
20           vided for any fiscal year, or any portion thereof, to  
21           the Office of the State Superintendent of Education  
22           of the District of Columbia.

23           “(2) The Office of the State Superintendent of  
24           Education of the District of Columbia may transfer  
25           the funds to subgrantees that are—

1           “(A) specific District of Columbia public  
2 charter schools or networks of such schools; or

3           “(B) District of Columbia-based nonprofit  
4 organizations with experience in successfully  
5 providing support or assistance to District of  
6 Columbia public charter schools or networks of  
7 such schools.

8           “(3) The funds provided under this division for  
9 the support of District of Columbia public charter  
10 schools shall be available to any District of Columbia  
11 public charter school in good standing with the Dis-  
12 trict of Columbia Charter School Board, and the Of-  
13 fice of the State Superintendent of Education of the  
14 District of Columbia and the District of Columbia  
15 Charter School Board may not restrict the avail-  
16 ability of such funds to certain types of schools on  
17 the basis of the school’s location, governing body, or  
18 the school’s facilities.”.

19 **SEC. 910. REVISION OF CURRENT MEMORANDUM OF UN-**  
20 **DERSTANDING.**

21           Not later than the beginning of the 2017–2018 school  
22 year, the Secretary of Education and the Mayor of the  
23 District of Columbia shall revise the memorandum of un-  
24 derstanding which is in effect under section 3012(d) of  
25 the Scholarships for Opportunity and Results Act as of

1 the day before the date of the enactment of this title to  
2 address the following:

3 (1) The amendments made by this title.

4 (2) The need to ensure that participating  
5 schools under the Scholarships for Opportunity and  
6 Results Act meet fire code standards and maintain  
7 certificates of occupancy.

8 (3) The need to ensure that District of Colum-  
9 bia public schools and District of Columbia public  
10 charter schools meet the requirements under such  
11 Act to comply with all reasonable requests for infor-  
12 mation necessary to carry out the evaluations re-  
13 quired under section 3009(a) of such Act.

14 **SEC. 911. DEFINITIONS.**

15 Section 3013 (sec. 38–1853.13, D.C. Official Code)  
16 is amended—

17 (1) by redesignating paragraphs (1) through  
18 (10) as paragraphs (2) through (11), respectively;

19 (2) by inserting before paragraph (2), as redesi-  
20 gnated by paragraph (1), the following:

21 “(1) CORE SUBJECT MATTER.—The term ‘core  
22 subject matter’ means—

23 “(A) mathematics;

24 “(B) science; and

1                   “(C) English, reading, or language arts.”;

2                   and

3                   (3) in paragraph (4)(B)(ii), as redesignated by  
4                   paragraph (1), by inserting “household with a” be-  
5                   fore “student”.

6 **SEC. 912. EXTENSION OF AUTHORIZATION OF APPROPRIA-**  
7                   **TIONS.**

8                   (a) IN GENERAL.—Section 3014 (sec. 38–1853.14,  
9 D.C. Official Code) is amended—

10                   (1) in subsection (a), by striking “and for each  
11                   of the 4 succeeding fiscal years” and inserting “and  
12                   for each fiscal year through fiscal year 2021”; and

13                   (2) by adding at the end the following:

14                   “(c) AVAILABILITY.—Amounts appropriated under  
15                   subsection (a)(1), including amounts appropriated and  
16                   available under such subsection before the date of enact-  
17                   ment of the SOAR Reauthorization Act, shall remain  
18                   available until expended.”.

19                   (b) EFFECTIVE DATE.—The amendment made by  
20                   subsection (a)(2) shall take effect on the date of enact-  
21                   ment of this title.

22 **SEC. 913. EFFECTIVE DATE.**

23                   Except as otherwise provided, the amendments made  
24                   by this title shall apply with respect to school year 2017–  
25                   2018 and each succeeding school year.

1 TITLE X  
2 SEC SMALL BUSINESS ADVOCATE ACT

3 **SEC. 1001. SHORT TITLE.**

4 This title may be cited as the “SEC Small Business  
5 Advocate Act of 2016”.

6 **SEC. 1002. ESTABLISHMENT OF OFFICE OF THE ADVOCATE**  
7 **FOR SMALL BUSINESS CAPITAL FORMATION**  
8 **AND SMALL BUSINESS CAPITAL FORMATION**  
9 **ADVISORY COMMITTEE.**

10 (a) OFFICE OF THE ADVOCATE FOR SMALL BUSI-  
11 NESS CAPITAL FORMATION.—Section 4 of the Securities  
12 Exchange Act of 1934 (15 U.S.C. 78d) is amended by  
13 adding at the end the following:

14 “(j) OFFICE OF THE ADVOCATE FOR SMALL BUSI-  
15 NESS CAPITAL FORMATION.—

16 “(1) OFFICE ESTABLISHED.—There is estab-  
17 lished within the Commission the Office of the Advo-  
18 cate for Small Business Capital Formation (here-  
19 after in this subsection referred to as the ‘Office’).

20 “(2) ADVOCATE FOR SMALL BUSINESS CAPITAL  
21 FORMATION.—

22 “(A) IN GENERAL.—The head of the Of-  
23 fice shall be the Advocate for Small Business  
24 Capital Formation, who shall—

1                   “(i) report directly to the Commission;  
2                   and

3                   “(ii) be appointed by the Commission,  
4                   from among individuals having experience  
5                   in advocating for the interests of small  
6                   businesses and encouraging small business  
7                   capital formation.

8                   “(B) COMPENSATION.—The annual rate of  
9                   pay for the Advocate for Small Business Cap-  
10                  ital Formation shall be equal to the highest rate  
11                  of annual pay for other senior executives who  
12                  report directly to the Commission.

13                  “(C) NO CURRENT EMPLOYEE OF THE  
14                  COMMISSION.—An individual may not be ap-  
15                  pointed as the Advocate for Small Business  
16                  Capital Formation if the individual is currently  
17                  employed by the Commission.

18                  “(3) STAFF OF OFFICE.—The Advocate for  
19                  Small Business Capital Formation, after consulta-  
20                  tion with the Commission, may retain or employ  
21                  independent counsel, research staff, and service  
22                  staff, as the Advocate for Small Business Capital  
23                  Formation determines to be necessary to carry out  
24                  the functions of the Office.

1           “(4) FUNCTIONS OF THE ADVOCATE FOR  
2 SMALL BUSINESS CAPITAL FORMATION.—The Advo-  
3 cate for Small Business Capital Formation shall—

4           “(A) assist small businesses and small  
5 business investors in resolving significant prob-  
6 lems such businesses and investors may have  
7 with the Commission or with self-regulatory or-  
8 ganizations;

9           “(B) identify areas in which small busi-  
10 nesses and small business investors would ben-  
11 efit from changes in the regulations of the  
12 Commission or the rules of self-regulatory orga-  
13 nizations;

14           “(C) identify problems that small busi-  
15 nesses have with securing access to capital, in-  
16 cluding any unique challenges to minority-  
17 owned and women-owned small businesses;

18           “(D) analyze the potential impact on small  
19 businesses and small business investors of—

20           “(i) proposed regulations of the Com-  
21 mission that are likely to have a significant  
22 economic impact on small businesses and  
23 small business capital formation; and

24           “(ii) proposed rules that are likely to  
25 have a significant economic impact on



1           small businesses and small business capital  
2           formation of self-regulatory organizations  
3           registered under this title;

4           “(E) conduct outreach to small businesses  
5           and small business investors, including through  
6           regional roundtables, in order to solicit views on  
7           relevant capital formation issues;

8           “(F) to the extent practicable, propose to  
9           the Commission changes in the regulations or  
10          orders of the Commission and to Congress any  
11          legislative, administrative, or personnel changes  
12          that may be appropriate to mitigate problems  
13          identified under this paragraph and to promote  
14          the interests of small businesses and small busi-  
15          ness investors;

16          “(G) consult with the Investor Advocate on  
17          proposed recommendations made under sub-  
18          paragraph (F); and

19          “(H) advise the Investor Advocate on  
20          issues related to small businesses and small  
21          business investors.

22          “(5) ACCESS TO DOCUMENTS.—The Commis-  
23          sion shall ensure that the Advocate for Small Busi-  
24          ness Capital Formation has full access to the docu-  
25          ments and information of the Commission and any

1 self-regulatory organization, as necessary to carry  
2 out the functions of the Office.

3 “(6) ANNUAL REPORT ON ACTIVITIES.—

4 “(A) IN GENERAL.—Not later than De-  
5 cember 31 of each year after 2015, the Advo-  
6 cate for Small Business Capital Formation shall  
7 submit to the Committee on Banking, Housing,  
8 and Urban Affairs of the Senate and the Com-  
9 mittee on Financial Services of the House of  
10 Representatives a report on the activities of the  
11 Advocate for Small Business Capital Formation  
12 during the immediately preceding fiscal year.

13 “(B) CONTENTS.—Each report required  
14 under subparagraph (A) shall include—

15 “(i) appropriate statistical information  
16 and full and substantive analysis;

17 “(ii) information on steps that the  
18 Advocate for Small Business Capital For-  
19 mation has taken during the reporting pe-  
20 riod to improve small business services and  
21 the responsiveness of the Commission and  
22 self-regulatory organizations to small busi-  
23 ness and small business investor concerns;

24 “(iii) a summary of the most serious  
25 issues encountered by small businesses and

1 small business investors, including any  
2 unique issues encountered by minority-  
3 owned and women-owned small businesses  
4 and their investors, during the reporting  
5 period;

6 “(iv) an inventory of the items sum-  
7 marized under clause (iii) (including items  
8 summarized under such clause for any  
9 prior reporting period on which no action  
10 has been taken or that have not been re-  
11 solved to the satisfaction of the Advocate  
12 for Small Business Capital Formation as  
13 of the beginning of the reporting period  
14 covered by the report) that includes—

15 “(I) identification of any action  
16 taken by the Commission or the self-  
17 regulatory organization and the result  
18 of such action;

19 “(II) the length of time that each  
20 item has remained on such inventory;  
21 and

22 “(III) for items on which no ac-  
23 tion has been taken, the reasons for  
24 inaction, and an identification of any

1                   official who is responsible for such ac-  
2                   tion;

3                   “(v) recommendations for such  
4                   changes to the regulations, guidance and  
5                   orders of the Commission and such legisla-  
6                   tive actions as may be appropriate to re-  
7                   solve problems with the Commission and  
8                   self-regulatory organizations encountered  
9                   by small businesses and small business in-  
10                  vestors and to encourage small business  
11                  capital formation; and

12                  “(vi) any other information, as deter-  
13                  mined appropriate by the Advocate for  
14                  Small Business Capital Formation.

15                  “(C) CONFIDENTIALITY.—No report re-  
16                  quired by subparagraph (A) may contain con-  
17                  fidential information.

18                  “(D) INDEPENDENCE.—Each report re-  
19                  quired under subparagraph (A) shall be pro-  
20                  vided directly to the committees of Congress  
21                  listed in such subparagraph without any prior  
22                  review or comment from the Commission, any  
23                  commissioner, any other officer or employee of  
24                  the Commission, or the Office of Management  
25                  and Budget.

1 “(7) REGULATIONS.—The Commission shall es-  
2 tablish procedures requiring a formal response to all  
3 recommendations submitted to the Commission by  
4 the Advocate for Small Business Capital Formation,  
5 not later than 3 months after the date of such sub-  
6 mission.

7 “(8) GOVERNMENT-BUSINESS FORUM ON SMALL  
8 BUSINESS CAPITAL FORMATION.—The Advocate for  
9 Small Business Capital Formation shall be respon-  
10 sible for planning, organizing, and executing the an-  
11 nual Government-Business Forum on Small Busi-  
12 ness Capital Formation described in section 503 of  
13 the Small Business Investment Incentive Act of  
14 1980 (15 U.S.C. 80c-1).

15 “(9) RULE OF CONSTRUCTION.—Nothing in  
16 this subsection may be construed as replacing or re-  
17 ducing the responsibilities of the Investor Advocate  
18 with respect to small business investors.”.

19 (b) SMALL BUSINESS CAPITAL FORMATION ADVI-  
20 SORY COMMITTEE.—Title I of the Securities Exchange  
21 Act of 1934 (15 U.S.C. 78a et seq.) is amended by adding  
22 at the end the following:

23 **“SEC. 40. SMALL BUSINESS CAPITAL FORMATION ADVISORY**  
24 **COMMITTEE.**

25 “(a) ESTABLISHMENT AND PURPOSE.—

1           “(1) ESTABLISHMENT.—There is established  
2 within the Commission the Small Business Capital  
3 Formation Advisory Committee (hereafter in this  
4 section referred to as the ‘Committee’).

5           “(2) FUNCTIONS.—

6           “(A) IN GENERAL.—The Committee shall  
7 provide the Commission with advice on the  
8 Commission’s rules, regulations, and policies  
9 with regard to the Commission’s mission of pro-  
10 tecting investors, maintaining fair, orderly, and  
11 efficient markets, and facilitating capital forma-  
12 tion, as such rules, regulations, and policies re-  
13 late to—

14           “(i) capital raising by emerging, pri-  
15 vately held small businesses (‘emerging  
16 companies’) and publicly traded companies  
17 with less than \$250,000,000 in public mar-  
18 ket capitalization (‘smaller public compa-  
19 nies’) through securities offerings, includ-  
20 ing private and limited offerings and initial  
21 and other public offerings;

22           “(ii) trading in the securities of  
23 emerging companies and smaller public  
24 companies; and

1           “(iii) public reporting and corporate  
2           governance requirements of emerging com-  
3           panies and smaller public companies.

4           “(B) LIMITATION.—The Committee shall  
5           not provide any advice with respect to any poli-  
6           cies, practices, actions, or decisions concerning  
7           the Commission’s enforcement program.

8           “(b) MEMBERSHIP.—

9           “(1) IN GENERAL.—The members of the Com-  
10          mittee shall be—

11           “(A) the Advocate for Small Business Cap-  
12          ital Formation;

13           “(B) not fewer than 10, and not more than  
14          20, members appointed by the Commission,  
15          from among individuals—

16           “(i) who represent—

17           “(I) emerging companies engag-  
18          ing in private and limited securities  
19          offerings or considering initial public  
20          offerings (‘IPO’) (including the com-  
21          panies’ officers and directors);

22           “(II) the professional advisors of  
23          such companies (including attorneys,  
24          accountants, investment bankers, and  
25          financial advisors); and

1                   “(III) the investors in such com-  
2                   panies (including angel investors, ven-  
3                   ture capital funds, and family offices);  
4                   “(ii) who are officers or directors of  
5                   minority-owned small businesses or  
6                   women-owned small businesses;  
7                   “(iii) who represent—  
8                   “(I) smaller public companies  
9                   (including the companies’ officers and  
10                  directors);  
11                  “(II) the professional advisors of  
12                  such companies (including attorneys,  
13                  auditors, underwriters, and financial  
14                  advisors); and  
15                  “(III) the pre-IPO and post-IPO  
16                  investors in such companies (both in-  
17                  stitutional, such as venture capital  
18                  funds, and individual, such as angel  
19                  investors); and  
20                  “(iv) who represent participants in the  
21                  marketplace for the securities of emerging  
22                  companies and smaller public companies,  
23                  such as securities exchanges, alternative  
24                  trading systems, analysts, information  
25                  processors, and transfer agents; and



1 “(C) three non-voting members—

2 “(i) one of whom shall be appointed  
3 by the Investor Advocate;

4 “(ii) one of whom shall be appointed  
5 by the North American Securities Adminis-  
6 trators Association; and

7 “(iii) one of whom shall be appointed  
8 by the Administrator of the Small Busi-  
9 ness Administration.

10 “(2) TERM.—Each member of the Committee  
11 appointed under subparagraph (B), (C)(ii), or  
12 (C)(iii) of paragraph (1) shall serve for a term of 4  
13 years.

14 “(3) MEMBERS NOT COMMISSION EMPLOY-  
15 EES.—Members appointed under subparagraph (B),  
16 (C)(ii), or (C)(iii) of paragraph (1) shall not be  
17 treated as employees or agents of the Commission  
18 solely because of membership on the Committee.

19 “(c) CHAIRMAN; VICE CHAIRMAN; SECRETARY; AS-  
20 SISTANT SECRETARY.—

21 “(1) IN GENERAL.—The members of the Com-  
22 mittee shall elect, from among the members of the  
23 Committee—

24 “(A) a chairman;

25 “(B) a vice chairman;

1                   “(C) a secretary; and

2                   “(D) an assistant secretary.

3                   “(2) TERM.—Each member elected under para-  
4                   graph (1) shall serve for a term of 3 years in the  
5                   capacity for which the member was elected under  
6                   paragraph (1).

7                   “(d) MEETINGS.—

8                   “(1) FREQUENCY OF MEETINGS.—The Com-  
9                   mittee shall meet—

10                   “(A) not less frequently than four times  
11                   annually, at the call of the chairman of the  
12                   Committee; and

13                   “(B) from time to time, at the call of the  
14                   Commission.

15                   “(2) NOTICE.—The chairman of the Committee  
16                   shall give the members of the Committee written no-  
17                   tice of each meeting, not later than 2 weeks before  
18                   the date of the meeting.

19                   “(e) COMPENSATION AND TRAVEL EXPENSES.—  
20                   Each member of the Committee who is not a full-time em-  
21                   ployee of the United States shall—

22                   “(1) be entitled to receive compensation at a  
23                   rate not to exceed the daily equivalent of the annual  
24                   rate of basic pay in effect for a position at level V  
25                   of the Executive Schedule under section 5316 of title

1 5, United States Code, for each day during which  
2 the member is engaged in the actual performance of  
3 the duties of the Committee; and

4 “(2) while away from the home or regular place  
5 of business of the member in the performance of  
6 services for the Committee, be allowed travel ex-  
7 penses, including per diem in lieu of subsistence, in  
8 the same manner as persons employed intermittently  
9 in the Government service are allowed expenses  
10 under section 5703 of title 5, United States Code.

11 “(f) STAFF.—The Commission shall make available  
12 to the Committee such staff as the chairman of the Com-  
13 mittee determines are necessary to carry out this section.

14 “(g) REVIEW BY COMMISSION.—The Commission  
15 shall—

16 “(1) review the findings and recommendations  
17 of the Committee; and

18 “(2) each time the Committee submits a finding  
19 or recommendation to the Commission, promptly  
20 issue a public statement—

21 “(A) assessing the finding or recommenda-  
22 tion of the Committee; and

23 “(B) disclosing the action, if any, the Com-  
24 mission intends to take with respect to the find-  
25 ing or recommendation.

1 “(h) FEDERAL ADVISORY COMMITTEE ACT.—The  
 2 Federal Advisory Committee Act (5 U.S.C. App.) shall not  
 3 apply with respect to the Committee and its activities.”.

4 (c) ANNUAL GOVERNMENT-BUSINESS FORUM ON  
 5 SMALL BUSINESS CAPITAL FORMATION.—Section 503(a)  
 6 of the Small Business Investment Incentive Act of 1980  
 7 (15 U.S.C. 80c–1(a)) is amended by inserting “(acting  
 8 through the Office of the Advocate for Small Business  
 9 Capital Formation and in consultation with the Small  
 10 Business Capital Formation Advisory Committee)” after  
 11 “Securities and Exchange Commission”.

## 12 TITLE XI

### 13 FINANCIAL INSTITUTION BANKRUPTCY ACT

#### 14 SEC. 1101. SHORT TITLE.

15 This title may be cited as the “Financial Institution  
 16 Bankruptcy Act of 2016”.

#### 17 SEC. 1102. GENERAL PROVISIONS RELATING TO COVERED 18 FINANCIAL CORPORATIONS.

19 (a) DEFINITION.—Section 101 of title 11, United  
 20 States Code, is amended by inserting the following after  
 21 paragraph (9):

22 “(9A) The term ‘covered financial corporation’  
 23 means any corporation incorporated or organized  
 24 under any Federal or State law, other than a stock-  
 25 broker, a commodity broker, or an entity of the kind

1 specified in paragraph (2) or (3) of section 109(b),  
2 that is—

3 “(A) a bank holding company, as defined  
4 in section 2(a) of the Bank Holding Company  
5 Act of 1956; or

6 “(B) a corporation that exists for the pri-  
7 mary purpose of owning, controlling and financ-  
8 ing its subsidiaries, that has total consolidated  
9 assets of \$50,000,000,000 or greater, and for  
10 which, in its most recently completed fiscal  
11 year—

12 “(i) annual gross revenues derived by  
13 the corporation and all of its subsidiaries  
14 from activities that are financial in nature  
15 (as defined in section 4(k) of the Bank  
16 Holding Company Act of 1956) and, if ap-  
17 plicable, from the ownership or control of  
18 one or more insured depository institu-  
19 tions, represents 85 percent or more of the  
20 consolidated annual gross revenues of the  
21 corporation; or

22 “(ii) the consolidated assets of the  
23 corporation and all of its subsidiaries re-  
24 lated to activities that are financial in na-  
25 ture (as defined in section 4(k) of the

1 Bank Holding Company Act of 1956) and,  
2 if applicable, related to the ownership or  
3 control of one or more insured depository  
4 institutions, represents 85 percent or more  
5 of the consolidated assets of the corpora-  
6 tion.”.

7 (b) APPLICABILITY OF CHAPTERS.—Section 103 of  
8 title 11, United States Code, is amended by adding at the  
9 end the following:

10 “(l) Subchapter V of chapter 11 of this title applies  
11 only in a case under chapter 11 concerning a covered fi-  
12 nancial corporation.”.

13 (c) WHO MAY BE A DEBTOR.—Section 109 of title  
14 11, United States Code, is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (2), by striking “or” at  
17 the end;

18 (B) in paragraph (3)(B), by striking the  
19 period at the end and inserting “; or”; and

20 (C) by adding at the end the following:

21 “(4) a covered financial corporation.”; and

22 (2) in subsection (d)—

23 (A) by striking “and” before “an unin-  
24 sured State member bank”;

1 (B) by striking “or” before “a corpora-  
2 tion”; and

3 (C) by inserting “, or a covered financial  
4 corporation” after “Federal Deposit Insurance  
5 Corporation Improvement Act of 1991”.

6 (d) CONVERSION TO CHAPTER 7.—Section 1112 of  
7 title 11, United States Code, is amended by adding at the  
8 end the following:

9 “(g) Notwithstanding section 109(b), the court may  
10 convert a case under subchapter V to a case under chapter  
11 7 if—

12 “(1) a transfer approved under section 1185  
13 has been consummated;

14 “(2) the court has ordered the appointment of  
15 a special trustee under section 1186; and

16 “(3) the court finds, after notice and a hearing,  
17 that conversion is in the best interest of the credi-  
18 tors and the estate.”.

19 (e)(1) Section 726(a)(1) of title 11, United States  
20 Code, is amended by inserting after “first,” the following:

21 “in payment of any unpaid fees, costs, and expenses of  
22 a special trustee appointed under section 1186, and then”.

23 (2) Section 1129(a) of title 11, United States Code,  
24 is amended by inserting after paragraph (16) the fol-  
25 lowing:

1           “(17) In a case under subchapter V, all payable  
2 fees, costs, and expenses of the special trustee have  
3 been paid or the plan provides for the payment of  
4 all such fees, costs, and expenses on the effective  
5 date of the plan.

6           “(18) In a case under subchapter V, confirma-  
7 tion of the plan is not likely to cause serious adverse  
8 effects on financial stability in the United States.”.

9           (f) Section 322(b)(2) of title 11, United States Code,  
10 is amended by striking “The” and inserting “In cases  
11 under subchapter V, the United States trustee shall rec-  
12 ommend to the court, and in all other cases, the”.

13 **SEC. 1103. LIQUIDATION, REORGANIZATION, OR RECAPI-**  
14 **TALIZATION OF A COVERED FINANCIAL COR-**  
15 **PORATION.**

16           (a) IN GENERAL.—Chapter 11 of title 11, United  
17 States Code, is amended by adding at the end the fol-  
18 lowing:

19 “SUBCHAPTER V—LIQUIDATION, REORGANIZA-  
20 TION, OR RECAPITALIZATION OF A COV-  
21 ERED FINANCIAL CORPORATION

22 **“§ 1181. Inapplicability of other sections**

23           “Sections 303 and 321(c) do not apply in a case  
24 under this subchapter concerning a covered financial cor-



1 poration. Section 365 does not apply to a transfer under  
2 section 1185, 1187, or 1188.

3 **“§ 1182. Definitions for this subchapter**

4 “In this subchapter, the following definitions shall  
5 apply:

6 “(1) The term ‘Board’ means the Board of  
7 Governors of the Federal Reserve System.

8 “(2) The term ‘bridge company’ means a newly  
9 formed corporation to which property of the estate  
10 may be transferred under section 1185(a) and the  
11 equity securities of which may be transferred to a  
12 special trustee under section 1186(a).

13 “(3) The term ‘capital structure debt’ means all  
14 unsecured debt of the debtor for borrowed money for  
15 which the debtor is the primary obligor, other than  
16 a qualified financial contract and other than debt se-  
17 cured by a lien on property of the estate that is to  
18 be transferred to a bridge company pursuant to an  
19 order of the court under section 1185(a).

20 “(4) The term ‘contractual right’ means a con-  
21 tractual right of a kind defined in section 555, 556,  
22 559, 560, or 561.

23 “(5) The term ‘qualified financial contract’  
24 means any contract of a kind defined in paragraph  
25 (25), (38A), (47), or (53B) of section 101, section

1 741(7), or paragraph (4), (5), (11), or (13) of sec-  
2 tion 761.

3 “(6) The term ‘special trustee’ means the trust-  
4 ee of a trust formed under section 1186(a)(1).

5 **“§ 1183. Commencement of a case concerning a cov-  
6 ered financial corporation**

7 “(a) A case under this subchapter concerning a cov-  
8 ered financial corporation may be commenced by the filing  
9 of a petition with the court by the debtor under section  
10 301 only if the debtor states to the best of its knowledge  
11 under penalty of perjury in the petition that it is a covered  
12 financial corporation.

13 “(b) The commencement of a case under subsection  
14 (a) constitutes an order for relief under this subchapter.

15 “(c) The members of the board of directors (or body  
16 performing similar functions) of a covered financial com-  
17 pany shall have no liability to shareholders, creditors, or  
18 other parties in interest for a good faith filing of a petition  
19 to commence a case under this subchapter, or for any rea-  
20 sonable action taken in good faith in contemplation of or  
21 in connection with such a petition or a transfer under sec-  
22 tion 1185 or section 1186, whether prior to or after com-  
23 mencement of the case.

24 “(d) Counsel to the debtor shall provide, to the great-  
25 est extent practicable without disclosing the identity of the

1 potential debtor, sufficient confidential notice to the chief  
2 judge of the court of appeals for the circuit embracing the  
3 district in which such counsel intends to file a petition to  
4 commence a case under this subchapter regarding the po-  
5 tential commencement of such case. The chief judge of  
6 such court shall randomly assign to preside over such case  
7 a bankruptcy judge selected from among the bankruptcy  
8 judges designated by the Chief Justice of the United  
9 States under section 298 of title 28.

10 **“§ 1184. Regulators**

11 “The Board, the Securities Exchange Commission,  
12 the Office of the Comptroller of the Currency of the De-  
13 partment of the Treasury, the Commodity Futures Trad-  
14 ing Commission, and the Federal Deposit Insurance Cor-  
15 poration may raise and may appear and be heard on any  
16 issue in any case or proceeding under this subchapter.

17 **“§ 1185. Special transfer of property of the estate**

18 “(a) On request of the trustee, and after notice and  
19 a hearing that shall occur not less than 24 hours after  
20 the order for relief, the court may order a transfer under  
21 this section of property of the estate, and the assignment  
22 of executory contracts, unexpired leases, and qualified fi-  
23 nancial contracts of the debtor, to a bridge company.  
24 Upon the entry of an order approving such transfer, any  
25 property transferred, and any executory contracts, unex-

1 pired leases, and qualified financial contracts assigned  
2 under such order shall no longer be property of the estate.  
3 Except as provided under this section, the provisions of  
4 section 363 shall apply to a transfer and assignment under  
5 this section.

6 “(b) Unless the court orders otherwise, notice of a  
7 request for an order under subsection (a) shall consist of  
8 electronic or telephonic notice of not less than 24 hours  
9 to—

10 “(1) the debtor;

11 “(2) the holders of the 20 largest secured  
12 claims against the debtor;

13 “(3) the holders of the 20 largest unsecured  
14 claims against the debtor;

15 “(4) counterparties to any debt, executory con-  
16 tract, unexpired lease, and qualified financial con-  
17 tract requested to be transferred under this section;

18 “(5) the Board;

19 “(6) the Federal Deposit Insurance Corpora-  
20 tion;

21 “(7) the Secretary of the Treasury and the Of-  
22 fice of the Comptroller of the Currency of the Treas-  
23 ury;

24 “(8) the Commodity Futures Trading Commis-  
25 sion;

1           “(9) the Securities and Exchange Commission;

2           “(10) the United States trustee or bankruptcy  
3 administrator; and

4           “(11) each primary financial regulatory agency,  
5 as defined in section 2(12) of the Dodd-Frank Wall  
6 Street Reform and Consumer Protection Act, with  
7 respect to any affiliate the equity securities of which  
8 are proposed to be transferred under this section.

9           “(c) The court may not order a transfer under this  
10 section unless the court determines, based upon a prepon-  
11 derance of the evidence, that—

12           “(1) the transfer under this section is necessary  
13 to prevent serious adverse effects on financial sta-  
14 bility in the United States;

15           “(2) the transfer does not provide for the as-  
16 sumption of any capital structure debt by the bridge  
17 company;

18           “(3) the transfer does not provide for the trans-  
19 fer to the bridge company of any property of the es-  
20 tate that is subject to a lien securing a debt, execu-  
21 tory contract, unexpired lease or agreement (includ-  
22 ing a qualified financial contract) of the debtor un-  
23 less—

24           “(A)(i) the bridge company assumes such  
25 debt, executory contract, unexpired lease or

1 agreement (including a qualified financial con-  
2 tract), including any claims arising in respect  
3 thereof that would not be allowed secured  
4 claims under section 506(a)(1) and after giving  
5 effect to such transfer, such property remains  
6 subject to the lien securing such debt, executory  
7 contract, unexpired lease or agreement (includ-  
8 ing a qualified financial contract); and

9 “(ii) the court has determined that as-  
10 sumption of such debt, executory contract, un-  
11 expired lease or agreement (including a quali-  
12 fied financial contract) by the bridge company  
13 is in the best interests of the estate; or

14 “(B) such property is being transferred to  
15 the bridge company in accordance with the pro-  
16 visions of section 363;

17 “(4) the transfer does not provide for the as-  
18 sumption by the bridge company of any debt, execu-  
19 tory contract, unexpired lease or agreement (includ-  
20 ing a qualified financial contract) of the debtor se-  
21 cured by a lien on property of the estate unless the  
22 transfer provides for such property to be transferred  
23 to the bridge company in accordance with paragraph  
24 (3)(A) of this subsection;

1           “(5) the transfer does not provide for the trans-  
2           fer of the equity of the debtor;

3           “(6) the trustee has demonstrated that the  
4           bridge company is not likely to fail to meet the obli-  
5           gations of any debt, executory contract, qualified fi-  
6           nancial contract, or unexpired lease assumed and as-  
7           signed to the bridge company;

8           “(7) the transfer provides for the transfer to a  
9           special trustee all of the equity securities in the  
10          bridge company and appointment of a special trustee  
11          in accordance with section 1186;

12          “(8) after giving effect to the transfer, ade-  
13          quate provision has been made for the fees, costs,  
14          and expenses of the estate and special trustee; and

15          “(9) the bridge company will have governing  
16          documents, and initial directors and senior officers,  
17          that are in the best interest of creditors and the es-  
18          tate.

19          “(d) Immediately before a transfer under this section,  
20          the bridge company that is the recipient of the transfer  
21          shall—

22                 “(1) not have any property, executory con-  
23                 tracts, unexpired leases, qualified financial contracts,  
24                 or debts, other than any property acquired or execu-  
25                 tory contracts, unexpired leases, or debts assumed

1 when acting as a transferee of a transfer under this  
2 section; and

3 “(2) have equity securities that are property of  
4 the estate, which may be sold or distributed in ac-  
5 cordance with this title.

6 **“§ 1186. Special trustee**

7 “(a)(1) An order approving a transfer under section  
8 1185 shall require the trustee to transfer to a qualified  
9 and independent special trustee, who is appointed by the  
10 court, all of the equity securities in the bridge company  
11 that is the recipient of a transfer under section 1185 to  
12 hold in trust for the sole benefit of the estate, subject to  
13 satisfaction of the special trustee’s fees, costs, and ex-  
14 penses. The trust of which the special trustee is the trust-  
15 ee shall be a newly formed trust governed by a trust agree-  
16 ment approved by the court as in the best interests of the  
17 estate, and shall exist for the sole purpose of holding and  
18 administering, and shall be permitted to dispose of, the  
19 equity securities of the bridge company in accordance with  
20 the trust agreement.

21 “(2) In connection with the hearing to approve a  
22 transfer under section 1185, the trustee shall confirm to  
23 the court that the Board has been consulted regarding the  
24 identity of the proposed special trustee and advise the  
25 court of the results of such consultation.



1       “(b) The trust agreement governing the trust shall  
2 provide—

3           “(1) for the payment of the fees, costs, ex-  
4 penses, and indemnities of the special trustee from  
5 the assets of the debtor’s estate;

6           “(2) that the special trustee provide—

7               “(A) quarterly reporting to the estate,  
8 which shall be filed with the court; and

9               “(B) information about the bridge com-  
10 pany reasonably requested by a party in inter-  
11 est to prepare a disclosure statement for a plan  
12 providing for distribution of any securities of  
13 the bridge company if such information is nec-  
14 essary to prepare such disclosure statement;

15           “(3) that for as long as the equity securities of  
16 the bridge company are held by the trust, the special  
17 trustee shall file a notice with the court in connec-  
18 tion with—

19               “(A) any change in a director or senior of-  
20 ficer of the bridge company;

21               “(B) any modification to the governing  
22 documents of the bridge company; and

23               “(C) any material corporate action of the  
24 bridge company, including—

25                   “(i) recapitalization;

1                   “(ii) a material borrowing;

2                   “(iii) termination of an intercompany  
3                   debt or guarantee;

4                   “(iv) a transfer of a substantial por-  
5                   tion of the assets of the bridge company;

6                   or

7                   “(v) the issuance or sale of any secu-  
8                   rities of the bridge company;

9                   “(4) that any sale of any equity securities of  
10                  the bridge company shall not be consummated until  
11                  the special trustee consults with the Federal Deposit  
12                  Insurance Corporation and the Board regarding  
13                  such sale and discloses the results of such consulta-  
14                  tion with the court;

15                  “(5) that, subject to reserves for payments per-  
16                  mitted under paragraph (1) provided for in the trust  
17                  agreement, the proceeds of the sale of any equity se-  
18                  curities of the bridge company by the special trustee  
19                  be held in trust for the benefit of or transferred to  
20                  the estate;

21                  “(6) the process and guidelines for the replace-  
22                  ment of the special trustee; and

23                  “(7) that the property held in trust by the spe-  
24                  cial trustee is subject to distribution in accordance  
25                  with subsection (c).

1       “(c)(1) The special trustee shall distribute the assets  
2 held in trust—

3               “(A) if the court confirms a plan in the case,  
4 in accordance with the plan on the effective date of  
5 the plan; or

6               “(B) if the case is converted to a case under  
7 chapter 7, as ordered by the court.

8       “(2) As soon as practicable after a final distribution  
9 under paragraph (1), the office of the special trustee shall  
10 terminate, except as may be necessary to wind up and con-  
11 clude the business and financial affairs of the trust.

12       “(d) After a transfer to the special trustee under this  
13 section, the special trustee shall be subject only to applica-  
14 ble nonbankruptcy law, and the actions and conduct of  
15 the special trustee shall no longer be subject to approval  
16 by the court in the case under this subchapter.

17 **“§ 1187. Temporary and supplemental automatic stay;  
18                               assumed debt**

19       “(a)(1) A petition filed under section 1183 operates  
20 as a stay, applicable to all entities, of the termination, ac-  
21 celeration, or modification of any debt, contract, lease, or  
22 agreement of the kind described in paragraph (2), or of  
23 any right or obligation under any such debt, contract,  
24 lease, or agreement, solely because of—

1           “(A) a default by the debtor under any such  
2 debt, contract, lease, or agreement; or

3           “(B) a provision in such debt, contract, lease,  
4 or agreement, or in applicable nonbankruptcy law,  
5 that is conditioned on—

6                   “(i) the insolvency or financial condition of  
7 the debtor at any time before the closing of the  
8 case;

9                   “(ii) the commencement of a case under  
10 this title concerning the debtor;

11                   “(iii) the appointment of or taking posses-  
12 sion by a trustee in a case under this title con-  
13 cerning the debtor or by a custodian before the  
14 commencement of the case; or

15                   “(iv) a credit rating agency rating, or ab-  
16 sence or withdrawal of a credit rating agency  
17 rating—

18                           “(I) of the debtor at any time after  
19 the commencement of the case;

20                           “(II) of an affiliate during the period  
21 from the commencement of the case until  
22 48 hours after such order is entered;

23                           “(III) of the bridge company while the  
24 trustee or the special trustee is a direct or

1 indirect beneficial holder of more than 50  
2 percent of the equity securities of—

3 “(aa) the bridge company; or

4 “(bb) the affiliate, if all of the di-  
5 rect or indirect interests in the affil-  
6 iate that are property of the estate  
7 are transferred under section 1185; or

8 “(IV) of an affiliate while the trustee  
9 or the special trustee is a direct or indirect  
10 beneficial holder of more than 50 percent  
11 of the equity securities of—

12 “(aa) the bridge company; or

13 “(bb) the affiliate, if all of the di-  
14 rect or indirect interests in the affil-  
15 iate that are property of the estate  
16 are transferred under section 1185.

17 “(2) A debt, contract, lease, or agreement described  
18 in this paragraph is—

19 “(A) any debt (other than capital structure  
20 debt), executory contract, or unexpired lease of the  
21 debtor (other than a qualified financial contract);

22 “(B) any agreement under which the debtor  
23 issued or is obligated for debt (other than capital  
24 structure debt);

1           “(C) any debt, executory contract, or unexpired  
2 lease of an affiliate (other than a qualified financial  
3 contract); or

4           “(D) any agreement under which an affiliate  
5 issued or is obligated for debt.

6           “(3) The stay under this subsection terminates—

7           “(A) for the benefit of the debtor, upon the ear-  
8 liest of—

9           “(i) 48 hours after the commencement of  
10 the case;

11           “(ii) assumption of the debt, contract,  
12 lease, or agreement by the bridge company  
13 under an order authorizing a transfer under  
14 section 1185;

15           “(iii) a final order of the court denying the  
16 request for a transfer under section 1185; or

17           “(iv) the time the case is dismissed; and

18           “(B) for the benefit of an affiliate, upon the  
19 earliest of—

20           “(i) the entry of an order authorizing a  
21 transfer under section 1185 in which the direct  
22 or indirect interests in the affiliate that are  
23 property of the estate are not transferred under  
24 section 1185;

1           “(ii) a final order by the court denying the  
2           request for a transfer under section 1185;

3           “(iii) 48 hours after the commencement of  
4           the case if the court has not ordered a transfer  
5           under section 1185; or

6           “(iv) the time the case is dismissed.

7           “(4) Subsections (d), (e), (f), and (g) of section 362  
8           apply to a stay under this subsection.

9           “(b) A debt, executory contract (other than a quali-  
10          fied financial contract), or unexpired lease of the debtor,  
11          or an agreement under which the debtor has issued or is  
12          obligated for any debt, may be assumed by a bridge com-  
13          pany in a transfer under section 1185 notwithstanding  
14          any provision in an agreement or in applicable nonbank-  
15          ruptcy law that—

16               “(1) prohibits, restricts, or conditions the as-  
17               signment of the debt, contract, lease, or agreement;  
18               or

19               “(2) accelerates, terminates, or modifies, or  
20               permits a party other than the debtor to terminate  
21               or modify, the debt, contract, lease, or agreement on  
22               account of—

23                       “(A) the assignment of the debt, contract,  
24                       lease, or agreement; or

1                   “(B) a change in control of any party to  
2                   the debt, contract, lease, or agreement.

3           “(c)(1) A debt, contract, lease, or agreement of the  
4 kind described in subparagraph (A) or (B) of subsection  
5 (a)(2) may not be accelerated, terminated, or modified,  
6 and any right or obligation under such debt, contract,  
7 lease, or agreement may not be accelerated, terminated,  
8 or modified, as to the bridge company solely because of  
9 a provision in the debt, contract, lease, or agreement or  
10 in applicable nonbankruptcy law—

11                   “(A) of the kind described in subsection  
12 (a)(1)(B) as applied to the debtor;

13                   “(B) that prohibits, restricts, or conditions the  
14 assignment of the debt, contract, lease, or agree-  
15 ment; or

16                   “(C) that accelerates, terminates, or modifies,  
17 or permits a party other than the debtor to termi-  
18 nate or modify, the debt, contract, lease or agree-  
19 ment on account of—

20                   “(i) the assignment of the debt, contract,  
21 lease, or agreement; or

22                   “(ii) a change in control of any party to  
23 the debt, contract, lease, or agreement.

24           “(2) If there is a default by the debtor under a provi-  
25 sion other than the kind described in paragraph (1) in



1 a debt, contract, lease or agreement of the kind described  
2 in subparagraph (A) or (B) of subsection (a)(2), the  
3 bridge company may assume such debt, contract, lease,  
4 or agreement only if the bridge company—

5 “(A) shall cure the default;

6 “(B) compensates, or provides adequate assur-  
7 ance in connection with a transfer under section  
8 1185 that the bridge company will promptly com-  
9 pensate, a party other than the debtor to the debt,  
10 contract, lease, or agreement, for any actual pecu-  
11 niary loss to the party resulting from the default;  
12 and

13 “(C) provides adequate assurance in connection  
14 with a transfer under section 1185 of future per-  
15 formance under the debt, contract, lease, or agree-  
16 ment, as determined by the court under section  
17 1185(e)(4).

18 **“§ 1188. Treatment of qualified financial contracts**  
19 **and affiliate contracts**

20 “(a) Notwithstanding sections 362(b)(6), 362(b)(7),  
21 362(b)(17), 362(b)(27), 362(o), 555, 556, 559, 560, and  
22 561, a petition filed under section 1183 operates as a stay,  
23 during the period specified in section 1187(a)(3)(A), ap-  
24 plicable to all entities, of the exercise of a contractual  
25 right—

1           “(1) to cause the modification, liquidation, ter-  
2           mination, or acceleration of a qualified financial con-  
3           tract of the debtor or an affiliate;

4           “(2) to offset or net out any termination value,  
5           payment amount, or other transfer obligation arising  
6           under or in connection with a qualified financial con-  
7           tract of the debtor or an affiliate; or

8           “(3) under any security agreement or arrange-  
9           ment or other credit enhancement forming a part of  
10          or related to a qualified financial contract of the  
11          debtor or an affiliate.

12          “(b)(1) During the period specified in section  
13          1187(a)(3)(A), the trustee or the affiliate shall perform  
14          all payment and delivery obligations under such qualified  
15          financial contract of the debtor or the affiliate, as the case  
16          may be, that become due after the commencement of the  
17          case. The stay provided under subsection (a) terminates  
18          as to a qualified financial contract of the debtor or an  
19          affiliate immediately upon the failure of the trustee or the  
20          affiliate, as the case may be, to perform any such obliga-  
21          tion during such period.

22          “(2) Any failure by a counterparty to any qualified  
23          financial contract of the debtor or any affiliate to perform  
24          any payment or delivery obligation under such qualified  
25          financial contract, including during the pendency of the

1 stay provided under subsection (a), shall constitute a  
2 breach of such qualified financial contract by the  
3 counterparty.

4 “(c) Subject to the court’s approval, a qualified finan-  
5 cial contract between an entity and the debtor may be as-  
6 signed to or assumed by the bridge company in a transfer  
7 under, and in accordance with, section 1185 if and only  
8 if—

9 “(1) all qualified financial contracts between  
10 the entity and the debtor are assigned to and as-  
11 sumed by the bridge company in the transfer under  
12 section 1185;

13 “(2) all claims of the entity against the debtor  
14 in respect of any qualified financial contract between  
15 the entity and the debtor (other than any claim that,  
16 under the terms of the qualified financial contract,  
17 is subordinated to the claims of general unsecured  
18 creditors) are assigned to and assumed by the bridge  
19 company;

20 “(3) all claims of the debtor against the entity  
21 under any qualified financial contract between the  
22 entity and the debtor are assigned to and assumed  
23 by the bridge company; and

24 “(4) all property securing or any other credit  
25 enhancement furnished by the debtor for any quali-

1       fied financial contract described in paragraph (1) or  
2       any claim described in paragraph (2) or (3) under  
3       any qualified financial contract between the entity  
4       and the debtor is assigned to and assumed by the  
5       bridge company.

6       “(d) Notwithstanding any provision of a qualified fi-  
7       nancial contract or of applicable nonbankruptcy law, a  
8       qualified financial contract of the debtor that is assumed  
9       or assigned in a transfer under section 1185 may not be  
10      accelerated, terminated, or modified, after the entry of the  
11      order approving a transfer under section 1185, and any  
12      right or obligation under the qualified financial contract  
13      may not be accelerated, terminated, or modified, after the  
14      entry of the order approving a transfer under section 1185  
15      solely because of a condition described in section  
16      1187(c)(1), other than a condition of the kind specified  
17      in section 1187(b) that occurs after property of the estate  
18      no longer includes a direct beneficial interest or an indi-  
19      rect beneficial interest through the special trustee, in more  
20      than 50 percent of the equity securities of the bridge com-  
21      pany.

22      “(e) Notwithstanding any provision of any agreement  
23      or in applicable nonbankruptcy law, an agreement of an  
24      affiliate (including an executory contract, an unexpired  
25      lease, qualified financial contract, or an agreement under

1 which the affiliate issued or is obligated for debt) and any  
2 right or obligation under such agreement may not be ac-  
3 celerated, terminated, or modified, solely because of a con-  
4 dition described in section 1187(c)(1), other than a condi-  
5 tion of the kind specified in section 1187(b) that occurs  
6 after the bridge company is no longer a direct or indirect  
7 beneficial holder of more than 50 percent of the equity  
8 securities of the affiliate, at any time after the commence-  
9 ment of the case if—

10           “(1) all direct or indirect interests in the affil-  
11           iate that are property of the estate are transferred  
12           under section 1185 to the bridge company within the  
13           period specified in subsection (a);

14           “(2) the bridge company assumes—

15                   “(A) any guarantee or other credit en-  
16                   hancement issued by the debtor relating to the  
17                   agreement of the affiliate; and

18                   “(B) any obligations in respect of rights of  
19                   setoff, netting arrangement, or debt of the debt-  
20                   or that directly arises out of or directly relates  
21                   to the guarantee or credit enhancement; and

22           “(3) any property of the estate that directly  
23           serves as collateral for the guarantee or credit en-  
24           hancement is transferred to the bridge company.

1 **“§ 1189. Licenses, permits, and registrations**

2 “(a) Notwithstanding any otherwise applicable non-  
3 bankruptcy law, if a request is made under section 1185  
4 for a transfer of property of the estate, any Federal, State,  
5 or local license, permit, or registration that the debtor or  
6 an affiliate had immediately before the commencement of  
7 the case and that is proposed to be transferred under sec-  
8 tion 1185 may not be accelerated, terminated, or modified  
9 at any time after the request solely on account of—

10 “(1) the insolvency or financial condition of the  
11 debtor at any time before the closing of the case;

12 “(2) the commencement of a case under this  
13 title concerning the debtor;

14 “(3) the appointment of or taking possession by  
15 a trustee in a case under this title concerning the  
16 debtor or by a custodian before the commencement  
17 of the case; or

18 “(4) a transfer under section 1185.

19 “(b) Notwithstanding any otherwise applicable non-  
20 bankruptcy law, any Federal, State, or local license, per-  
21 mit, or registration that the debtor had immediately before  
22 the commencement of the case that is included in a trans-  
23 fer under section 1185 shall be valid and all rights and  
24 obligations thereunder shall vest in the bridge company.

1 **“§ 1190. Exemption from securities laws**

2 “For purposes of section 1145, a security of the  
3 bridge company shall be deemed to be a security of a suc-  
4 cessor to the debtor under a plan if the court approves  
5 the disclosure statement for the plan as providing ade-  
6 quate information (as defined in section 1125(a)) about  
7 the bridge company and the security.

8 **“§ 1191. Inapplicability of certain avoiding powers**

9 “A transfer made or an obligation incurred by the  
10 debtor to an affiliate prior to or after the commencement  
11 of the case, including any obligation released by the debtor  
12 or the estate to or for the benefit of an affiliate, in con-  
13 templation of or in connection with a transfer under sec-  
14 tion 1185 is not avoidable under section 544, 547,  
15 548(a)(1)(B), or 549, or under any similar nonbankruptcy  
16 law.

17 **“§ 1192. Consideration of financial stability**

18 “The court may consider the effect that any decision  
19 in connection with this subchapter may have on financial  
20 stability in the United States.”.

21 (b) CLERICAL AMENDMENT.—The table of sections  
22 for chapter 11 of title 11, United States Code, is amended  
23 by adding at the end the following:

“SUBCHAPTER V—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF  
A COVERED FINANCIAL CORPORATION

“1181. Inapplicability of other sections.

“1182. Definitions for this subchapter.

“1183. Commencement of a case concerning a covered financial corporation.

- “1184. Regulators.
- “1185. Special transfer of property of the estate.
- “1186. Special trustee.
- “1187. Temporary and supplemental automatic stay; assumed debt.
- “1188. Treatment of qualified financial contracts and affiliate contracts.
- “1189. Licenses, permits, and registrations.
- “1190. Exemption from securities laws.
- “1191. Inapplicability of certain avoiding powers.
- “1192. Consideration of financial stability.”.

1 **SEC. 1104. AMENDMENTS TO TITLE 28, UNITED STATES**

2 **CODE.**

3 (a) AMENDMENT TO CHAPTER 13.—Chapter 13 of  
 4 title 28, United States Code, is amended by adding at the  
 5 end the following:

6 **“§ 298. Judge for a case under subchapter V of chap-**  
 7 **ter 11 of title 11**

8 “(a)(1) Notwithstanding section 295, the Chief Jus-  
 9 tice of the United States shall designate not fewer than  
 10 10 bankruptcy judges to be available to hear a case under  
 11 subchapter V of chapter 11 of title 11. Bankruptcy judges  
 12 may request to be considered by the Chief Justice of the  
 13 United States for such designation.

14 “(2) Notwithstanding section 155, a case under sub-  
 15 chapter V of chapter 11 of title 11 shall be heard under  
 16 section 157 by a bankruptcy judge designated under para-  
 17 graph (1), who shall be randomly assigned to hear such  
 18 case by the chief judge of the court of appeals for the cir-  
 19 cuit embracing the district in which the case is pending.  
 20 To the greatest extent practicable, the approvals required  
 21 under section 155 should be obtained.



1       “(3) If the bankruptcy judge assigned to hear a case  
2 under paragraph (2) is not assigned to the district in  
3 which the case is pending, the bankruptcy judge shall be  
4 temporarily assigned to the district.

5       “(b) A case under subchapter V of chapter 11 of title  
6 11, and all proceedings in the case, shall take place in  
7 the district in which the case is pending.

8       “(c) In this section, the term ‘covered financial cor-  
9 poration’ has the meaning given that term in section  
10 101(9A) of title 11.”.

11       (b) AMENDMENT TO SECTION 1334 OF TITLE 28.—  
12 Section 1334 of title 28, United States Code, is amended  
13 by adding at the end the following:

14       “(f) This section does not grant jurisdiction to the  
15 district court after a transfer pursuant to an order under  
16 section 1185 of title 11 of any proceeding related to a spe-  
17 cial trustee appointed, or to a bridge company formed, in  
18 connection with a case under subchapter V of chapter 11  
19 of title 11.”.

20       (c) TECHNICAL AND CONFORMING AMENDMENT.—  
21 The table of sections for chapter 13 of title 28, United  
22 States Code, is amended by adding at the end the fol-  
23 lowing:

“298. Judge for a case under subchapter V of chapter 11 of title 11.”.

1 TITLE XII  
2 ADDITIONAL GENERAL PROVISIONS  
3 SPENDING REDUCTION ACCOUNT

4 SEC. 1201. The amount by which the applicable allo-  
5 cation of new budget authority made by the Committee  
6 on Appropriations of the House of Representatives under  
7 section 302(b) of the Congressional Budget Act of 1974  
8 exceeds the amount of proposed new budget authority is  
9 \$0.

10 SEC. 1202. None of the funds made available by this  
11 Act may be used to enforce the requirements in section  
12 316(b)(4)(D) of the Federal Election Campaign Act of  
13 1971 (52 U.S.C. 30118(b)(4)(D)) that the solicitation of  
14 contributions from member corporations' stockholders and  
15 executive or administrative personnel, and the families of  
16 such stockholders or personnel, by trade associations must  
17 be separately and specifically approved by the member cor-  
18 poration involved prior to such solicitation, and that such  
19 member corporation does not approve any such solicitation  
20 by more than one such trade association in any calendar  
21 year.

22 SEC. 1203. None of the funds made available by this  
23 Act may be used to implement, administer, or enforce any  
24 of the rules proposed pursuant to section 222 of the Com-  
25 munications Act of 1934 (47 U.S.C. 222) and other statu-

1 tory provisions in the Notice of Proposed Rulemaking that  
2 was adopted by the Federal Communications Commission  
3 on March 31, 2016 (FCC 16–39).

4       SEC. 1204. None of the funds made available by this  
5 Act may be used to implement, administer, or enforce a  
6 new regulatory action for which the aggregate costs of  
7 State, local, and tribal government compliance or private  
8 sector compliance, as estimated under section 202 of the  
9 Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532),  
10 will be \$100,000,000 or more.

11       SEC. 1205. None of the funds made available by this  
12 Act may be used with respect to the case *Rainey v. Merit*  
13 *Systems Protection Board* (United States Court of Ap-  
14 peals for the Federal Circuit; No. 2015–3234, decided on  
15 June 7, 2016).

16       SEC. 1206. None of the funds appropriated by this  
17 Act may be used to enforce section 540 of Public Law  
18 110–329 (122 Stat. 3688) or section 538 of Public Law  
19 112–74 (125 Stat. 976; 6 U.S.C. 190 note).

20       SEC. 1207. None of the funds made available by this  
21 Act may be used for the relocation of the Office of Dis-  
22 ability Adjudication and Review of the Social Security Ad-  
23 ministration located at 111 Livingston Street in Brooklyn,  
24 New York.

1       SEC. 1208. None of the funds made available by this  
2 Act may be used to lease or purchase new light duty vehi-  
3 cles, for any executive fleet, or for an agency's fleet inven-  
4 tory, except in accordance with Presidential Memo-  
5 randum-Federal Fleet Performance, dated May 24, 2011.

6       SEC. 1209. None of the funds made available by this  
7 Act may be used to enter into a contract with any offeror  
8 or any of its principals if the offeror certifies, as required  
9 by Federal Acquisition Regulation, that the offeror or any  
10 of its principals—

11           (1) within a 3-year period preceding this offer,  
12       has been convicted of or had a civil judgment ren-  
13       dered against it for—

14           (A) commission of fraud or a criminal of-  
15       fense in connection with obtaining, attempting  
16       to obtain, or performing a public (Federal,  
17       State, or local) contract or subcontract;

18           (B) violation of Federal or State antitrust  
19       statutes relating to the submission of offers; or

20           (C) commission of embezzlement, theft,  
21       forgery, bribery, falsification or destruction of  
22       records, making false statements, tax evasion,  
23       violating Federal criminal tax laws, or receiving  
24       stolen property;

1           (2) are presently indicted for, or otherwise  
2           criminally or civilly charged by a governmental enti-  
3           ty with, commission of any of the offenses enumer-  
4           ated above in paragraph (1); or

5           (3) within a 3-year period preceding this offer,  
6           has been notified of any delinquent Federal taxes in  
7           an amount that exceeds \$3,000 for which the liabil-  
8           ity remains unsatisfied.

9           SEC. 1210. None of the funds made available by this  
10          Act may be used to pay a performance award under sec-  
11          tion 5384 of title 5, United States Code, to any career  
12          appointee within the Senior Executive Service.

13          SEC. 1211. None of the funds made available in this  
14          Act may be used to propose or finalize a regulatory action  
15          until January 21, 2017.

16          SEC. 1212. None of the funds made available by the  
17          Act may be used in contravention of, or to implement  
18          changes to, section 560.516 of title 31, Code of Federal  
19          Regulations, as in effect on June 22, 2016.

20          SEC. 1213. None of the funds made available in this  
21          Act may be used to carry out Operation Choke Point.

22          SEC. 1214. None of the funds appropriated by this  
23          Act may be used to change Selective Service System reg-  
24          istration requirements in contravention of section 3 of the  
25          Military Selective Service Act (50 U.S.C. 3802).

1       SEC. 1215. None of the funds made available by this  
2 Act may be used by the Securities and Exchange Commis-  
3 sion to propose, issue, implement, administer, or enforce  
4 any requirement that a solicitation of a proxy, consent,  
5 or authorization to vote a security of an issuer in an elec-  
6 tion of members of the board of directors of the issuer  
7 be made using a single ballot or card that lists both indi-  
8 viduals nominated by (or on behalf of) the issuer and indi-  
9 viduals nominated by (or on behalf of) other proponents  
10 and permits the person granting the proxy, consent, or  
11 authorization to select from among individuals in both  
12 groups.

13       SEC. 1216. None of the funds made available by this  
14 Act may be used to—

15           (1) designate any nonbank financial company  
16 as “too big to fail”;

17           (2) designate any nonbank financial company  
18 as a “systemically important financial institution”;

19 or

20           (3) make a determination that material finan-  
21 cial distress at a nonbank financial company, or the  
22 nature, scope, size, scale, concentration, inter-  
23 connectedness, or mix of the activities of such com-  
24 pany, could pose a threat to the financial stability of  
25 the United States.

1       SEC. 1217. None of the funds made available by this  
2 Act may be used in contravention of section 642(a) of the  
3 Illegal Immigration Reform and Immigrant Responsibility  
4 Act of 1996 (8 U.S.C. 1373(a)).

5       SEC. 1218. None of the funds made available by this  
6 Act may be used by the Bureau of Consumer Financial  
7 Protection to implement, administer, or enforce any guid-  
8 ance with respect to indirect auto lending.

9       SEC. 1219. None of the funds made available by this  
10 Act may be used to implement, administer, or enforce a  
11 rule issued pursuant to section 13(p) of the Securities Ex-  
12 change Act of 1934.

13       SEC. 1220. None of the funds made available by this  
14 Act may be used the Securities and Exchange Commission  
15 to finalize, implement, administer, or enforce pay ratio dis-  
16 closure rules, including the final rule titled “Pay Ratio  
17 Disclosure”, published Aug. 18, 2015 (80 Fed. Reg.  
18 50103).

19       SEC. 1221. None of the funds made available to the  
20 Department of Treasury by this Act may be used to issue  
21 a license pursuant to any Office of Foreign Assets Control  
22 (OFAC) memo regarding Section 5.1.1 of Annex II to the  
23 Joint Comprehensive Plan of Action of July 14, 2015  
24 (JCPOA), including the January 16, 2016, OFAC memo  
25 titled, “Statement of Licensing Policy For Activities Re-

1 lated to the Export Or Re-Export to Iran of Commercial  
2 Passenger Aircraft and Related Parts and Services” and  
3 any other OFAC memo of the same substance.

4       SEC. 1222. None of the funds made available by this  
5 Act may be used to authorize a transaction by a United  
6 States financial institution (as defined under section  
7 561.309 of title 31, Code of Federal Regulations) that is  
8 ordinarily incident to the export or re-export of a commer-  
9 cial passenger aircraft to the Islamic Republic of Iran.

10       SEC. 1223. None of the funds made available by this  
11 Act may be used to pay final judgments, awards, com-  
12 promise settlements, or interest and costs specified in the  
13 judgments to Iran using amounts appropriated under sec-  
14 tion 1304 of title 31, United States Code, or interest from  
15 amounts appropriated under such section.

16       SEC. 1224. None of the funds made available by this  
17 Act may be used by the Secretary of the Treasury to mod-  
18 ify regulations that prohibit, or impose strict conditions  
19 on, the opening or maintaining in the United States of  
20 a correspondent account or a payable-through account by  
21 a foreign financial institution that the Secretary finds  
22 knowingly engages in any activity described in subpara-  
23 graphs (A), (B), (C), (D), or (E) of section 104(c)(2) of  
24 the Comprehensive Iran Sanctions, Accountability, and



1 Divestment Act of 2010 (Public Law 111–195; 22 U.S.C.  
2 8513(c)(2)).

3 SEC. 1225. None of the funds made available by this  
4 Act may be used by the Bureau of Consumer Financial  
5 Protection to commence any administrative adjudication  
6 or civil action under section 1053 of the Consumer Finan-  
7 cial Protection Act of 2010 more than 3 years after the  
8 date of discovery of the violation to which the adjudication  
9 or action relates.

10 SEC. 1226. None of the funds made available by this  
11 Act (including title IV and title VIII) may be used to carry  
12 out the Reproductive Health Non-Discrimination Amend-  
13 ment Act of 2014 (D.C. Law 20–261) or to implement  
14 any rule or regulation promulgated to carry out such Act.

15 SEC. 1227. None of the funds made available by this  
16 Act may be used to finalize, implement, administer, or en-  
17 force the proposed rule entitled “Voluntary Remedial Ac-  
18 tions and Guidelines for Voluntary Recall Notices” pub-  
19 lished by the Consumer Product Safety Commission in the  
20 Federal Register on November 21, 2013 (78 Fed. Reg.  
21 69793).

22 SEC. 1228. None of the funds made available by this  
23 Act may be used to implement, administer, enforce, or  
24 codify into regulation, the guidance relating to “Commis-  
25 sion Guidance Regarding Disclosure Related to Climate

1 Change”, affecting parts 211, 231, and 249 of title 17,  
2 Code of Federal Regulations (as described in Commission  
3 Release Nos. 33–9106; 34–61469; FR–82).

4 SEC. 1229. None of the funds appropriated or other-  
5 wise made available in this Act may be used to revise any  
6 policy or directive relating to hiring preferences for vet-  
7 erans.

8 SEC. 1230. None of the funds made available by this  
9 Act may be used by the Bureau of Consumer Financial  
10 Protection for a contract for consumer awareness and en-  
11 gagement tools and resources communication.

12 This Act may be cited as the “Financial Services and  
13 General Government Appropriations Act, 2017”.

Passed the House of Representatives July 7, 2016.

Attest:

KAREN L. HAAS,

*Clerk.*



Calendar No. 557

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> Session

**H. R. 5485**

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**AN ACT**

Making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes.

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JULY 12, 2016

Received; read twice and placed on the calendar